



Legislation Details (With Text)

File #: 1575-2008 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/29/2008 **In control:** Utilities Committee

On agenda: 10/20/2008 **Final action:** 10/22/2008

Title: To authorize the Director of Public Utilities to execute a final contract modification with Kokosing Construction Company, Inc. for the North Linden Area Sanitary and Roadway Improvement Projects; to authorize the transfer of \$68,193.46 from within the Voted Sanitary Sewer Bond Fund; to amend the 2008 Capital Improvements Budget; to authorize the expenditure of \$68,490.61 within the Voted Sanitary Sewer Bond Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$68,490.61).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1575-2008 Legislation Information.pdf, 2. ORD1575-2008 Map651.tif, 3. ORD1575-2008 Map656.tif, 4. ORD1575-2008 Map657.tif

Date	Ver.	Action By	Action	Result
10/22/2008	1	CITY CLERK	Attest	
10/21/2008	1	MAYOR	Signed	
10/20/2008	1	Columbus City Council	Approved	Pass
10/20/2008	1	COUNCIL PRESIDENT	Signed	
10/10/2008	1	Utilities Drafter	Sent for Approval	
10/10/2008	1	CITY ATTORNEY	Reviewed and Approved	
10/10/2008	1	Utilities Drafter	Sent to Clerk's Office for Council	
10/9/2008	1	FINANCE DIRECTOR	Reviewed and Approved	
10/9/2008	1	Utilities Drafter	Sent for Approval	
10/9/2008	1	Auditor Reviewer	Reviewed and Approved	
10/9/2008	1	CITY AUDITOR	Reviewed and Approved	
10/9/2008	1	Utilities Drafter	Sent for Approval	
10/9/2008	1	ODI DIRECTOR	Reviewed and Approved	
10/8/2008	1	Finance Reviewer	Reviewed and Approved	
10/8/2008	1	Finance Reviewer	Reviewed and Approved	
10/7/2008	1	Utilities Reviewer	Sent for Approval	
10/7/2008	1	UTILITIES DIRECTOR	Reviewed and Approved	
10/7/2008	1	Utilities Drafter	Sent for Approval	
10/7/2008	1	EBOCO Reviewer	Sent for Approval	
10/7/2008	1	Utilities Drafter	Sent for Approval	

10/6/2008	1	Utilities Reviewer	Reviewed and Approved
10/2/2008	1	Utilities Reviewer	Reviewed and Approved
10/2/2008	1	Utilities Drafter	Sent for Approval
9/29/2008	1	Utilities Drafter	Sent for Approval

1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to modify the construction contract with Kokosing Construction Company, Inc. for three sanitary sewer improvement projects:

- a. Atwood Terrace/Northridge Rd. Relief Sewer
- b. Weldon Ave. Sanitary Relief Sewer
- c. Lenore Ave./Huy Rd. Sanitary Relief Sewer

The modification amount requested under this ordinance is \$68,490.61. The contract total including this modification is \$4,318,216.86. These additional monies will pay for the remaining contractor balances owed that are associated with these completed projects. Work was performed by the Contractor under the original contract but after work was completed, OWDA declined to pay for some of the items. The remaining contingency (or non-eligible monies) for these projects was mistakenly closed out by Transportation under their 1990 Dr E project which was included in this bid. Therefore, the money that was left in the contract to pay for this work is no longer available.

B. **Contract Compliance No.:** 311023518-001 (MAJ) (Expires 03/14/2010)

C. **Emergency Designation:** The Division of Sewerage and Drainage is requesting City Council to designate this ordinance an emergency measure in order to allow for the immediate payment to the contractor for this work that has already been completed.

2. **FISCAL IMPACT:**

This ordinance authorizes the transfer of funds within the Voted Sanitary Sewer Bond Fund (664) for the purpose of providing the necessary funding required for this expenditure. There will also be an amendment to the 2008 Capital Improvements Budget to provide sufficient budget authority for the current project. This legislation will authorize the expenditure of \$68,490.61 within the Voted Sanitary Sewer Bond Fund.

To authorize the Director of Public Utilities to execute a final contract modification with Kokosing Construction Company, Inc. for the North Linden Area Sanitary and Roadway Improvement Projects; to authorize the transfer of \$68,193.46 from within the Voted Sanitary Sewer Bond Fund; to amend the 2008 Capital Improvements Budget; to authorize the expenditure of \$68,490.61 within the Voted Sanitary Sewer Bond Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$68,490.61).

