



## Legislation Details (With Text)

**File #:** 1114-2008      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/20/2008      **In control:** Utilities Committee  
**On agenda:** 7/21/2008      **Final action:** 7/23/2008

**Title:** To authorize the Director of Public Utilities to enter into a construction contract with the Elite Excavating Co. of Ohio, Inc., for the Cleveland/Lakeview Sewer Improvements Project; to authorize the transfer and appropriation of \$824,734.43 from the Storm Sewer Reserve Fund; to authorize the expenditure of \$904,350.00; to amend the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage (\$904,350.00).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 610694 Director's Required legislation Information.pdf, 2. 610694 Bid Tab.pdf, 3. 610694 QFF.pdf, 4. ORD1114-2008 MAP.pdf

Date	Ver.	Action By	Action	Result
7/23/2008	1	CITY CLERK	Attest	
7/22/2008	1	MAYOR	Signed	
7/21/2008	1	Columbus City Council	Approved	
7/21/2008	1	COUNCIL PRESIDENT	Signed	
7/14/2008	1	Columbus City Council	Read for the First Time	
6/30/2008	1	Utilities Drafter	Sent to Clerk's Office for Council	
6/27/2008	1	Auditor Reviewer	Reviewed and Approved	
6/27/2008	1	CITY AUDITOR	Reviewed and Approved	
6/27/2008	1	Utilities Drafter	Sent for Approval	
6/27/2008	1	CITY ATTORNEY	Reviewed and Approved	
6/25/2008	1	Utilities Drafter	Sent for Approval	
6/25/2008	1	EBOCO Reviewer	Sent for Approval	
6/25/2008	1	ODI DIRECTOR	Reviewed and Approved	
6/25/2008	1	Utilities Drafter	Sent for Approval	
6/24/2008	1	Finance Reviewer	Reviewed and Approved	
6/24/2008	1	Finance Reviewer	Reviewed and Approved	
6/24/2008	1	FINANCE DIRECTOR	Reviewed and Approved	
6/23/2008	1	Utilities Reviewer	Sent for Approval	
6/23/2008	1	UTILITIES DIRECTOR	Reviewed and Approved	
6/23/2008	1	Utilities Drafter	Sent for Approval	
6/22/2008	1	Utilities Reviewer	Reviewed and Approved	

6/20/2008	1	Utilities Drafter	Sent for Approval
6/20/2008	1	Utilities Reviewer	Reviewed and Approved
6/20/2008	1	Utilities Drafter	Sent for Approval

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Elite Excavating Co. of Ohio, Inc., in the amount of \$784,350.00; to encumber funds with the Transportation Division for inspection, testing, and prevailing wage coordination services in the amount of \$120,000.00; to authorize the City Auditor to transfer and appropriate funds from the Storm Sewer Reserve Fund a total of \$824,734.43; and to amend the 2008 Capital Improvements Budget; all in connection with the Cleveland/Lakeview Sewer Improvements Project.

**2. CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened two bids on June 18, 2008. These bids were received from: Elite Excavating Company, \$784,350.00; and Complete General Construction Co., \$1,594,414.74.

The lowest and best bid was from Elite Excavating Company in the amount of \$784,350.00. Additional information regarding each bidder, description of work, contract timeframe and detailed amounts can be found on the attached Legislation Information Form.

**Contract Compliance Information:** 20-1643186, expires 08/08/09, Majority

**3. FISCAL IMPACT:** This ordinance authorizes the transfer and appropriation of funds from the Storm Sewer Reserve Fund and a transfer within the Storm Sewer Bond Fund for this expenditure. The 2008 Capital Improvements Budget is amended for this expenditure upon passage of this ordinance. Monies for this contract will be provided from an upcoming Bond Sale via the transfer detailed in this ordinance.

To authorize the Director of Public Utilities to enter into a construction contract with the Elite Excavating Co. of Ohio, Inc., for the Cleveland/Lakeview Sewer Improvements Project; to authorize the transfer and appropriation of \$824,734.43 from the Storm Sewer Reserve Fund; to authorize the expenditure of \$904,350.00; to amend the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage (\$904,350.00).

**WHEREAS,** two competitive bids for the construction of the Cleveland/Lakeview Sewer Improvements Project was received on June 18, 2008, whereupon it was determined that the Elite Excavating Co. of Ohio, Inc., submitted the lowest, best, responsive and responsible bid proposal; and

**WHEREAS,** it is necessary to authorize the transfer and appropriation of funds from the Storm Sewer Reserve Fund to the Voted Storm Sewer Bond Fund for purposes of providing sufficient funding for this 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,** the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to enter into a construction contract with the Elite Excavating Co. of Ohio, Inc., for the Cleveland/Lakeview Sewer Improvements Project; to authorize the expenditure of necessary funds from the Storm Sewer Bond Fund; at the earliest practical date; and

**WHEREAS,** in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities in that it is necessary for this Council to authorize the Director of Public Utilities to execute a construction contract with the Elite Excavating Co. of Ohio, Inc., for the Cleveland/Lakeview Sewer Improvements Project 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 award and execute a contract for the construction of the Cleveland/Lakeview Sewer Improvements Project, with the lowest, and best bidder, Elite Excavating Co. of Ohio, Inc., 4500 Snodgrass Road, Mansfield, Ohio 44903, in the amount of \$784,350.00, in accordance with the terms and conditions of the Contract

on file in the office of the Division of Sewerage and Drainage.

**Section 2.** That the Director of Public Utilities be, and hereby is authorized to encumber funds with the Transportation Division for inspection, testing, and prevailing wage coordination services in the amount of \$120,000.00.

**Section 3.** That from the unappropriated monies in the Storm Sewer Reserve Fund No. 690, 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, 2008, the sum of \$824,734.43 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-15| OCA Code 690001 | Object Level One 10 | Object Level Three 5502.

**Section 4.** That the City Auditor is hereby authorized to transfer a total of \$824,734.43, from the Storm Sewer Reserve Fund to the Voted Storm Sewer Bond Fund 685, into the Cleveland/Lakeview Sewer Improvements Project, 610694, at such time as deemed necessary by the Auditor, and to expend said funds, or so much thereof as may be necessary.

**Section 5.** That the \$824,734.43 is hereby appropriated for Cleveland/Lakeview Sewer Improvements Project, within the Voted Storm Sewer Bond Fund | Fund 685 | Division 60-15 | Project 610694 | OCA Code 685694 | Object Level Three 6621.

**Section 6.** That upon obtaining other funds for the purpose of funding storm sewer system capital improvement work, the City Auditor is hereby authorized to repay the Storm Sewer System Reserve Fund the amount transferred above, and said funds are hereby deemed appropriated for such purposes.

**Section 7.** That the City intends that this ordinance constitutes an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

**Section 8.** That the said firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**Section 9.** That the expenditure of \$904,350.00, or as much thereof as may be needed, is hereby authorized from the Voted Storm Sewer Bond Fund No. 685 | Division 60-15 | Project 610694 | OCA Code 685694 | Object Level Three 6621.

**Section 10.** That the 2008 Capital Improvements Budget, Ordinance No. 0690-2008, is hereby amended as follows, to provide sufficient budget authority for the execution of the contract stated herein:

**Proj. No. | Proj. Name | Current | Revised | (Change)**

610704.100000 | Linden Area Wide Storm System | \$3,000,000 | \$2,175,266 | (-\$824,734)

610694.100000 | Cleveland/Lakeview Sewer Improvements Project | \$79,616 | \$904,350 | (+\$824,734)

**Section 11.** 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 no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

**Section 12.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**Section 13.** 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 14.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.