



Legislation Details (With Text)

File #: 1474-2008 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/10/2008 **In control:** Utilities Committee

On agenda: 10/6/2008 **Final action:** 10/8/2008

Title: To authorize the Director of Public Utilities to modify and increase the construction contract with Kokosing Construction Co., Inc. due to unforeseen conditions found during construction of the Dublin Road Water Plant Raw Water Intake Improvements Project; for the Division of Power and Water; to amend the 2008 Capital Improvements Budget; to authorize a transfer and expenditure of \$346,500.00 within the Water Works Enlargement Voted Bonds Fund, and to declare an emergency. (\$346,500.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1474-2008 Legis. Info. Form.pdf, 2. ORD1474-2008 Malcolm Pirnie Letter, 3. ORD1474-2008 map.pdf

Date	Ver.	Action By	Action	Result
10/8/2008	1	CITY CLERK	Attest	
10/7/2008	1	MAYOR	Signed	
10/6/2008	1	Columbus City Council	Approved	Pass
10/6/2008	1	COUNCIL PRESIDENT	Signed	
9/23/2008	1	Utilities Drafter	Sent to Clerk's Office for Council	
9/22/2008	1	ODI DIRECTOR	Reviewed and Approved	
9/22/2008	1	Utilities Drafter	Sent for Approval	
9/22/2008	1	CITY ATTORNEY	Reviewed and Approved	
9/18/2008	1	FINANCE DIRECTOR	Reviewed and Approved	
9/18/2008	1	Utilities Drafter	Sent for Approval	
9/18/2008	1	Auditor Reviewer	Reviewed and Approved	
9/18/2008	1	CITY AUDITOR	Reviewed and Approved	
9/18/2008	1	Utilities Drafter	Sent for Approval	
9/18/2008	1	EBOCO Reviewer	Sent for Approval	
9/17/2008	1	Utilities Drafter	Sent for Approval	
9/17/2008	1	Finance Reviewer	Reviewed and Approved	
9/17/2008	1	Finance Reviewer	Reviewed and Approved	
9/17/2008	1	Finance Reviewer	Reviewed and Approved	
9/16/2008	1	UTILITIES DIRECTOR	Reviewed and Approved	
9/15/2008	1	Utilities Drafter	Sent for Approval	

9/15/2008	1	Utilities Reviewer	Sent for Approval
9/12/2008	1	Utilities Drafter	Sent for Approval
9/12/2008	1	Utilities Reviewer	Reviewed and Approved
9/10/2008	1	Utilities Drafter	Sent for Approval
9/10/2008	1	Utilities Reviewer	Reviewed and Approved
9/10/2008	1	Utilities Reviewer	Reviewed and Approved

BACKGROUND: This Ordinance authorizes the Director of Public Utilities to modify and increase the construction contract with Kokosing Construction Co., Inc. for the Dublin Road Water Plant (DRWP) Raw Water Intake Improvements Project, for the Division of Power and Water. As with any construction project being performed, it is possible unanticipated conditions may arise which would require a construction contract modification. At this time, the complete estimated cost breakdown is as follows:

- \$110,000.00 - Installation of a guard house, additional pavement lane and associated appurtenances to enhance security at Utilities Complex entrance.
- \$125,000.00 - Full scale rebuilding of the south abutment including sheet pile installation.
- \$80,000.00 - Additional grouting to stabilize the existing low-head dam due to unknown voids encountered.
- \$31,500.00 - 10% Contingency

The total amount of this modification is \$346,500.00, a 6.06% increase to the original contract cost.

1. Amount of additional funds to be expended: \$346,500.00

Original Contract Amount: \$5,715,600.00

Amount of original contract and this modification: \$6,062,100.00

2. Reasons additional goods/services could not be foreseen:

- The guard house was designed and installed as an increased security measure at the Utilities Complex.
- The south abutment had deteriorated beyond the original estimated scope of repairs due to the unseasonably wet June '08. The high flows and the force of the river significantly damaged the south abutment.
- The low-head dam repair quantities were originally estimated by the design engineer. The dam was originally constructed in the late 1800's (and significantly rehabbed in 1919 and again in 1936 and in 1950) and was in need of rehabilitation. The true extent of the repairs could not be determined until the dam area was dewatered and fully investigated. The extent of these repairs exceeded the original estimates.