WHEREAS, Contract No. EL008696 was authorized by Ordinance No.0716-2006, as passed by Columbus City Council on April 24, 2006 for purposes of authorizing the Director of Public Utilities to enter into a construction contract with Kokosing Construction Company, Inc. for the North Linden Area Sanitary and Roadway Improvement Project; and

WHEREAS, it is necessary to modify this contract to provide additional monies to cover the cost of completed contract work which exceeds the available contingency amounts provided in the contract, due to the mistakenly closed funds by Transportation; and

WHEREAS, it is necessary to authorize the transfer of funds within the Voted Sanitary Sewer Bond Fund to provide sufficient funding for the aforementioned project expenditure; and

WHEREAS, it is necessary to authorize an amendment to the 2008 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from Voted Sanitary Sewer Bond Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to modify the construction contract with Kokosing Construction Company, Inc. for the Linden Area Sanitary and Roadway Improvement Project, in order to allow for the immediate payment to the contractor for work that has already been completed; for the immediate 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 be, and hereby is, authorized to modify Contract No. EL008696 with Kokosing Construction Company, Inc., 886 McKinley Avenue, Columbus, Ohio 43222 for construction of the Linden Area Sanitary and Roadway Improvement Project, in order to pay for the completed project work, in accordance with the terms and conditions as shown in the modification on file in the office of the Division of Sewerage and Drainage.

Section 2. That the City Auditor is hereby authorized and directed to transfer \$68,193.46 for the Linden Area Sanitary and Roadway Improvement Project from within the Voted Sanitary Sewer Bond Fund (664) as follows:

FROM:

Proj. No. | Proj. Name | OCA | OL3 | Amount

650253 | JPWWTP Disinfection | 664253 | 6630 | \$10.38
650344 | SWWTP Support Facilities | 664344 | 6630 | \$14.56
650350 | WWTF Renovations and Rehab | 664350 | 6630 | \$38.09
650489 | Big Run Sanitary Subtrunk | 664489 | 6630 | \$37,934.54
650636 | Forest Street Sewer Improvements | 664636 | 6630 | \$1,099.92
650669 | Leland/Milton Area Sanitary | 664669 | 6630 | \$11,623.57
650675 | Clinton Heights Area Sanitary Sewer Improv. | 664675 | 6630 | \$12,668.75
650700 | Portage Grove Area | 664700 | 6630 | \$4,803.65

TOTAL: -\$68,193.46

TO:

Proj. No. | Proj. Name | OCA | OL3 | Amount

650651 | Atwood Terrace/Northridge Rd. Relief Sewer | 664651 | 6630 | \$1,114.86
650656 | Weldon Ave. Sanitary Relief Sewer | 664656 | 6630 | \$5,729.64
650657 | Lenore Ave./Huy Rd. Sanitary Relief Sewer | 664657 | 6630 | \$61,348.96

TOTAL: +\$68,193.46

Section 3. That the 2008 Capital Improvements Budget Ordinance No. 0690-2008 is hereby amended as follows, to create budget authority for prior cancellation and to provide sufficient budget authority for the execution of the construction contract stated herein.

Creation for current contract:

664 | 650344-100000 | SWWTP Support Facilities | \$0.00 | \$15 | (+\$15)
664 | 650675-100000 | Clinton Heights Area Sanitary Sewer Improv. | \$0.00 | \$12,669 | (+\$12,669)
664 | 650700-100000 | Portage Grove Area | \$0.00 | \$4,804 | (+\$4,804)

Transfer for current contract:

Fund | Sub Fund | Fund Name | Current | Revised | (Change in Authority)

664 | 650253-100000 | JPWWTP Disinfection | \$11 | \$0.00 | (-\$11)
664 | 650350-100000 | WWTF Renovations and Rehab | \$3,152,039 | \$3,152,000 | (-\$39)
664 | 650344-100000 | SWWTP Support Facilities | \$15 | \$0.00 | (-\$15)
664 | 650489-100000 | Big Run Sanitary Subtrunk | \$112,376 | \$76,034 | (-\$37,935)
664 | 650636-100000 | Forest Street Sewer Improvements | \$1,100 | \$0.00 | (-\$1,100)
664 | 650669-100000 | Leland/Milton Area Sanitary | \$11,624 | \$0.00 | (-\$11,624)
664 | 650675-100000 | Clinton Heights Area Sanitary Sewer Improv. | \$12,669 | \$0.00 | (-\$12,669)
664 | 650700-100000 | Portage Grove Area | \$4,804 | \$0.00 | (-\$4,804)
664 | 650651-100000 | Atwood Terrace/Northridge Rd. Relief Sewer | \$0.00 | \$1,117 | (+\$1,117)
664 | 650656-100000 | Weldon Ave. Sanitary Relief Sewer | \$297 | \$6,027 | (+\$5,730)

664 | 650657-100000 | Lenore Ave./Huy Rd. Sanitary Relief Sewer | \$33,495 | \$94,844 | (+\$61,350)

Section 4. That for the purpose of paying the cost of the construction contract modification, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows; Div. 60-05 | Fund No. 664 | OBJLVL3 6630:

Project No. | Project Name | OCA | Amount

650651 | Atwood Terrace/Northridge Rd. Relief Sewer | OCA Code 664651 | Amount \$1,114.86.

650656 | Weldon Ave. Sanitary Relief Sewer | OCA Code 664656 | Amount \$6,026.79.

650657 | Lenore Ave./Huy Rd. Sanitary Relief Sewer | OCA Code 664657 | Amount \$61,348.96

Section 5. 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 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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 for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure which 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.