



## Legislation Details (With Text)

**File #:** 1516-2015      **Version:** 1

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

**File created:** 6/2/2015      **In control:** Public Utilities Committee

**On agenda:** 7/20/2015      **Final action:** 7/23/2015

**Title:** To authorize the Director of Public Utilities to enter into a construction contract with Kokosing Construction Co., Inc. for the Alum Creek Pump Station Improvements Project; to authorize a transfer of \$1,208,554.42 within various Division of Water Bond Funds; to authorize the appropriation and transfer of \$8,566,445.58 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize an expenditure up to \$9,775,000.00; for the Division of Water; and to authorize an amendment to the 2015 Capital Improvements Budget. (\$9,775,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 1516-2015 Bid Tab, 2. ORD 1516-2015 QFF, 3. ORD 1516-2015 Information, 4. ORD 1516-2015 Sub ID, 5. ORD 1516-2015 Transfers, 6. ORD 1516-2015 map

Date	Ver.	Action By	Action	Result
7/23/2015	1	MAYOR	Signed	
7/23/2015	1	CITY CLERK	Attest	
7/20/2015	1	COUNCIL PRESIDENT	Signed	
7/20/2015	1	Columbus City Council	Approved	Pass
7/13/2015	1	Columbus City Council	Read for the First Time	

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Kokosing Construction Co., Inc., for the Alum Creek Pump Station Improvements Project, Division of Water Contract Number 1174, in the amount of \$9,775,000.00; to transfer \$8,566,445.58 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to amend the 2015 Capital Improvements Budget.

This contract provides for improvements to the Alum Creek Pump Station which include the demolition and replacement of electrical equipment, HVAC and plumbing systems, building infrastructure, mechanical equipment, instrumentation, and all other such work as may be necessary to complete the Contract in accordance with the plans and specifications set forth in the Bid Documents.

The Alum Creek Pump Station is part of the water supply system of the Hap Cremean Water Plant, which distributes water across several planning areas.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:** Environmental components of this project include replacing the existing windows with more energy efficient windows, replacing the existing lighting with energy efficient LED fixtures, installing motion sensors to automatically turn lights on and off to reduce energy usage, applying an ENERGY STAR certified low VOC white reflective urethane liquid-waterproofing membrane top coating for the new roofs, installing a building automated HVAC control system to maximize energy savings, and replacing the existing water heater with a high efficiency electric water heater. There was no community outreach or input in the development of this project.

**3.1. CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened one bid on May 13, 2015 from Kokosing Construction Co., Inc. in the amount \$9,775,000.00.

**3.2 PRE-QUALIFICATION STATUS:** Kokosing Construction Co., Inc. and all proposed subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

The lowest, best, most responsive, responsible bid was from Kokosing Construction Co., Inc. in the amount of \$9,775,000.00. Their Contract Compliance Number is 31-1023518 (expires 2/25/16, Majority). Additional information regarding this bidder, description of work, contract time frame and detailed amount can be found on the attached Information form.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Kokosing Construction Co., Inc.

**4. FISCAL IMPACT:** This legislation includes a transfer of funds within the Water Works Enlargement Voted Bonds Fund, the Water Build America Bonds Fund, the Water Super Build America Bonds Fund, and the Water Permanent Improvements Fund. A transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund will also be made as a temporary measure until such time as the proceeds from the 2015 summer bond sale can be made available. An amendment to the 2015 CIB is also necessary.

To authorize the Director of Public Utilities to enter into a construction contract with Kokosing Construction Co., Inc. for the Alum Creek Pump Station Improvements Project; to authorize a transfer of \$1,208,554.42 within various Division of Water Bond Funds; to authorize the appropriation and transfer of \$8,566,445.58 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize an expenditure up to \$9,775,000.00; for the Division of Water; and to authorize an amendment to the 2015 Capital Improvements Budget. (\$9,775,000.00)

**WHEREAS**, one bid for the Alum Creek Pump Station Improvements Project was received and publicly opened in the offices of the Director of Public Utilities on May 13, 2015; and

