



Legislation Details (With Text)

File #: 1579-2009 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/13/2009 **In control:** Utilities Committee

On agenda: 12/14/2009 **Final action:** 12/16/2009

Title: To authorize the Director of Public Utilities to enter into an agreement with the Consolidated Electrical Cooperative, Inc. for the Division of Power and Water's Upground Reservoir Aid-to-Construction Project in accordance with the sole source provisions of the Columbus City Codes; to authorize the appropriation and transfer of \$2,921,808 from the Water System Reserve Fund to the Ohio Water Development Authority (OWDA) Fund; to authorize the appropriation and expenditure of \$2,921,808 from the Ohio Water Development Authority (OWDA) Fund; and to amend the 2009 Capital Improvements Budget. (\$2,921,808)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1579-2009 map.pdf, 2. ORD1579-2009 Legis. Info. Form.pdf, 3. ORD1579-2009 Sole Source Form.pdf

Date	Ver.	Action By	Action	Result
12/16/2009	1	CITY CLERK	Attest	
12/15/2009	1	MAYOR	Signed	
12/14/2009	1	Columbus City Council	Approved	Pass
12/14/2009	1	COUNCIL PRESIDENT PRO-TEM	Signed	
12/7/2009	1	Columbus City Council	Read for the First Time	
11/25/2009	1	ODI DIRECTOR	Reviewed and Approved	
11/25/2009	1	Utilities Drafter	Sent for Approval	
11/25/2009	1	CITY ATTORNEY	Reviewed and Approved	
11/25/2009	1	Utilities Drafter	Sent to Clerk's Office for Council	
11/24/2009	1	Finance - Purchasing Reviewer	Reviewed and Approved	
11/24/2009	1	Utilities Drafter	Sent for Approval	
11/24/2009	1	EBOCO Reviewer	Sent for Approval	
11/20/2009	1	Utilities Drafter	Sent for Approval	
11/20/2009	1	EBOCO Reviewer	Reviewed and Disapproved	
11/20/2009	1	Utilities Drafter	Sent for Approval	
11/20/2009	1	Finance Reviewer	Sent for Approval	
11/19/2009	1	Finance Reviewer	Reviewed and Approved	
11/19/2009	1	Finance Reviewer	Reviewed and Approved	
11/19/2009	1	FINANCE DIRECTOR	Reviewed and Approved	
11/19/2009	1	Utilities Drafter	Sent for Approval	

11/19/2009	1	Auditor Reviewer	Reviewed and Approved
11/19/2009	1	CITY AUDITOR	Reviewed and Approved
11/18/2009	1	UTILITIES DIRECTOR	Reviewed and Approved
11/18/2009	1	Utilities Drafter	Sent for Approval
11/17/2009	1	Utilities Reviewer	Sent for Approval
11/16/2009	1	Utilities Reviewer	Reviewed and Approved
11/16/2009	1	Utilities Reviewer	Reviewed and Approved
11/16/2009	1	Utilities Drafter	Sent for Approval
11/16/2009	1	Utilities Reviewer	Reviewed and Approved
11/16/2009	1	Utilities Drafter	Sent for Approval
11/13/2009	1	Utilities Drafter	Sent for Approval

Background: The Division of Power and Water's proposed Upground Reservoir and Raw Water Pump Station sites lie predominantly within the service area of Consolidated Electric Cooperative, Inc. (CEC). Consolidated Electric Cooperative, Inc. is a sole source electric distribution cooperative serving the electric energy needs of nearly 16,000 members in eight counties of north central Ohio: Delaware, Franklin, Knox, Licking, Marion, Morrow, Richland, and Union.

The nearest substation is approximately nine miles from the pump station site, located between S.R. 37 and Houseman Road and approximately 2,000 feet west of S.R. 257. Based on discussions with CEC representatives during preliminary design for the Upground Reservoir project, the existing substation and transmission lines must be upgraded to power the proposed Upground Reservoir Pump Station 1000 HP pump motors. In addition, the existing power distribution lines must be upgraded to provide adequate electrical service to the reservoir site, to several large motor actuated valves along the Phase 1 Raw Water Pipeline, and power for equipment necessary for construction dewatering activities for the proposed Upground Reservoir and Pump Station facilities. Consequently, off-site improvements to the primary electrical distribution facilities are needed before construction can begin.

Consolidated Electric Cooperative will undertake the design, bidding and construction of the necessary off-site improvements.

The final Aid-to-Construction (A-T-C) figure of \$2,921,808 is a maximum not-to-exceed figure for installation utilizing State Prevailing Wage rate requirements. A payment schedule of three equal amounts will need to be established with the City of Columbus. The first payment will be made to CEC as soon as practical upon Columbus legislative approval and execution of an agreement between the City of Columbus and CEC; the final payment being made prior to the completion date in the Spring of 2011.

