



## Legislation Details (With Text)

**File #:** 1334-2009      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 10/6/2009      **In control:** Utilities Committee  
**On agenda:** 11/23/2009      **Final action:** 11/25/2009

**Title:** To authorize the Director of Public Utilities to enter into a construction contract in accordance with the sole source provisions of the Columbus City Code with Siemens Water Technologies Corporation, in connection with the Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation project; to authorize the appropriation, transfer and expenditure of \$1,512,000.00 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund for the Division of Sewerage and Drainage. (\$1,512,000.00) (AMENDED BY 0514-2010 PASSED 5/17/2010)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. DBE Utilization Form J215 DBE 6100-4.pdf, 2. 650250.3Infotobeincludedinto LEGISLATIONC 1-12-09.pdf, 3. Siemens Sole Source Form.pdf

Date	Ver.	Action By	Action	Result
11/25/2009	1	MAYOR	Signed	
11/25/2009	1	CITY CLERK	Attest	
11/23/2009	1	Columbus City Council	Approved	Pass
11/23/2009	1	COUNCIL PRESIDENT	Signed	
11/16/2009	1	Columbus City Council	Read for the First Time	
11/2/2009	1	Utilities Drafter	Sent to Clerk's Office for Council	
10/30/2009	1	Auditor Reviewer	Reviewed and Approved	
10/30/2009	1	CITY AUDITOR	Reviewed and Approved	
10/30/2009	1	Utilities Drafter	Sent for Approval	
10/30/2009	1	CITY ATTORNEY	Reviewed and Approved	
10/29/2009	1	EBOCO Reviewer	Sent for Approval	
10/29/2009	1	ODI DIRECTOR	Reviewed and Approved	
10/29/2009	1	Utilities Drafter	Sent for Approval	
10/23/2009	1	FINANCE DIRECTOR	Reviewed and Approved	
10/23/2009	1	Utilities Drafter	Sent for Approval	
10/22/2009	1	Finance Reviewer	Reviewed and Approved	
10/22/2009	1	Finance Reviewer	Reviewed and Approved	
10/22/2009	1	Finance - Purchasing Reviewer	Reviewed and Approved	
10/21/2009	1	UTILITIES DIRECTOR	Reviewed and Approved	
10/21/2009	1	Utilities Drafter	Sent for Approval	

10/20/2009	1	Utilities Reviewer	Reviewed and Approved
10/20/2009	1	Utilities Reviewer	Sent for Approval
10/15/2009	1	Utilities Reviewer	Reviewed and Approved
10/15/2009	1	Utilities Drafter	Sent for Approval
10/14/2009	1	Utilities Drafter	Sent for Approval

1. **BACKGROUND:**

**A. Need.** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Siemens Water Technologies Corporation, for the Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation project for the Division of Sewerage and Drainage. These digester covers are part of the biogas (methane) handling system at the wastewater treatment plant. This is the second phase of a three-year program to rehabilitate the five of the covers and six control systems. The existing Dystor digester covers are near the end of their useful lives and are beginning to experience leakage of flammable biogas. The leaks now render the systems inoperable as designed. These improvements are necessary to provide reliability and continued operational performance for this vital treatment process.

The proposed construction contract with Siemens Water Technologies Corporation is for Contract J215. This contract work consists of replacing the Dystor air and gas membrane covers and the Dystor digester cover control system, rehabilitating the concrete structures and piping systems for Digesters Nos. 5 and 6, along with providing training for the plant personnel to operate the new control system. The identical work will begin on Digesters Nos. 3 and 4 in 2010. This continued work shall be funded by a new contract, negotiated and funded by appropriation in the identified year.

This ordinance is being submitted in accordance with the provisions of Sole Source procurement of the Columbus City Code Section 329.07.

