



## Legislation Details (With Text)

**File #:** 1624-2008      **Version:** 1

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

**File created:** 10/8/2008      **In control:** Utilities Committee

**On agenda:** 11/10/2008      **Final action:** 11/12/2008

**Title:** To authorize the Finance and Management Director to establish a Blanket Purchase Order with Consolidated Electrical Distributors, Inc. (CED) for the purchase of low, medium and high voltage power cable and wire; to authorize the transfer of \$482,170.84 within the Voted Street Lighting and Electricity Distribution Improvement Fund; to authorize the transfer of \$262,319.13 from the Electricity Reserve Fund to the Voted Street Lighting and Electricity Distribution Improvement Fund; to authorize the expenditure of \$889,900.65 from the Voted Street Lighting and Electricity Distribution Improvement Fund; and to authorize an amendment to the 2008 Capital Improvements Budget for the Division of Power and Water, and to declare an emergency. (\$889,900.65)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 1624-2008 Legislation Info .pdf

Date	Ver.	Action By	Action	Result
11/12/2008	1	MAYOR	Signed	
11/12/2008	1	CITY CLERK	Attest	
11/10/2008	1	Columbus City Council	Approved	Pass
11/10/2008	1	COUNCIL PRESIDENT	Signed	
10/31/2008	1	CITY ATTORNEY	Reviewed and Approved	
10/31/2008	1	Utilities Drafter	Sent to Clerk's Office for Council	
10/30/2008	1	Auditor Reviewer	Reviewed and Approved	
10/30/2008	1	CITY AUDITOR	Reviewed and Approved	
10/30/2008	1	Utilities Drafter	Sent for Approval	
10/29/2008	1	EBOCO Reviewer	Sent for Approval	
10/29/2008	1	ODI DIRECTOR	Reviewed and Approved	
10/29/2008	1	Utilities Drafter	Sent for Approval	
10/24/2008	1	Utilities Drafter	Sent for Approval	
10/23/2008	1	Finance - Purchasing Reviewer	Reviewed and Approved	
10/23/2008	1	FINANCE DIRECTOR	Reviewed and Approved	
10/22/2008	1	Finance Reviewer	Reviewed and Approved	
10/21/2008	1	Finance Reviewer	Reviewed and Approved	
10/20/2008	1	UTILITIES DIRECTOR	Reviewed and Approved	
10/20/2008	1	Utilities Drafter	Sent for Approval	

10/15/2008	1	Utilities Reviewer	Sent for Approval
10/14/2008	1	Utilities Reviewer	Reviewed and Approved
10/14/2008	1	Utilities Drafter	Sent for Approval
10/10/2008	1	Utilities Reviewer	Reviewed and Approved
10/10/2008	1	Utilities Drafter	Sent for Approval
10/8/2008	1	Utilities Drafter	Sent for Approval
10/8/2008	1	Utilities Reviewer	Reviewed and Approved

**1. BACKGROUND:** The Purchasing Office has established a Universal Term Contract for low, medium and high voltage power cable and electrical wire with the company listed below. The Division of Power & Water would like to establish a Blanket Purchase Order, based on this contract, in the amount of \$889,900.65. These items are needed to construct new electricity infrastructure and capital system improvement project upgrades to the existing electricity infrastructure throughout the City's power distribution area.

<u>Vendor</u>	<u>UTC #</u>	<u>C.C. No.</u>	<u>Expires</u>	<u>MBE/FBE</u>
CED	FL003534	77-0559191	3/31/09	Majority

**2. FISCAL IMPACT:** This legislation includes a transfer of funds from the Electricity Reserve Fund to the Voted Street Lighting and Electricity Distribution Improvement Fund as a temporary measure until such time as the proceeds from a bond sale can be made available. An amendment to the 2008 Capital Improvement Budget is also necessary.

**Emergency Designation:** It is requested that this Ordinance be handled in an emergency manner to allow for sufficient lead time for ordering and receiving materials necessary for various infrastructure projects. With volatility in the commodity markets, lead time for obtaining copper and other metals used in power cable and wire has nearly tripled. It is necessary, therefore to expedite the purchase of these materials to meet deadlines for multiple capital improvement projects and infrastructure needs.

To authorize the Finance and Management Director to establish a Blanket Purchase Order with Consolidated Electrical Distributors, Inc. (CED) for the purchase of low, medium and high voltage power cable and wire; to authorize the transfer of \$482,170.84 within the Voted Street Lighting and Electricity Distribution Improvement Fund; to authorize the transfer of \$262,319.13 from the Electricity Reserve Fund to the Voted Street Lighting and Electricity Distribution Improvement Fund; to authorize the expenditure of \$889,900.65 from the Voted Street Lighting and Electricity Distribution Improvement Fund; and to authorize an amendment to the 2008 Capital Improvements Budget for the Division of Power and Water, and to declare an emergency. (\$889,900.65)

**WHEREAS,** the Division of Power and Water needs to purchase power cable and wire to construct new transmission lines and capital system improvements project upgrades to the existing infrastructure throughout the City's power distribution area; and

**WHEREAS,** the Purchasing Office has established a Universal Term Contract with Consolidated Electrical Distributors; 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 expenditure; and

**WHEREAS,** it is necessary for this Council to authorize the City Auditor to transfer funds from the Power System Reserve Fund to the Voted Street Lighting and Electricity Distribution Improvement Fund; and

**WHEREAS,** the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the construction of the Project described in this Ordinance (collectively, the "Project"); and