**WHEREAS**, Kokosing Construction Co., Inc. was deemed the lowest, best, most responsive, and responsible bidder, in the amount of \$9,775,000.00; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract for the Alum Creek Pump Station Improvements Project to Kokosing Construction Co., Inc.; and

**WHEREAS**, it is necessary for this Council to authorize the City Auditor to transfer funds within various Division of Water Bond Funds; and

**WHEREAS**, it is necessary to authorize an amendment to the 2015 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 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds 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**, it has become necessary in the usual daily operation of the Division of Water, Department of Public

Utilities, to authorize the Director of Public Utilities to enter into a construction contract for the Alum Creek Pump Station Improvements Project, to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds 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 a construction contract for the Alum Creek Pump Station Improvements Project with Kokosing Construction Co., Inc., 6235 Westerville Road, Suite, 200, Westerville, Ohio 43081; in the amount of \$9,775,000.00 in accordance with the terms and conditions of the contract on file in the Office of the Division of Water.

**SECTION 2.** That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Water.

**SECTION 3.** That the City Auditor is hereby authorized and directed to appropriate the following:

Division: Water

Dept./Div. No.: 60-09

OL3: 6629

**Fund No. | Fund Name | Project No. | Project Name | OCA | Amount**

608 | Water Permanent Improvements Fund | 608999-100000 (carryover) | Unallocated Balance Fund 608 | 608999 | \$17,021.77

608 | Water Permanent Improvements Fund | 690236-100054 (carryover) | Ferris Rd. Area WL Imp's | 682354 | \$19,060.50

608 | Water Permanent Improvements Fund | 690370-100000 (carryover) | Upground Reservoir | 608380 | \$6,936.77

609 | Water Build America Bonds Fund | 609999-100000 (carryover) | Unallocated Balance Fund 609 | 609999 | \$4,026.69

610 | Water Super Build America Bonds Fund | 610999-100000 (carryover) | Unallocated Balance Fund 610 | 610999 | \$38.36

**SECTION 4.** That the City Auditor is hereby authorized to transfer \$1,208,554.42 within the Department of Public Utilities, Division of Water, Dept/Div. No. 60-09, Object Level Three 6629, as designated on Attachment "ORD 1516-2015".

**SECTION 5.** That the 2015 Capital Improvements Budget is hereby amended as indicated on attachment "ORD 1516-2015".

**SECTION 6.** That from the unappropriated monies in the Water System 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, 2015, the sum of \$8,566,445.58, is hereby appropriated to the Division of Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

**SECTION 7.** That the City Auditor is hereby authorized and directed to transfer \$8,566,445.58, from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the appropriate project account as specified within Section 8 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

**SECTION 8.** That the appropriation of \$8,566,445.58 is hereby authorized for the Alum Creek Pump Station Improvements Project within the Division 60-09, Fund 606, Water Works Enlargement Voted Bonds Fund, Project No. 690441-100000 (New Funding), OCA 690441, Object Level Three 6629.

**SECTION 9.** That the expenditure of \$9,775,000.00 is hereby authorized for the Alum Creek Pump Station Improvements Project within the Division 60-09, Project No. 690441-100000 (carryover), Object Level Three 6629, as follows:

**Fund No. | Fund Name | OCA | Amount**

606 | Water Works Enlargement Voted Bonds Fund | 690441 | \$8,566,445.58 (New Authority)  
606 | Water Works Enlargement Voted Bonds Fund | 690441 | \$932,069.41 (carryover)  
608 | Water Permanent Improvements Fund | 608441 | \$259,715.59  
609 | Water Build America Bonds Fund | 609441 | \$4,026.69  
610 | Water Super Build America Bonds Fund | 610441 | \$12,742.73

**SECTION 10.** 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 7 above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 11.** That the funds necessary to carry out the purpose of this Ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 12.** 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.

**SECTION 13.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 14.** 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 15.** 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 \$8,566,445.58 (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 the Water System Reserve Fund 603, which is the fund from which the advance for costs of the Project will be made.

**SECTION 16.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.