



## Legislation Details (With Text)

**File #:** 0400-2010      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 3/2/2010      **In control:** Recreation & Parks Committee  
**On agenda:** 4/12/2010      **Final action:** 4/14/2010  
**Title:** To authorize the Director of Recreation and Parks to enter into a design/build contract with Metropolitan Environmental Services, Inc./Oxbow River and Stream Restoration, Inc., in connection with Clover Groff Stream Restoration - Phase II, and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
4/14/2010	1	CITY CLERK	Attest	
4/13/2010	1	MAYOR	Signed	
4/12/2010	1	Columbus City Council	Approved	Pass
4/12/2010	1	COUNCIL PRESIDENT	Signed	
4/1/2010	1	Rec & Parks Drafter	Sent to Clerk's Office for Council	
3/30/2010	1	CITY ATTORNEY	Reviewed and Approved	
3/24/2010	1	Rec & Parks Drafter	Sent for Approval	
3/24/2010	1	CITY ATTORNEY	Reviewed and Disapproved	
3/23/2010	1	CITY AUDITOR	Reviewed and Approved	
3/22/2010	1	Rec & Parks Drafter	Sent for Approval	
3/22/2010	1	Auditor Reviewer	Reviewed and Approved	
3/19/2010	1	Finance Reviewer	Sent for Approval	
3/19/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
3/18/2010	1	Finance Reviewer	Reviewed and Approved	
3/17/2010	1	Rec & Parks Drafter	Sent for Approval	
3/17/2010	1	Rec & Parks Drafter	Sent for Approval	
3/17/2010	1	Rec & Parks Drafter	Sent for Approval	
3/11/2010	1	Finance Reviewer	Reviewed and Disapproved	
3/3/2010	1	Rec & Parks Drafter	Sent for Approval	
3/3/2010	1	REC & PARKS DIRECTOR	Reviewed and Approved	
3/3/2010	1	Rec & Parks Drafter	Sent for Approval	

Bids were received by five firms on January 6, 2010, for the design/build contract in connection with Clover Groff Steam Restoration - Phase II. The committee then selected three firms as follows:

Eramo & Sons/EMH &T  
MSI/Shaw & Holter/Envirotech/Eco Design/Greenscapes/Patridge Surveying  
Metropolitan Environmental Services/OxBow Rivers and Streams Restoration

The committee selected Metropolitan Environmental Services, Inc./Oxbow River and Stream Restoration, Inc., for the following reasons:

1. They presented a comprehensive project approach, with an in-depth analysis of Clover Groff, Spindler Park, and the expected outcomes of the project.
2. Years of experience with similar projects. Over 180 projects built of this type. The team has worked together on similar projects.
3. Extensive project research and technical discussion, and advance survey work.
4. A detailed discussion of sustainable design elements that will be incorporated.
5. Visitation of the site, fully investigated project requirements and presentation of the best overview of the project with suggestions to the evaluation committee.
6. Prior high quality evaluation of work with CRPD and other city departments.

This ordinance will enable the Director of Recreation and Parks to enter into a design/build contract with Metropolitan Environmental Services, Inc./Oxbow River and Stream Restoration, Inc. in connection with Clover Groff Stream Restoration - Phase II. The funding has been awarded to restore Clover Groff Ditch to a functioning natural stream, from Roberts Road to Spindler Park. The target completion date for this project is December, 2010. This ordinance is submitted as an emergency in connection with the Clover Groff Stream Restoration Phase I project, in order to allow for the immediate commencement of this work in order to meet the time schedule set forth in the loan funding.

The City of Columbus chose the contractor and will execute the contract with Metropolitan/Oxbow. However, all of the funding listed in the legislation is from the OEPA via the Utilities Department's sewer loans. All invoices from the contractor are approved by Recreation and Parks, then forwarded for approval to Department of Public Utilities, then forwarded to OEPA for approval, then forwarded to OWDA who then pays directly to the contractor. Hence, no city funding is involved.

The project will restore an environmentally-impaired segment of Clover Groff Ditch, an important tributary to Hellbranch Run and Big Darby Creek. The project will significantly increase water quality and biological habitat in the Big Darby Creek watershed.

This project is strongly supported by the regional partnerships of the Darby Accord.

#### **Financial Impact**

The total project cost is estimated to be \$1,693,850.00 for Phase II. The funds will be provided by Ohio Environmental Protection Agency (OEPA) Water Resource Restoration Sponsor Program (WRRSP) CS399003-01, Clover Groff Stream Restoration Phase II, WPLCF Loans CS 399026-01, and CS392465-01.

This project will have no City of Columbus funding. Payments will be directly made from Ohio EPA to the contractor.

The contract with Environmental Services, Inc. Oxbow River and Stream will be in the amount of \$1,693,850.00. Additional services will be added to their contract only after written approval by both the Ohio EPA and the City of Columbus. The total funds available in the amount of \$1,800,000.00 which includes initial contract amount and project allowance.

Clover Groff Stream Restoration Phase I has an open contract in the amount of \$1,258,719.30 with additional funding of \$258,400.70 still in the process of being completed.

This ordinance is submitted as an emergency in connection with the Clover Groff Stream Restoration Phase I project, in order to allow for the immediate commencement of this work in order to meet the time schedule set forth in the loan funding.

To authorize the Director of Recreation and Parks to enter into a design/build contract with Metropolitan Environmental Services, Inc./Oxbow River and Stream Restoration, Inc., in connection with Clover Groff Stream Restoration - Phase II, and to declare an emergency.

**WHEREAS**, the Ohio Environmental Protection Agency (OEPA) has approved Water Resource Restoration Sponsorship (WRRSP) funding to the City of Columbus, identified as Clover Groff Stream Restoration Phase 2, WRRSP # CS 399003-01, through Water Pollution Loan Control Fund #CS 392465-01 and #CS 399026-01, for the above project with eligible costs including construction contract and contingency; and

**WHEREAS**, this ordinance will enable the Director of Recreation and Parks to enter into a design/build contract with Metropolitan Environmental Services, Inc./Oxbow River and Stream Restoration, Inc., in connection with Clover Groff Stream Restoration - Phase II; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to execute a design/build contract with Metropolitan Environmental Services, Inc./OxBow River and Stream Restoration, Inc., in connection with the Clover Groff Stream Restoration Phase 2 project, in order to allow for the immediate commencement of this work in order to meet the time schedule set forth in the loan funding; **NOW, THEREFORE**

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

**Section 1.** That the Ohio Environmental Protection Agency (OEPA) has approved Water Resource Restoration Sponsorship (WRRSP) funding to the City of Columbus, identified as WRRSP # CS 399003-01, through Water Pollution Loan Control Fund # CS 399026-01 and #CS 392465-01, for the above project with eligible costs including construction contract and contingency.

**Section 2.** That the Director of Recreation and Parks is hereby authorized to enter into design/build contract with Metropolitan Environmental Services, Inc./Oxbow River and Stream Restoration, Inc for construction of the Clover Groff Restoration -Phase II project in accordance with the terms and conditions as shown on the contract on file in the office of the Recreation and Parks Department.

**Section 3.** That on behalf of the City of Columbus, Ohio, the Director of Recreation and Parks desires to enter into design/build contract with Metropolitan Environmental Services, Inc./Oxbow River and Stream Restoration, Inc., in connection with Clover Groff Stream Restoration - Phase II in accordance with Section 329.12 of the Columbus City Codes, 1959.

**Section 4.** That for the purpose of paying the cost of the contract, the payments will be made directly from Ohio Water Development Authority (OWDA) to the contractor.

**Section 5.** 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.