



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 3/15/2023 **In control:** Public Utilities Committee

On agenda: 5/22/2023 **Final action:** 5/24/2023

Title: To amend the 2022 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Water Bond Fund; to authorize the appropriation of funds within the Water Revolving Loan Fund; to authorize the Director of the Department of Public Utilities to enter into a construction contract for the PAWP Hypochlorite Disinfection project with Kokosing Industrial; and to authorize the expenditure of up to \$24,267,000.00 from the Water Revolving Loan Fund and the Water Bond Fund to pay for the contract and for prevailing wage administration. (\$24,267,000.00)

Sponsors:

Indexes: EBE Participation, MBE Participation, WBE Participation

Code sections:

Attachments: 1. ORD 0906-2023 Legislation Template, 2. ORD 0906-2023 Utilization, 3. ORD 0906-2023 Information

Date	Ver.	Action By	Action	Result
5/24/2023	1	CITY CLERK	Attest	
5/23/2023	1	MAYOR	Signed	
5/22/2023	1	COUNCIL PRESIDENT	Signed	
5/22/2023	1	Columbus City Council	Approved	Pass
5/15/2023	1	Columbus City Council	Read for the First Time	

1. BACKGROUND: This ordinance authorizes the Director of the Department of Public Utilities to enter into a contract with Kokosing Industrial Inc. for the PAWP Hypochlorite Disinfection project, CIP #690487-100000, in an amount up to \$24,265,000.00 and to encumber funds with the Department of Public Service for prevailing wage administration in an amount up to \$2,000.00.

The purpose of this project is to convert the PAWP disinfection process from chlorine gas to liquid sodium hypochlorite, reducing the risk of chlorine gas exposure. All work shall be substantially complete within 1,230 calendar days of the Notice to Proceed, with the Final Completion to occur within 1,290 calendar days. A Notice to Proceed is expected to be issued in June 2023.

The Community Planning Area is “99 - Citywide” since the PAWP services several Columbus communities.

2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:

This project will address the current risks associated with a gaseous chlorine based system while providing a safer storage and handling system for plant staff. The potential threat of an accidental or intentional release of chlorine gas will be mitigated with this project

There are no anticipated public meetings to be held for this project. The Division of Water will be responsible for coordinating with stakeholders.

3. BID INFORMATION: The project was advertised for competitive bid submission on the City's Vendor Services website and on the Bid Express website from 12/21/22 to 3/1/23. Bids were received from the following companies:

<u>Company</u>	<u>Bid Amount</u>	<u>Compliance Number</u>	<u>ODI Status</u>
Kokosing Industrial Inc.	\$24,265,000.00	CC-012319	MAJ
Kenmore Construction Co. Inc.	\$27,520,822.50	CC-006456	MAJ

Award is to be made to Kokosing Industrial as the lowest responsive, responsible, and best for their bid in the amount of \$24,265,000.00. The amount of prevailing wage administration costs will be \$2,000.00. The total legislated amount is \$24,267,000.00.

Kokosing Industrial's certification was in good standing at the time of the bid award.

As part of their proposal, Kokosing Industrial has proposed the following fourteen subcontractors to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
UNIK Logistiks Llc	Westerville	MBE
Claypool Electric, Inc	Columbus	WBE
Universal Enterprises, Inc.	Mansfield	MAJ
The K Company Inc.	Akron	MAJ
Advanced Industrial Services	Worthington	MAJ
Kokosing Construction Company	Westerville	MAJ
C&C Reinforcing Llc	Liberty Township	MAJ
Follow the River Designs Llc	McConnelsville	EBE
Decker Construction Co.	Columbus	MAJ
Howard Painting Inc	Defiance	MAJ
S&S Midwest Fire Protection, Llc	Worthington	MAJ
M Squared Llc	Marion	MAJ
Kalkreuth Roofing and Sheet Metal Inc	Lewis Center	MAJ
Elastizell Systems	Dayton	MAJ

4. CONTRACT COMPLIANCE INFORMATION

Kokosing Industrial's contract compliance number is CC-012309 and expires 6/2/2023.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Kokosing Industrial Inc.

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

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 15% as assigned by the City's Office of Diversity and Inclusion (ODI). After ODI's review of the Utilization Plan and other related information the contractor submitted with their bid response, ODI has approved an MBE/WBE Program goal of 11.6% for this contract. Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the "City's Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual" and in the bid documents for this contract.