**WHEREAS,** an emergency exists in the usual daily operation of the Division of Power and Water, Department of Public Utilities, in that it is immediately necessary to authorize the Finance and Management Director to establish a Blanket Purchase Order for low, medium and high voltage power cable and wire, to authorize the appropriation and transfer of funds from the Power System Reserve Fund to the Voted Street Lighting and Electricity Distribution Improvement Fund, in an emergency manner to allow for sufficient lead

time for ordering and receiving materials necessary for various infrastructure projects, 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 City Auditor is hereby authorized to transfer \$482,170.84 within the Division of Power and Water, Dept/Div. No. 60-07, Voted Street Lighting and Electricity Distribution Improvement Fund, Fund No. 553, Object Level One 06, Object Level Three 6621, as follows:

<u>Project No.</u>	<u>Project Name</u>	<u>OCA Code</u>	<u>change</u>
440007	Urban Infrastructure Recovery Program	440007	-\$169,617.83
670003	General Street Lighting Improvements	675017	-\$7,444.33
670605	Independence Village Street Lighting	670605	-\$ 34,964.12
670611	Madison Mills Street Lighting	670611	-8,719.49
670619	Federally Mandated Oil Spill Prevention	670619	-\$580.23
670771	69 KV Line Relocation to West Substation	670771	-\$600.00
670786	Laurel Canyon Street Lighting Improvements	553786	-\$60,000.00
670787	Willow Creek Street Lighting Improvements	553787	-\$33,226.13
670788	Greenlawn Bridge	553788	-\$0.53
670789	Town Street	553789	-\$12,584.00
670790	Front Street	553790	-\$5,724.18
670791	Franklin County Courthouse	553791	-\$85,070.00
670797	Huntington Baseball Stadium	553797	-\$63,640.00
670608	Distribution System Improvements	670608	+\$482,170.84

**SECTION 2.** That from the unappropriated moneies in the amount of, \$8,719.49 is hereby appropriated within the Voted Street Lighting and Electricity Distribution Improvement Fund, Fund No. 553, Division 60-07, Project No. 670611, Madison Mills Street Lighting Improvements, Object Level Three 6621, OCA 670611.

**SECTION 3.** That from the unappropriated monies in the Electricity Reserve Fund, 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, 2008, the sum of \$262,319.13, is hereby appropriated to the Division of Power and Water, Division 60-07, Object level One 10, Object level Three 5502, OCA 551001.

**SECTION 4.** That the City Auditor is hereby authorized and directed to transfer \$262,319.13, from the Power System Reserve Fund, Fund 551 to the Voted Street Lighting and Electricity Distribution Improvement Fund, Fund No. 553, into the appropriate project account as specified within Section 6 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

**SECTION 5.** That the Finance and Management Director is hereby authorized to establish a Blanket Purchase Order for low, medium and high voltage power cable and wire from an established Universal Term Contract with Consolidated Electrical Distributors for the Division of Power and Water, Department of Public Utilities.

**SECTION 6.** That the amount of \$262,319.13 is hereby appropriated for the Distribution System Improvement Project within the Voted Street Lighting and Electricity Distribution Improvement Fund, Fund No. 553, Division 60-07, Project No. 670608, OCA Code 670608, Object Level Three 6621.

**SECTION 7.** That the amount of \$889,900.65 is hereby authorized to be expended for the Distribution System Improvement Project within the Voted Street Lighting and Electricity Distribution Improvement Fund, Fund No. 553, Division 60-07, Project No. 670608, OCA Code 670608, Object Level Three 6621, with the vendor and amount listed below.

<u>Vendor Name</u>	<u>UTC#</u>	<u>Amount</u>
Consolidated Electrical Distributors	FL003534	\$ 889,900.65

**SECTION 8.** That the 2008 Capital Improvements Budget is hereby amended as follows:

**Project No. | Project Name | Current Authority | Revised Authority | (change)**

440007-100000	Urban Infrastructure Recovery Program	\$595,867	\$426,249	-\$169,618
670003-100000	General Street Lighting Improvements	\$7,442	\$7445	+\$3 (to match cash)
670003-100000	General Street Lighting Improvements	\$7,445	\$0	-\$7,445
670605-100000	Independence Village Street Lighting	\$34,965	\$0	-\$34,965
670611-100000	Madison Mills Street Lighting	\$8,720	\$0	-\$8,720
670619-100000	Federally Mandated Oil Spill Prevention	\$0	\$581	+\$581 (to match cash)
670619-100000	Federally Mandated Oil Spill Prevention	\$581	\$0	-\$581
670771-100000	69 KV Line Relocation to West Substation	\$292,500	\$293,100	+\$600 (to match cash)
670771-100000	69 KV Line Relocation to West Substation	\$293,100	\$292,500	-\$600
670786-100000	Laurel Canyon Street Lighting	\$60,000	\$0	-\$60,000
670787-100000	Willow Creek Street Lighting	\$359,000	\$325,773	-\$33,227
670788-100000	Greenlawn Bridge	\$42,416	\$42,415	-\$1
670789-100000	Town Street	\$12,584	\$0	-\$12,584
670790-100000	Front Street	\$800,000	\$794,275	-\$5,725
670791-100000	Franklin County Courthouse	\$85,070	\$0	-\$85,070
670797-100000	Huntington Baseball Stadium	\$63,640	\$0	-\$63,640
670608-100002	Dublin Avenue Control Building	\$880,034	\$767,720	-\$112,314
670608-100000	Distribution System Improvements Project	\$295,411	\$864,768	+\$594,490

**SECTION 9.** That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$262,319.13 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse Electricity Reserve Fund 551, which is the fund from which the advance for costs of the Project will be made.

**SECTION 10.** 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 11.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 12.** 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 13.** 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.