The Upground Reservoir project is scheduled to be advertised for bid in December 2010, with a Notice to Proceed for construction anticipated in the Spring of 2011. This A-T-C contract will provide power for equipment necessary for construction dewatering activities for the proposed Upground Reservoir and Pump Station facilities.

Contract Compliance Information: 31-4259080 (exp. 11/17/11, non-profit)

FISCAL IMPACT: This Ordinance authorizes the City Auditor to appropriate and transfer funds from the Water System Reserve Fund to the Ohio Water Development Authority (OWDA) Fund in order to fund this proposed expenditure. This transaction is a temporary measure that is required until such time as the Division is able to execute a loan with the Ohio Water Development Authority (OWDA) and reimburse the Water System Reserve Fund. The loan is expected to be approved on Thursday, December 10, 2009. An amendment to the 2009 Capital Improvements Budget is also necessary.

To authorize the Director of Public Utilities to enter into an agreement with the Consolidated Electrical Cooperative, Inc. for the Division of Power and Water's Upground Reservoir Aid-to-Construction Project in accordance with the sole source provisions of the Columbus City Codes; to authorize the appropriation and transfer of \$2,921,808 from the Water System Reserve Fund to the Ohio Water Development Authority (OWDA) Fund; to authorize the appropriation and expenditure of \$2,921,808 from the Ohio Water Development Authority (OWDA) Fund; and to amend the 2009 Capital Improvements Budget. (\$2,921,808)

WHEREAS, the Division of Power and Water's proposed Upground Reservoir and Raw Water Pump Station sites lie predominantly within the service area of Consolidated Electric Cooperative, Inc.; and

WHEREAS, improvements to the electrical infrastructure are needed before construction of the Upground Reservoir project can begin; and

WHEREAS, Consolidated Electric Cooperative will undertake the design, bidding and construction of the necessary off-site electrical improvements; and

WHEREAS, the final Aid-to-Construction (A-T-C) figure of \$2,921,808 is a maximum not-to-exceed figure and the City will pay CEC in three equal amounts; and

WHEREAS, it is immediately necessary to both appropriate funds from the Water System Reserve Fund and to authorize the transfer of said funds into the Ohio Water Development Authority (OWDA) Fund, in order to temporarily fund this expenditure, until such time as the City is able to execute a loan for the above stated purpose and reimburse the Water System Reserve Fund; and

WHEREAS, the aggregate principal amount which the City will issue to finance this phase of the project is presently expected not to exceed \$2,921,808; and

WHEREAS, it is necessary to appropriate the proceeds from the aforementioned loan, to authorize the expenditure of funds required to award the subject contract, and to provide the requisite budget authority for said award; and

WHEREAS, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power and Water, to authorize the Director of Public Utilities to enter into an agreement with the Consolidated Electrical Cooperative, Inc., for the Upground Reservoir Aid-to-Construction Project, to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Ohio Water Development Authority (OWDA) Fund, for the 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 enter into an agreement with the Consolidated Electrical Cooperative, Inc.; 4993 State Route 521, Delaware, OH 43015; for the Upground Reservoir Aid-to-Construction Project; in the amount of \$2,921,808; in accordance with the sole source provisions of Section 329.07(f1) of the Columbus City Code; and also in accordance with the terms and conditions of the agreement on file in the Office of the Division of Power and Water.

SECTION 2. That from the unappropriated monies in the Water System Reserve Fund 603, 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, 2009, the sum of \$2,921,808 is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

SECTION 3. That the City Auditor is hereby authorized to transfer \$2,921,808 to the Ohio Water Development Authority (OWDA) Fund, Fund No. 616, into the appropriate project accounts as specified within Section 4 herein, 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 2009 Capital Improvements Budget is hereby amended as follows:

<u>Fund #</u>	<u>Project No.</u>	<u>Project Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>change</u>
616	690370-100000	Upground Reservoir	\$2,830,000	\$2,921,808	+\$91,808

SECTION 5. That for the purpose of paying the cost of the Ohio Water Development Authority (OWDA) Fund Eligible Items within the Upground Reservoir Aid-to-Construction Project, and funds from the unappropriated monies in Fund 616, the amount of \$2,921,808 is hereby appropriated and to be expended by the Division of Power and Water, Division 60-09, Fund No. 616, Object Level One 06, Object Level Three 6621, OCA Code 616370, Project No. 690370-100000.

SECTION 6. That upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 3 above, and said funds are hereby deemed appropriated for such purpose.

SECTION 7. 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 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.