**B. Supplier:** Siemens Water Technologies Corporation, 04-3063901 | (MAJ) | Expires 12/23/2010

**C. Emergency Designation:** Emergency designation is not requested.

2. **FISCAL IMPACT:**

This ordinance authorizes the appropriation, transfer and expenditure of \$1,512,000.00 from the Sewer System Reserve Fund 654 to the Water Pollution Control Loan Fund 666 to fund this project expenditure. This transaction is a temporary measure that is required until such time as the Department is able to execute a WPCLF loan agreement with the Ohio EPA and the Ohio Water Development Authority (OWDA), and reimburse the Sewer System Reserve Fund. The loan award is tentatively scheduled for the November 19, 2009 OWDA board meeting.

To authorize the Director of Public Utilities to enter into a construction contract in accordance with the sole source provisions of the Columbus City Code with Siemens Water Technologies Corporation, in connection with the Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation project; to authorize the appropriation, transfer and expenditure of \$1,512,000.00 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund for the Division of Sewerage and Drainage. (\$1,512,000.00) **(AMENDED BY 0514-2010 PASSED 5/17/2010)**

**WHEREAS**, the Jackson Pike Wastewater Treatment Plant has six anaerobic sludge digesters with Dystor covers that are near the end of their useful lives and are beginning to experience leakage of flammable biogas, and the Division of Sewerage and Drainage is embarking on a program to replace these digester covers and their control systems; and

**WHEREAS**, the Ohio Water Development Authority (OWDA) is tentatively scheduled to approve a loan to the City of Columbus on November 19, 2009, to provide financing for the above listed project with eligible costs including the Siemens construction contract and contingency; and

**WHEREAS**, sufficient monies will be available within the Sewer System Reserve Fund and transferred to the Water Pollution

Control Loan Fund for the aforementioned project expenditure; and

**WHEREAS**, it is immediately necessary to both appropriate funds from the Sewer System Reserve Fund and authorize the transfer of said funds into the Water Pollution Loan Fund, in order to temporarily fund this expenditure, until such time as the City is able to execute a WPCLF loan agreement for the above stated purpose and reimburse the Sewer System Reserve Fund; and

**WHEREAS**, the Division of Sewerage and Drainage engineering personnel have determined it necessary to enter into a construction contract with Siemens Water Technologies Corporation, in order to provide for construction of Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation project, Contract J215; and

**WHEREAS**, Siemens Water Technologies Corporation is the sole source for the digester cover rehabilitation system, and

**WHEREAS**, this ordinance is being submitted waiving the requirements of competitive bidding of Columbus City Code Section 329, 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 Siemens Water Technologies Corporation for the Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation project, at the earliest practical date in order to ensure the continued operation of this vital infrastructure 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 be, and hereby is, authorized to enter into a contract with Siemens Water Technologies Corporation, 1901 South Prairie Avenue, Waukesha, Wisconsin 53189, for construction of the Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation Project in accordance with the terms and conditions as shown on the contract on file in the office of the Division of Sewerage and Drainage.

**Section 2.** That from the unappropriated monies in the Sewer System Reserve Fund 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated from any other purpose for the Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation Project, the sum of \$1,512,000.00 is hereby appropriated to the Division of Sewerage and Drainage; Division 60-05 | ObjLv11 10 | ObjLv13 5502 | OCA Code 655225

**Section 3.** That the City Auditor is hereby authorized to transfer \$1,512,000.00 to the Water Pollution Control Loan Fund No. 666, into the appropriate project accounts as specified in the below section, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

**Section 4.** That the expenditure of \$1,512,000.00 or as much thereof as may be needed, be and the same is hereby appropriated and authorized for under the Water Pollution Control Loan Fund No. 666 | Division 60-05 | ObjLv13 6621 | as follows:

**Proj. No | Proj. Name | OCA Code | Amount:**

650250-100003 | Southerly Wastewater Treatment Plant Support Facilities Project | 666250 | \$1,512,000.00

**Section 5.** That upon obtaining other funds for the purpose of funding the sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sewer System Reserve Fund the amount transferred under the above section, and said funds are hereby deemed appropriated for such purpose.

**Section 6.** That this ordinance be in compliance with the Sole Source Provisions of Section 329.07(e), of the Columbus City Codes.

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

