



Legislation Text

File #: 0690-2023, **Version:** 1

1. BACKGROUND

This ordinance authorizes the Director of Public Service to modify a professional services contract with Burgess & Niple to add additional funds for design of the Arterial Street Rehabilitation - E. Broad St. - Outerbelt St. to Reynoldsburg-New Albany Rd. project.

Ordinance 1185-2020 authorized the Director of Public Service to enter into a professional services contract with Burgess & Niple for the Arterial Street Rehabilitation - E. Broad St. - Outerbelt St. to Reynoldsburg-New Albany Rd project. The intent of this project is to design improvements to the East Broad Street corridor from Outerbelt Street to Reynoldsburg-New Albany Road. This is the second phase of a major widening project to construct new through and turn lanes of various configurations in the E. Broad Street corridor from the east side of the I-270 interchange to the intersection of E. Broad Street and Reynoldsburg-New Albany Road. This project will widen and resurface the existing pavement from the eastern terminus of Phase 1 (near Outerbelt Street) to Reynoldsburg-New Albany Road. Work will include widening of the bridge over Utzinger Ditch; traffic signal improvements; addition of a shared use path, sidewalk, street lighting, street trees, and signal interconnect conduit; and incidental improvements such as drainage, traffic control, sediment and erosion control, water adjustments, and maintenance of traffic. This ordinance authorizes the Director of Public Service to modify the contract in the amount of \$1,900,000.00.

This is a planned modification that is necessary to complete the design work for the project. The original contract amount was only intended to get through the study phase of the project, with a modification needed for detail design once the study was accepted. It was deemed to be more cost efficient to modify the existing contract than to bid this part of the work.

The original contract amount: \$500,000.00 (PO227997, Ord. 1185-2020)

The total of Modification No. 1: \$1,900,000.00 (This Ordinance)

The contract amount including all modifications: \$2,400,000.00

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Burgess & Niple.

2. CONTRACT COMPLIANCE

The contract compliance number for Burgess & Niple is CC004425 and expires 2/9/2024.

3. FISCAL IMPACT

Funding for this contract is available within Fund 4428, the E. Broad Dominion TIF Fund. It is necessary to appropriate funds and then transfer cash to Fund 7428, E. Broad Dominion TIF Capital Fund to expend funds. It is also necessary to appropriate the funds.

4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM

This expenditure is to modify a contract that was put in place prior to the implementation of this program and as such is not a part of the program.

5. EMERGENCY DESIGNATION

Emergency action is requested to complete the project in a timely manner, to preserve the safety of the traveling public.

To appropriate funds within the E. Broad Dominion TIF Fund; to authorize the transfer of funds between the E. Broad Dominion TIF Fund and E. Broad Dominion TIF Capital Fund; to appropriate funds within the E. Broad Dominion TIF Capital Fund; to authorize the Director of Public Service to enter into a contract modification with Burgess & Niple in connection with the Arterial Street Rehabilitation - E. Broad St. - Outerbelt St. to Reynoldsburg-New Albany Rd. project; to authorize the expenditure of up to \$1,900,000.00 from the E. Broad Dominion TIF Capital Fund for the project; and to declare an emergency. (\$1,900,000.00)

WHEREAS, contract no. PO227997 with Burgess & Niple, in the amount of \$500,000.00, was authorized by ordinance no. 1185-2020; and

WHEREAS, it has become necessary to modify the contract in an amount up to \$1,900,000.00 and provide additional funds for the Arterial Street Rehabilitation - E. Broad St. - Outerbelt St. to Reynoldsburg-New Albany Rd. project; and

WHEREAS, it is necessary to appropriate funds in Fund 4428, the E. Broad Dominion TIF Fund; and

WHEREAS, it is necessary for Council to authorize a transfer of funds between Fund 4428, the E. Broad Dominion TIF Fund and Fund 7428, E. Broad Dominion TIF Capital Fund, to establish sufficient cash to pay for the project; and

WHEREAS, it is necessary to appropriate funds in Fund 7428, E. Broad Dominion TIF Capital Fund; and

WHEREAS, funds in the amount of up to \$1,900,000.00 will be expended from Fund 7428, E. Broad Dominion TIF Capital Fund, to pay for this project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to enter into a contract modification with Burgess & Niple, to prevent delays in the project schedule, to preserve the safety of the traveling public thereby preserving the public health, peace, property, safety, and welfare; **now, therefore**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ended December 31, 2023, the sum of \$1,900,000.00 is appropriated in Fund 4428 (E. Broad Dominion TIF Fund), Dept-Div 4402 (Economic Development), Object Class 10 (Transfer Out Operating) per the account codes in the attachment to this ordinance.

SECTION 2. That the transfer of \$1,900,000.00 or so much thereof as may be needed, is hereby authorized from Fund 4428 (E. Broad Dominion TIF Fund), Dept-Div 4402 (Economic Development) to Fund 7428 (E. Broad Dominion TIF Capital Fund), Dept-Div 5912 (Design and Construction) per the account codes in the attachment to this ordinance.

SECTION 3. That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ended December 31, 2023, the sum of \$1,900,000.00 is appropriated in Fund 7428 (E. Broad Dominion TIF Capital Fund), Dept-Div 5912 (Design and Construction), Project P530103-100066 (Arterial Street Rehabilitation - E. Broad St. - Outerbelt St. to Reynoldsburg-New Albany Rd.), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 4. That the Director of Public Service be, and hereby is, authorized to enter into a contract modification with Burgess & Niple at 330 Rush Alley, Suite 700, Columbus, Ohio, 43215, for the Arterial Street Rehabilitation - E. Broad St. - Outerbelt St. to Reynoldsburg-New Albany Rd project in the amount of \$1,900,000.00, or so much thereof as may be needed, in accordance with the plans and specifications on file in the Department of Public Service, which are hereby

approved.

SECTION 5. That the expenditure of \$1,900,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7428 (E. Broad Dominion TIF Capital Fund), Dept-Div 5912 (Design and Construction), Project P530103-100066 (Arterial Street Rehabilitation - E. Broad St. - Outerbelt St. to Reynoldsburg-New Albany Rd.), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 6. Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

SECTION 7. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 8. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

SECTION 9. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.