



## Legislation Details (With Text)

**File #:** 2960-2023      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/18/2023      **In control:** Public Utilities Committee

**On agenda:** 12/4/2023      **Final action:** 12/7/2023

**Title:** To authorize the Director of the Department of Public Utilities to enter into a construction contract with Setterlin Building Company for the Hap Cremean Water Plant Door & Lock Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Water Bond Fund; to authorize an expenditure of up to \$1,503,968.40 for the project. (\$1,503,968.40)

**Sponsors:**

**Indexes:** MBE Participation, WBE Participation

**Code sections:**

**Attachments:** 1. Utilization Report.pdf, 2. ORD 2960-2023 Accounting Template.pdf

Date	Ver.	Action By	Action	Result
12/7/2023	1	CITY CLERK	Attest	
12/6/2023	1	ACTING MAYOR	Signed	
12/4/2023	1	COUNCIL PRESIDENT	Signed	
12/4/2023	1	Columbus City Council	Approved	Pass
11/20/2023	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

This ordinance authorizes the Director of Public Utilities to enter into a construction contract with Setterlin Building Company for the Hap Cremean Water Plant (HCWP) Door & Lock Improvements project, CIP No. 690286-100011, in an amount up to \$1,503,968.40.

The Hap Cremean Water Plant facility is considered a secure infrastructure. Although the perimeter of the site is secure, many existing doors do not have functioning locks. This Door & Lock Improvements Project will deter unauthorized personnel from entering buildings at the facility.

Work consists of demolition of some doors, frames, aluminum storefront, and door hardware, and installation of some new doors, frames, aluminum storefronts, door hardware, access control devices / system integration, and other such work as may be necessary to complete the contract.

The Community Planning Area is “33- Rocky Fork-Blacklick”.

**TIMELINE:** All work shall be complete within 291 calendar days from the Notice to Proceed.

### 2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT

The Hap Cremean Water Plant facility is considered a secure infrastructure. Although the perimeter of the site is secure, many existing doors do not have functioning locks. This Door & Lock Improvements Project will deter unauthorized personnel from entering buildings at the facility. No community outreach or environmental factors are considered for this project.

### 3. BID INFORMATION

This project was formally advertised on the Vendor Services and Bid Express websites from June 23, 2023 through July 19, 2023. Three bids were received:

<u>Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Status</u>
Black Bronco	\$910,000.00	Columbus, OH	MAJ
Setterlin Building	\$1,629,299.00	Columbus, OH	MAJ
The Righter Company Inc.	\$1,993,290.00	Columbus, OH	MAJ

Black Bronco was the low bidder but was deemed non-responsive since they were not on the City's Construction Prequalification list. Setterlin Building Company's bid was deemed responsive and their certification was in good standing at the time of the contract award.

The bid amount received from Setterlin Building Company was \$1,629,299.00, which included a 30% construction contingency. The Division of Water recommended that the construction contingency be reduced to 20%. After the reduction in contingency the contract amount will be \$1,503,968.40.

### 4. CONTRACT COMPLIANCE INFORMATION

Setterlin Building Company's contract compliance number is CC-004372 and expires 9/19/24. Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Setterlin Building Company.

### 5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 15% as assigned by the City's Office of Diversity and Inclusion (ODI). After ODI's review of the Utilization Plan and other related information the contractor submitted with their bid response, ODI has approved an MBE/WBE Program goal of 15% for this contract. Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the bid documents for this contract.

As part of their proposal, Setterlin Building Company, a City of Columbus MAJ certified business, has proposed the following subcontractors to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Hina Environmental	Columbus, Ohio	MBE
Claypool Electric	Columbus, Ohio	WBE
Sixth City Glazing	Westlake, Ohio	MAJ

The certification of the above companies, with the exception of Sixth City Glazing, was in good standing at the time the bid was awarded. Sixth City Glazing will need to renew their contract compliance number before they can be made part of the contract.

### 6. PRE-QUALIFICATION STATUS

Setterlin Building Company and all subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

### 7. FISCAL IMPACT

Funding in the amount of \$1,503,968.40 is available and appropriated within the Water Bond Fund, Fund 6006, for this project expenditure. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project. It is also necessary to transfer funds and appropriation between projects in the Water Bond Fund, Fund 6006, to align cash and appropriation with the proper project.

To authorize the Director of the Department of Public Utilities to enter into a construction contract with Setterlin Building

Company for the Hap Cremean Water Plant Door & Lock Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Water Bond Fund; to authorize an expenditure of up to \$1,503,968.40 for the project. (\$1,503,968.40)

**WHEREAS**, the Department of Public Utilities is engaged in the Hap Cremean Water Plant Door & Lock Improvements project; and

**WHEREAS**, three bids for the Hap Cremean Water Plant Door & Lock Improvements project were received and opened on July 13, 2023; and

**WHEREAS**, the bid submitted by Setterlin Building Company for the Hap Cremean Water Plant Door & Lock Improvements project was deemed the lowest, best, most responsive bid; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to enter into a construction services contract with Setterlin Building Company for the Hap Cremean Water Plant Door & Lock Improvements project; and

**WHEREAS**, an amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project; and

**WHEREAS**, it is necessary to transfer cash and appropriation within the Water Bond Fund to align appropriation and cash with the proper project; and

**WHEREAS**, it is necessary to expend funds of up to \$1,503,968.40 to pay for this project; **now therefore**,

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

**SECTION 1.** That the 2023 Capital Improvement Budget authorized by Ordinance No. 1176-2023 be amended as follows to establish sufficient budget authority for this project:

**Fund / Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change**  
6006 / 690006-100003 / Misc. Erosion Control - Hoover (Weiss Road) (Voted Water Carryover) / \$1,175,800.00 / \$171,832.00 / (\$1,003,968.00)

6006 / 690286-100011 / HCWP Door & Lock Improvements (Voted Water Carryover) / \$500,000.00 / \$1,503,968.00 / \$1,003,968.00

**SECTION 2.** That the transfer of \$1,003,968.40, or so much thereof as may be needed, is authorized in the Water Bond fund, Fund 6006, per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Utilities is hereby authorized to enter into a construction services contract for the Hap Cremean Water Plant Door & Lock Improvements project with Setterlin Building Company, 560 Harmon Avenue, Columbus, OH 43223, in an amount up to \$1,503,698.40, in accordance with the terms and conditions of the contract on file in the Department of Public Utilities.

**SECTION 4.** That the expenditure of up to \$1,503,968.40, or so much thereof as may be needed, is hereby authorized per the accounting codes in the attachment to this ordinance.

**SECTION 5.** Funds are hereby deemed appropriated and expenditures are authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

**SECTION 6.** 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 7.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account 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.

**SECTION 8.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.