



## Legislation Details (With Text)

**File #:** 2882-2015      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/9/2015      **In control:** Public Utilities Committee

**On agenda:** 12/14/2015      **Final action:** 12/16/2015

**Title:** To authorize the Director of Public Utilities to enter a professional engineering agreement with EmNet, LLC for the Real Time Control - Sewer System Optimization project; to authorize the appropriation and transfer of \$741,036.22 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund; to authorize the expenditure of up to \$741,036.22 from said funds; and to amend the 2015 Capital Improvements Budget. (\$741,036.22)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 2882-2015 2-Director's Legislation Info Sheet (650009), 2. Sub-Contractor WIF 650009-100002 Real Time Control - Sewer Sys Optim

Date	Ver.	Action By	Action	Result
12/16/2015	1	CITY CLERK	Attest	
12/15/2015	1	MAYOR	Signed	
12/14/2015	1	COUNCIL PRESIDENT	Approved	
12/14/2015	1	COUNCIL PRESIDENT	Signed	
12/14/2015	1	Columbus City Council	Approved	Pass
12/7/2015	1	Columbus City Council	Read for the First Time	

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter a professional engineering agreement with EmNet, LLC for the Real Time Control - Sewer System Optimization, CIP 650009-100002. The goal of the project is to determine the system-wide real time control (RTC) strategies that can be implemented into our wastewater collection system to ultimately reduce overflows, plant bypasses and operation cost. The decision support system (DSS) shall provide flexibility and reliability to dynamically regulate the collection system for various types of wet weather events and flow distribution in time and space. The DSS shall demonstrate the benefits of improved efficiency and performance of existing and future infrastructures under a variety of operating conditions and rainfall events. A prioritized implementation plan shall be developed and evaluated. Design plans for selected RTC implementations will be developed.

**2. Project Timeline:** It is anticipated that a Notice to Proceed will be issued on January 25, 2016. Preliminary design plans shall be completed by Feb 29, 2017.

**3. Procurement:** The Division advertised for request for proposals (RFP) on the City of Columbus's Vendor Services website and in the City Bulletin in accordance with the overall provisions of Section 329 of Columbus City Codes. The Division of Sewerage and Drainage opened the responding proposals on June 5, 2015 from two companies:

<u>Name</u>	<u>C.C. No. /Exp. Date</u>	<u>City/State</u>	<u>Status</u>
EmNet, LLC	20-1118177 10/31/2016	South Bend, IN	MAJ

Tetra Tech

95-4148514 09/30/2016

New Albany, OH

MAJ

Two companies submitted proposals. These proposals were reviewed and ranked utilizing an evaluation committee and evaluation process. After careful consideration, the committee recommended that EmNet, LLC be awarded the engineering agreement for the Real Time Control - System Optimization project.

4. This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings for Recovery Database.
5. **CONTRACT COMPLIANCE NO.:** 20-1118177 | MAJ | EXP 10/31/2016
6. **EMERGENCY DESIGNATION:** Emergency designation **is not** requested.
7. **ECONOMIC IMPACT:** This project is City's system wide real time control plan which optimizes operations of wastewater treatment plants and reduce overflow throughout the entire collection system. This study will reduce Combined Sewer Overflow, sanitary overflow, and reduce bypass at the wastewater treatment plants, which have significant environmental benefits both to receiving streams and public health.
8. **FISCAL IMPACT:** This ordinance authorizes appropriation and transfer of \$741,036.22 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund, Fund 664; to authorize the creation of sufficient budget authority; to authorize the expenditure of up to \$741,036.22 from said funds; and to amend the 2015 Capital Improvements Budget. Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from a future Bond Sale via the transfer detailed in this ordinance.

To authorize the Director of Public Utilities to enter a professional engineering agreement with EmNet, LLC for the Real Time Control - Sewer System Optimization project; to authorize the appropriation and transfer of \$741,036.22 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund; to authorize the expenditure of up to \$741,036.22 from said funds; and to amend the 2015 Capital Improvements Budget. (\$741,036.22)

**WHEREAS**, it is necessary to determine the system-wide real time control (RTC) strategies that can be implemented into our wastewater collection system to ultimately reduce overflows, plant bypasses and operation cost; and

**WHEREAS**, the City used an RFP process to select EmNet, LLC as the engineering firm for this project; and

**WHEREAS**, it is necessary to authorize the appropriation and transfer of funds, \$741,036.22, from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund; and

**WHEREAS**, it is necessary to authorize the expenditure of funds, \$741,036.22, from the Sanitary Sewer General Obligation (G.O.) Bond Fund; and

**WHEREAS**, it is necessary to amend the 2015 Capital Improvements Budget for purposes of creating and providing sufficient budget authority for the aforementioned expenditures; and

**WHEREAS**, this transfer should be considered as a temporary funding method; and

**WHEREAS**, the City will sell notes or bonds to fund this project and will reimburse the Sanitary 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 project described in this ordinance (the "Project"); and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, to authorize the Director of Public Utilities to enter into an engineering agreement with EmNet, LLC for the Real Time Control - Sewer System Optimization project at the earliest practical date; **now, therefore**

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

**SECTION 1.** That the Director of Public Utilities be, and hereby is, authorized to enter a professional engineering agreement with EmNet, LLC, 121 S. Niles Ave., Suite 22, South Bend, IN 46617 for the Real Time Control - Sewer System Optimization project in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage.

**SECTION 2.** That from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 654, 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, 2015, the sum of \$741,036.22 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-05 | OCA Code 655225 | Object Level One 10 | Object Level Three 5502.

**SECTION 3.** That the City Auditor is hereby authorized to transfer and appropriate a total \$741,036.22 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer Bond Fund, Fund 664, into the Real Time Control - Sewer System Optimization project, CIP 650009-100002, at such time as deemed necessary by the Auditor, or so much thereof as may be necessary in the following manner: Division 60-05 | 640902 | Object Level 06 | Object Level Three 6676.

**SECTION 4.** That the Director of Public Utilities be and hereby is authorized to expend up to \$741,036.22 from the Sanitary Sewer General Obligation Bond Fund, Fund 664 | Div. 60-05 | Obj. Level 3 6676 in the following manner:

**Fund # | Project No. | Project Name | OCA Code | Amount (\$)**  
664 | 650009-100002 | Real Time Control - Sewer System Optimization | 640902 | +\$741,036.22

**SECTION 5.** That the 2015 Capital Improvements Budget is hereby amended as follows:

**Fund No. | Project No. | Project Name | Current | Revised | (Change)**  
664 | 650009-100000 | Real Time Control | \$850,000 | \$108,964 | (-\$741,037)  
664 | 650009-100002 | Real Time Control - Sewer System Optimization | \$0 | \$741,037 | (+\$741,037)

**SECTION 6.** That the said firm, EmNet, LLC, shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**SECTION 7.** That the City Auditor is hereby authorized 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 are no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

**SECTION 8.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 9.** 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 10.** That upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sanitary Sewer Reserve Fund the amount transferred above (Section 3), and said funds are hereby deemed appropriated for such purposes.

**SECTION 11.** 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 \$741,036.22 (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 Sanitary/Sewer Reserve Fund 654, which is the fund from which the advance for costs of the Project will be made.

**SECTION 12.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.