



## Legislation Details (With Text)

**File #:** 2903-2018      **Version:** 1

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

**File created:** 10/12/2018      **In control:** Public Utilities Committee

**On agenda:** 12/3/2018      **Final action:** 12/6/2018

**Title:** To authorize the Director of Public Utilities to enter into a construction contract with Musson Bros., Inc. for the Downspout Redirection - Clintonville 1 Cooke / Glenmont & Lateral Lining Projects; to authorize the appropriation, transfer, and expenditure of \$1,925,428.80 from the Sanitary Sewer Reserve Fund to the Ohio Water Development Loan Fund for the Lateral Lining - Clintonville 1 Cooke / Glenmont Project and to authorize the expenditure of up to \$1,537,000.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund for the Downspout Redirection - Clintonville 1 Cooke / Glenmont project which includes \$2,000.00 for the cost of Prevailing Wage Administration fees; and amends the 2018 Capital Improvement Budget. The combined project total is \$3,462,428.80. (\$3,462,428.80)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 2903-2018 Bid Tab Cooke-Glenmont 101018, 2. Ord 2903-2018 Subcontractor Utilization Form 650871 & 650872 - 110171, 3. Ord 2903-2018 DAX Financial Form Cooke Glenmont Downspout & Lateral Lining

Date	Ver.	Action By	Action	Result
12/6/2018	1	CITY CLERK	Attest	
12/5/2018	1	ACTING MAYOR	Signed	
12/3/2018	1	COUNCIL PRESIDENT	Signed	
12/3/2018	1	Columbus City Council	Approved	Pass
11/19/2018	1	Columbus City Council	Read for the First Time	

1. **BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Musson Bros., Inc. for the Downspout Redirection - Clintonville 1 Cooke / Glenmont & Lateral Lining Projects; C.I.P. numbers 650871-110171 and 650872-110171. The work for these projects consists of redirecting downspouts from homes to discharge to the street, lining 267 sanitary service laterals via cured-in-place pipe (CIPP) technology, and other such work as may be necessary to complete the contract in accordance with the drawings, technical specifications, and City of Columbus Construction and Material Specifications as set forth in this Invitation For Bid (IFB).

The Lateral Lining Project has been approved for below market-rate loan financing through the Ohio Environmental Protection Agency's Water Pollution Control Loan Fund (WPCLF) which is administered by the Ohio Water Development Authority (OWDA). Ordinance 2778-2017, passed December 4, 2017, authorizes the Director of Public Utilities to enter into a WPCLF Loan for these projects. The combined projects' assigned WPCLF Number is CS390274-0304. Upon the loan award, which is expected December 6, 2018, an OWDA Loan Account number will be assigned.

2. **PROJECT TIMELINE:** the work is to be completed within 365 calendar days after the effective date of the Notice to Proceed.

3. **PROCUREMENT INFORMATION:** The Division advertised for competitive bids for the subject project on the City's Vendor Services website, the City's Bulletin, and the Bid Express website in accordance with the overall provisions of Section 329 of Columbus's City Codes. The Division of Sewerage and Drainage received three (3) bids on October 10, 2018 from the following companies:

<u>Name</u>	<u>C.C. No</u>	<u>Vendor #</u>	<u>Exp. Date</u>	<u>City/State</u>	<u>Status</u>
Musson Bros., Inc.	39-0880737	025329	04/04/20	Brookfield, WI	MAJ
BLD Services	72-1512625	019505	03/30/19	Kenner, LA	MAJ
George J. Igel	31-4214270	006024	04/13/19	Columbus, Ohio	MAJ

These bids were reviewed and ranked utilizing the Bid Tab and Quality Factor Form process. It was determined that Musson Bros., Inc. was the lowest responsive, responsible, and best bid.

4. **EMERGENCY DESIGNATION:** An emergency designation **is not requested** at this time.

5. **CONTRACT COMPLIANCE NO:** 39-0880737 | MAJ | 04/04/20 | Vendor #: 025329

6. **ECONOMIC IMPACT:** This project is a Consent Order project and is an improvement identified in the Integrated Plan and 2015 Wet Weather Management Program (WWMP) Update Report. The project is needed to mitigate water in basement events and sanitary sewer overflows to achieve the goal of a 10 year Level of Service (LOS). Public meetings were conducted to solicit public input regarding the project and descriptions of the work associated with this project were included on the City of Columbus website.

7. **FISCAL IMPACT:** This ordinance authorizes the appropriation and transfer of \$1,925,428.80 from the Sanitary Sewer Reserve Fund 6102 to the Ohio Water Development (OWDA) Loan Fund 6111; it authorizes the expenditure of up to \$1,925,428.80 from the Ohio Water Development (OWDA) Loan Fund 6111 for the Cooke / Glenmont Lateral Lining Project; the additional expenditure of \$1,537,000.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund 6109 for the Downspout Redirection - Clintonville 1 Cooke / Glenmont project and the prevailing wage administration fees; and amends the 2018 Capital Improvement Budget.

