



Legislation Text

File #: 1160-2023, **Version:** 1

1. BACKGROUND

This ordinance authorizes the Director of Public Service to modify a professional services contract with Burgess & Niple, Inc. to add additional funds for the design of the Signals - General Engineering Signals (2018) project in the amount not to exceed \$40,000.00.

Ordinance No. 1871-2018 authorized the Director of Public Service to enter into a professional services contract with Burgess & Niple, Inc. for the Signals - General Engineering Signals (2018) project. Ordinance No. 0378-2019 authorized the Director of Public Service to modify the contract in the amount of \$94,356.00.

Ordinance No. 0692-2022 authorized the Director of Public Service to modify the contract in the amount of \$350,000.00 to update and complete the design process for the Front Street and Marconi Boulevard project. This project consists of converting Front Street from Broad Street to Hickory Street and Marconi Boulevard from Broad Street to Spring Street to a two-way operation and upgrading all signals within the project limits to decorative downtown standard. This ordinance authorizes the Director of Public Service to modify the contract in the amount of \$40,000.00.

This modification is necessary to provide services during the bidding and construction phase of the project. 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:	\$300,000.00	(PO136168, Ord. 1871-2018)
The total of Modification No. 1:	\$ 94,356.00	(PO159366, Ord. 0378-2019)
The total of Modification No. 2:	\$350,000.00	(PO318898/PO318901 Ord. 0629-2022)
<u>The total of Modification No. 2:</u>	<u>\$ 40,000.00</u>	<u>(This Ordinance)</u>
Contract amount including all modifications:	\$784,356.00	

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

2. CONTRACT COMPLIANCE

The contract compliance number for Burgess & Niple, Inc. is CC004425 and expires 02/09/2024.

3. FISCAL IMPACT

The funding is available and appropriated in Fund 7704, Streets and Highways Bond Fund. An amendment to the 2022 Capital Improvements Budget and a transfer of funds is necessary to align funding for these project expenditures.

4. EMERGENCY DESIGNATION

Emergency action is requested in order to complete needed improvements at the earliest possible time and meet the requirements of the start date for the Ohio Public Works Commission funding award to avoid penalty and to ensure the safety of the traveling public.

To amend the 2022 Capital Improvement Budget; to authorize the transfer of funds and appropriation within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a contract modification with Burgess & Niple, Inc. in connection with the Signal Installation - General Engineering Signals (2018) project; to authorize the expenditure of an amount not to exceed \$40,000.00 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$40,000.00)

WHEREAS, contract no. PO136168 with Burgess & Niple, Inc., in the amount of \$300,000.00, was authorized by Ordinance No. 1271-2018; and

WHEREAS, modification no. 1, PO159366, in the amount of \$94,356.00, was authorized by Ordinance No. 0378-2019; and

WHEREAS, modification no. 2, PO318898/PO318901, in the amount of \$350,000.00, was authorized by Ordinance No. 0629-2022; and

WHEREAS, it has become necessary to modify the contract in an amount not to exceed \$40,000.00 and provide additional funds for the Signals - General Engineering Signals (2018) project; and

WHEREAS, it is necessary to amend the 2022 Capital Improvement Budget and transfer funds to provide funding for project expenditures; 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, Inc. to prevent delays in the project schedule, to meet the requirements of the start date for the Ohio Public Works Commission funding award to avoid penalty, and to ensure the safety of the traveling public, 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 the 2022 Capital Improvements Budget authorized by Ordinance No. 1896-2022 be amended to establish sufficient authority for this project:

Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended

7704 / P530086-100030 / Intersection Improvements - SR 161 Corridor Study (Voted Carryover) / \$200,563.00 / (\$40,000.00) / \$160,563.00

7704 / P545000-100000 / Signals - General Engineering Signals (2018) (Voted Carryover) / \$0.00 / \$40,000.00 / \$40,000.00

SECTION 2. That the transfer of \$40,000.00, or so much thereof as may be needed, is authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530086-100030 (Intersection Improvements - SR 161 Corridor Study), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P545000-100000 (Signals - General Engineering Signals (2018)), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 3. That the Director of Public Service be, and hereby is, authorized to enter into a contract modification with Burgess & Niple, Inc. located at 330 Rush Alley #700, Columbus, Ohio 43215, for the Signal - General Engineering Signals (2018) project in the amount not to exceed \$40,000.00, 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 4. That the expenditure of \$40,000.00, or so much thereof as may be needed, is authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction), Project P545000-100000 (Signals - General Engineering Signals (2018)), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 5. Funds are 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 6. 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 7. That the City Auditor is 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 8. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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.