3. Reason other procurement processes are not used:

This modification keeps the contractor on the project and on schedule to finalize the Dublin Road Water Plant intake and low-head dam improvements. It was not determined that the additional work at the low-head dam was needed until the contractor built temporary cofferdams and dewatered the dam. At that point it was necessary to make the needed improvements as soon as possible in order to restore the stream flow to the normal conditions. It was not practical at that time to bid the work out to another contractor, in addition the additional cost and time associated with bidding out this work would well exceed any benefit.

4. How cost of modification was determined:

Costs were submitted by the Contractor and reviewed and verified by the construction administrator and engineering consulting team.

Contract Compliance Information: 31-1023518, expires 3/14/10, Majority

Emergency Designation: Emergency legislation is being requested to provide these services concurrently with the ongoing construction contract and to finish the work while the contractor has the river flows partially diverted by use of a cofferdam. In addition, it is in the City's best interest to complete the work within the river during the traditionally low river flow months of September and October prior to the higher river flows traditionally experienced in winter months.

FISCAL IMPACT: This legislation includes a transfer of funds within the Water Works Enlargement Voted Bonds Fund and an amendment to the 2008 Capital Improvements Budget.

To authorize the Director of Public Utilities to modify and increase the construction contract with Kokosing Construction Co., Inc. due to unforeseen conditions found during construction of the Dublin Road Water Plant Raw Water Intake Improvements Project; for the Division of Power and Water; to amend the 2008 Capital Improvements Budget; to authorize a transfer and expenditure of \$346,500.00 within the Water Works Enlargement Voted Bonds Fund, and to declare an emergency. (\$346,500.00)

WHEREAS, Contract No. EL007159, for Kokosing Construction Co., Inc., was authorized by Ordinance No. 1064-2007, passed June 19, 2007, was executed on July 26, 2007, and was approved by the City Attorney on July 30, 2007; and

WHEREAS, the contract needs modified due to unforeseen conditions found during construction; and

WHEREAS, it is necessary to authorize an amendment to the 2008 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditures; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds within the Water Works Enlargement Voted Bonds Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, that it is immediately necessary to authorize the Public Utilities Director modify and increase the existing contract with Kokosing Construction Co., Inc., due to unforeseen conditions found during construction of the Dublin Road Water Plant Raw Water Intake Improvements Project, in an emergency manner provide services concurrently with ongoing construction and to finish the work while the river flows are partially diverted. In addition, it is in the City's best interest to complete the work during the traditionally low river flow months of September and October prior to the higher river flows traditionally experienced in winter months; for the immediate 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 is hereby authorized and directed to modify and increase the existing construction contract with Kokosing Construction Co., Inc. due to unforeseen conditions found during construction of the Dublin Road Water Plant Raw Water Intake Improvements Project, in the amount of \$346,500.00.

SECTION 2. That this contract modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

SECTION 3. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.

SECTION 4. That the City Auditor is hereby authorized to transfer \$346,500.00 within the Division of Power and Water, Dept/Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Object Level One 06, Object Level Three 6623, as follows:

<u>Project No.</u>	<u>Project Name</u>	<u>OCA Code</u>	<u>change</u>
690431	Morse/R-New Albany Rd. W.L.	642900	-\$346,500
690492	DRWP Raw Water Intake	606492	+\$346,500

SECTION 5. That the 2008 Capital Improvements Budget is hereby amended as follows:

<u>Project No.</u>	<u>Project Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>change</u>
690431-100000	Morse/R-New Albany Rd. W.L.	\$0	\$583,749	+\$583,749 (to match cash)
690431-100000	Morse/R-New Albany Rd. W.L.	\$583,749	\$237,249	-\$346,500
690492-100000	DRWP Raw Water Intake	\$0	\$346,500	+\$346,500

SECTION 6. That to pay the cost of the aforesaid contract modification, the expenditure of \$346,500, or so much thereof as may be needed, is hereby authorized from the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division No. 60-09, Project 690492, OCA 606492, Object Level One 06, Object Level Three 6623.

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 for reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is declared to be an emergency measure and 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.