



City of Columbus

Certified Copy

Ordinance: 2730-2019

Office of City Clerk
90 West Broad Street
Columbus OH
43215-9015
columbuscitycouncil.org

File Number: 2730-2019

To authorize the Director of Public Utilities to enter into a construction contract with Danbert, Inc. for the Valleyview Drive Area Water Line Improvements Project in an amount up to \$3,240,634.27; to encumber funds with the Department of Public Service, Design and Construction Division for prevailing wage services in an amount up to \$2,000.00; to authorize the appropriation and transfer of \$3,231,897.30 from the Water System Reserve Fund to the Water Supply Revolving Loan Account Fund; to authorize the appropriation and expenditure of \$3,231,897.30 from the Water Supply Revolving Loan Account Fund; to authorize an expenditure up to \$2,000.00 within the Water General Obligations Voted Bond Fund; to authorize a transfer and expenditure up to \$8,736.97 within the Streets and Highways Bond Fund; and to authorize an amendment to the 2019 Capital Improvements Budget. (\$3,242,634.27)

WHEREAS, four bids for the Valleyview Drive Area Water Line Improvements Project were received and publicly opened in the offices of the Director of Public Utilities on October 9, 2019; and

WHEREAS, the lowest, best, most responsive and responsible bid was from Danbert, Inc. in the amount of \$3,240,634.27; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of prevailing wage services associated with the Valleyview Drive Area Water Line Improvements Project; and

WHEREAS, it is necessary to both appropriate funds from the Water System Reserve Fund and to authorize the transfer of said funds into the Water Supply Revolving Loan Account Fund in order to temporarily fund this expenditure, until such time as the City is able to execute a loan for the above stated purpose and reimburse the Water System Reserve Fund; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the construction of the Project described in this Ordinance (collectively, the "Project"); and

WHEREAS, it is necessary for this Council to authorize an expenditure of funds within the Water G.O. Voted Bonds Fund; and

WHEREAS, it is necessary for this Council to authorize a transfer and expenditure of funds within the Streets and Highways Bond Fund; and

WHEREAS, it is necessary to authorize an amendment to the 2019 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditures; and

WHEREAS, it has become necessary in the usual daily operation of the Division of Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract with Danbert, Inc. for the Valleyview Drive Area Water Line Improvements Project, for the preservation of the public health, peace, property and safety; **now, therefore**

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

SECTION 1. That the Director of Public Utilities is hereby authorized to enter into a construction contract for the Valleyview Drive Area Water Line Improvements Project with Danbert, Inc. (FID #31-1029004), 8077 Memorial Dr., Plain City, OH 43064, in an amount up to \$3,240,634.27; in accordance with the terms and conditions of the contract on file in the Office of the Division of Water; and to obtain the necessary prevailing wage services from the Design and Construction Division and to pay up to a maximum amount of \$2,000.00.

SECTION 2. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Water.

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 ending December 31, 2019, the sum of \$3,231,897.30 is appropriated in Fund 6003 - Water System Reserve Fund, in Object Class 10 - Transfer Out Expenditure, per the account codes in the attachment to this ordinance.

SECTION 4. That the transfer of \$3,231,897.30 or so much thereof as may be needed, is hereby authorized between Fund 6003 - Water System Reserve Fund and Fund 6011 - Water Supply Revolving Loan Account Fund, per the account codes in the attachment to this ordinance.

SECTION 5. That the expenditure of \$3,231,897.30 or so much thereof as may be needed, is hereby authorized in Fund 6011 - Water Supply Revolving Loan Account Fund, in Object Class 06 - Capital Outlay, per the accounting codes in the attachment to this ordinance.

SECTION 6. That the expenditure of \$2,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6006 - Water G.O. Bonds Fund, in Object Class 06 - Capital Outlay, per the accounting codes in the attachment to this ordinance.

SECTION 7. That the expenditure of \$8,736.97, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5911 (Infrastructure Management), Project P530282-100134 (Resurfacing - Dibblee Ave - Valleyview), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 8. That the 2019 Capital Improvements Budget authorized by ordinance 1326-2019 be amended as follows to establish sufficient authority for this project:

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

7704 / P530282-100000 / 59-03 Resurfacing (Voted Carryover) / \$12,666.00 / (\$8,737.00) / \$3,929.00

7704 / P530282-100134 / Resurfacing - Dibblee Ave - Valleyview (Voted Carryover) / \$0.00 / \$8,737.00 / \$8,737.00

SECTION 9. That upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 6 above, and said funds are hereby deemed appropriated for such purpose.

SECTION 10. That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$3,240,634.27 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the Water System Reserve Fund, Fund 6003, which is the fund from which the advance for costs of the Project will be made.

SECTION 11. That the funds necessary to carry out the purpose of this Ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 12. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 13. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 14. 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 15. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

I, , certify that this is a true copy of Ordinance No. 2730-2019, passed by the CITY CLERK on 11/27/2019.

Attest: _____

Date Certified