To authorize the Director of Public Utilities to enter into a construction contract with Musson Bros., Inc. for the Downspout Redirection - Clintonville 1 Cooke / Glenmont & Lateral Lining Projects; to authorize the appropriation, transfer, and expenditure of \$1,925,428.80 from the Sanitary Sewer Reserve Fund to the Ohio Water Development Loan Fund for the Lateral Lining - Clintonville 1 Cooke / Glenmont Project and to authorize the expenditure of up to \$1,537,000.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund for the Downspout Redirection - Clintonville 1 Cooke / Glenmont project which includes \$2,000.00 for the cost of Prevailing Wage Administration fees; and amends the 2018 Capital Improvement Budget. The combined project total is \$3,462,428.80. (\$3,462,428.80)

**WHEREAS,** it is necessary to authorize the Director of Public Utilities to enter into a construction contract with Musson Bros., Inc. for the Downspout Redirection - Clintonville 1 Cooke / Glenmont & Lateral Lining Project, C.I.P. 650871-110171 and 650872-110171; and

**WHEREAS,** the work consists of redirecting downspouts from homes to discharge to the street, and lining approximately 311 sanitary service laterals via cured-in-place pipe (CIPP) technology; and

**WHEREAS,** three (3) competitive bids were received and opened by the Department of Public Utilities in accordance with the overall provisions of Section 329 of the Columbus City Code; and

**WHEREAS,** it was determined that Musson Bros., Inc. submitted the lowest, best, and most responsive bid; and

**WHEREAS**, it is necessary to authorize the appropriation and transfer from the Sanitary Sewer Reserve Fund, Fund 6102 to the Ohio Water Development (OWDA) Loan Fund, Fund 6111 for the Lateral Lining Clintonville 1 Cooke / Glenmont Project; and

**WHEREAS**, it is necessary to authorize the expenditure of up to \$1,925,428.80 from the Ohio Water Development (OWDA) Loan Fund, Fund 6111; and

**WHEREAS**, it is necessary to authorize an amendment to the 2018 Capital Improvement Budget to provide sufficient authority for this project; and

**WHEREAS**, it is necessary to authorize the expenditure of up to \$1,537,000.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund, Fund 6109 which includes \$2,000.00 for the prevailing wage administration fees; and

**WHEREAS**, the Ohio Water Development Authority (OWDA) will approve an Ohio EPA WPCLF loan agreement with the City of Columbus on December 6, 2018 in the amount of \$1,925,428.80 to provide financing for the above listed project with eligible costs including the construction contract and contingency; and

**WHEREAS**, it is necessary to both appropriate funds from the Sewer System Reserve Fund 6102, and to authorize the transfer of said funds to the OWDA Loan Fund 6111 in order to temporarily fund the loan portion of this project expenditure until the City receives the loan proceeds for the above stated purpose and reimburse the Sewer System Reserve Fund; and

**WHEREAS**, the aggregate principal amount of obligations which the City will issue to finance this project will not exceed \$1,925,428.80; 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 Division of Sewerage and Drainage, Department of Public Utilities, to authorize the Director to enter into a construction contract with Musson Bros., Inc. for the Downspout Redirection - Clintonville 1 Cooke / Glenmont & Lateral Lining Projects, C.I.P 650871-110171 and 650872-110171 for the preservation of 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 Director of Public Utilities is hereby authorized to enter into a construction contract with Musson Bros., Inc., 4215 N. 124<sup>th</sup> Street, Brookfield, WI 53005, for the Downspout Redirection - Clintonville 1 Cooke / Glenmont & Lateral Lining Projects C.I.P. numbers 650871-110171 and 650872-110171 in accordance with the terms and conditions on file in the office of the Division of Sewerage and Drainage.

**SECTION 2.** 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, 2018, the sum of \$1,925,428.80 is appropriated in Fund 6102, per the account codes in the DAX Financial attachment to this ordinance.

**SECTION 3.** That the transfer of \$1,925,428.80 or so much thereof as may be needed, is hereby authorized between the Sanitary Sewer Reserve Fund 6102 and OWDA Loan Fund 6111 per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That the 2018 Capital Improvement Budget is hereby amended as follows:

<b>Fund No.</b>	<b>Project No.</b>	<b>Project Name</b>	<b>Current Authority</b>	<b>Revised Authority</b>	<b>(Change) Authority</b>
6111	650872-110171	Lateral Lining Clintonville 1 Cooke / Glenmont	\$0	\$1,925,429	\$1,925,429 Creation of

Authority to Match Expenditure

**SECTION 5.** That an expenditure of \$1,925,428.80 or as much as may be needed for the Lateral Lining Clintonville 1 Cooke / Glenmont project, is hereby authorized in the Ohio Water Development (OWDA) Loan Fund 6111 per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That the City Auditor is hereby authorized to expend up to \$1,537,000.00 or as much as may be needed for the Downspout Redirection Clintonville 1 Cooke / Glenmont project, is hereby authorized from the Sanitary Sewer General Obligation Bond Fund 6109 per the account codes in the attachment to this ordinance, which includes \$2,000.00 for prevailing wage administrative fees.

**SECTION 7.** That the said firm, Musson Bros., Inc., shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**SECTION 8.** 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 9.** 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 10.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 11.** 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 12.** 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 13.** 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 \$1,925,428.80 (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 6102, which is the fund from which the advance for costs of the Project will be made.

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