6. PRE-QUALIFICATION STATUS

Kokosing Industrial and all subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

7. FISCAL IMPACT: This project has been approved for below market-rate loan financing through the Ohio

Environmental Protection Agency's Water Supply Revolving Loan Account (WSRLA) which is administered by the Ohio Water Development Authority (OWDA). The loan award is expected in April 2023 when an OWDA Loan Account number will be assigned. An amendment to the 2022 Capital Improvement Budget is needed to match the loan amount. It will also be necessary to appropriate funds within the Water Revolving Loan Fund, Fund 6011.

Funds in the amount of \$2,000.00 are appropriated and available within the Water Bond Fund, Fund 6006, to pay the Department of Public Service for prevailing wage administration. An amendment to the 2022 Capital Improvement Budget is necessary to align budget authority with the proper project. It will also be necessary to transfer funds between projects within the Water Bond Fund, Fund 6006, to align cash with the proper project.

To amend the 2022 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Water Bond Fund; to authorize the appropriation of funds within the Water Revolving Loan Fund; to authorize the Director of the Department of Public Utilities to enter into a construction contract for the PAWP Hypochlorite Disinfection project with Kokosing Industrial; and to authorize the expenditure of up to \$24,267,000.00 from the Water Revolving Loan Fund and the Water Bond Fund to pay for the contract and for prevailing wage administration. (\$24,267,000.00)

WHEREAS, the Department of Public Utilities is engaged in the PAWP Hypochlorite Disinfection project; and

WHEREAS, two bids for the PAWP Hypochlorite Disinfection project were received and publicly opened in the offices of the Director of Public Utilities; and

WHEREAS, the lowest, best, most responsive and responsible bid was from Kokosing Industrial, Inc. in the amount of \$24,265,000; and

WHEREAS, it is necessary to authorize an amendment to the 2022 Capital Improvements Budget for the purpose of providing budget authority for the proper project; and

WHEREAS, it is necessary to authorize a transfer of cash and appropriation of up to \$2,000.00 between projects within the Water Bond Fund, Fund 6006, to align cash and appropriation with the proper project; and

WHEREAS, it is necessary to authorize an appropriation of up to \$24,265,000.00 within the Water Revolving Loan Fund, Fund 6011; and

WHEREAS, it is necessary to authorize the Director of Public Utilities to enter into a construction contract with Kokosing Industrial, Inc. for the PAWP Hypochlorite Disinfection project; and

WHEREAS, it is necessary to authorize an expenditure of up to \$24,267,000.00 within the Water Revolving Loan Fund, Fund 6011, and the Water Bond Fund, Fund 6006, to pay for project construction and to pay the Department of Public Service for Prevailing Wage Services; **NOW, THEREFORE**,

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

SECTION 1. That the 2022 Capital Improvement Budget authorized by Ordinance 1896-2022 be amended as follows to establish sufficient budget authority for this project:

<u>Fund / Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change</u>
6011 / 690487-100000 / PAWP Hypochlorite Disinfection Improvements (WSRLA Loan) / \$15,000,000.00 / \$24,265,000.00 / \$9,265,000.00 (To match the actual loan amount)
6006 / 690537-100000 / Storage Tank Replacement (Voted Water Carryover) / \$29,596.00 / \$27,596.00 / (\$2,000.00)
6006 / 690487-100000 / PAWP Hypochlorite Disinfection Improvements (Voted Water Carryover) / \$452,200.00 / \$454,200.00 / \$2,000.00

SECTION 2. That a transfer of funds between projects within the Water Bond Fund, Fund 6006, is authorized per the accounting 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 \$24,265,000.00 is appropriated in Fund 6011 (Water Revolving Loan Fund) per the account codes in the attachment to this ordinance.

SECTION 4. That the Director of the Department of Public Utilities be and hereby is authorized to enter into a construction contract of up to \$24,265,000.00 for the PAWP Hypochlorite Disinfection project with Kokosing Industrial Inc., 6235 Westerville Road; Westerville, OH 43081; in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Water; and to obtain the necessary prevailing wage administration services from the Department of Public Service up to a maximum amount of \$2,000.00.

SECTION 5. That the expenditure of up to \$24,267,000.00, or so much thereof as may be needed, is hereby authorized 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.