



## Legislation Details (With Text)

**File #:** 1159-2024      **Version:** 1

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

**File created:** 4/16/2024      **In control:** Public Utilities & Sustainability Committee

**On agenda:** 6/3/2024      **Final action:** 6/5/2024

**Title:** To authorize the Director of Public Utilities to enter into a construction contract with EN-Tech Corp., for the Alum Creek Trunk South (Phase 1) project; to authorize an amendment to the 2023 Capital Improvement Budget; to make this ordinance contingent upon the Ohio Water Development Authority approving a loan for this project; and to authorize the expenditure of up to \$30,561,381.60 from the Sanitary Revolving Loan Fund and the Sanitary Bond Fund to pay for the project. (\$30,561,381.60)

**Sponsors:**

**Indexes:** MBE Participation

**Code sections:**

**Attachments:** 1. ORD 1159-2024 Accounting Template, 2. ORD 1159-2024 Utilization

Date	Ver.	Action By	Action	Result
6/5/2024	1	CITY CLERK	Attest	
6/4/2024	1	ACTING MAYOR	Signed	
6/3/2024	1	COUNCIL PRESIDENT	Signed	
6/3/2024	1	Columbus City Council	Approved	Pass
5/20/2024	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 EN-Tech Corp., via the City’s Invitation for Bid process for the Large Diameter Sewer Rehabilitation - Alum Creek Trunk South Section/Deshler Tunnel-Alum Creek Interceptor Sewer/Truro Sewers (hereafter referred to as Alum Creek Trunk South (Phase 1)) project, CIP #650725-100004, in an amount up to \$30,559,381.60; and to encumber funds with the Department of Public Service for construction prevailing wage services in an amount up to \$2,000.00. (for a total expenditure of \$30,561,381.60).

This sewer rehabilitation project is located almost entirely within Three Creeks Metro Park. A previous condition assessment of the sewer revealed it is in poor structural condition and in need of rehabilitation. This project will rehabilitate approximately 8,431 lineal feet of 102-inch diameter reinforced concrete pipe via shotcrete methods. Shotcrete is a method of applying concrete projected at high velocity onto a surface, giving the sewer pipe the hardened properties of conventional cast-in-place concrete. This method is less expensive than cast-in-place concrete and is expected to extend the life of the sewer pipe a minimum of 50 years.

The Community Area for this ordinance will be 64, Far South.

**TIMELINE:** Contract work is required to be completed in a manner acceptable to the City within 720 days from the date that a Notice to Proceed (NTP) is given by the City.

**ESTIMATED COST OF PROJECT:** The bid amount and proposed award amount is \$30,559,381.60, including a 10% construction contingency amount that will be utilized to fund needed and approved changes in the work. No contract modifications are anticipated at this time; however, construction exigency might later compel modification of this contract, if unforeseen difficulties are encountered.

Cost summary:

Original Contract	\$ 30,559,381.60
Future Anticipated Needs	\$ 0.00
Prevailing Wage Services	\$ 2,000.00
CONTRACT TOTAL	\$ 30,561,381.60

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

Rehabilitation of the sewer will prevent structural failures that would result in overflows to homes and/or receiving streams, as well as extend the useful service life of the sewer for a minimum of 50 years.

**3. CONSTRUCTION CONTRACT AWARD**

An Invitation for Bids for the Public Sanitary Sewers for Alum Creek Trunk South (Phase 1) project was advertised on the Vendor Services and Bid Express websites from 02/02/24 through 03/13/24. Two bids were received for the project and were opened on 03/13/24. The following companies submitted bids:

<u>Company</u>	<u>Bid Amount</u>	<u>Compliance Number</u>	<u>ODI Status</u>
1. EN-Tech Corp.	\$30,559,381.60	CC045004	MAJ
2. Proshot Concrete, Inc.	\$34,690,184.98	CC001421	MAJ

The EN-Tech Corp. bid was deemed the lowest, best, most responsive and responsible bid in the amount of \$30,559,381.60.

**4. CONTRACT COMPLIANCE INFORMATION**

EN-Tech Corp.'s contract compliance number is CC045004 and expires 4/6/25.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against EN-Tech Corp.

**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 12% 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 12% for this contract. Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the "City's Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual" and in the bid documents for this contract.

EN-Tech Corp. listed the following companies as subcontractors for this project:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
JLD Construction Services, LLC	Columbus, OH	MBE
Sunbelt Rentals, Inc.	Fishers, IN	MAJ
Griffiin Pavement Striping, LLC	Columbus, Ohio	MAJ

The certification of EN-Tech Corp., Inc. and the above companies was in good standing at the time the bid was awarded.

**6. PRE-QUALIFICATION STATUS**

EN-Tech Corp. 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**

The construction portion of this project is anticipated to be financed with a loan from the Water Pollution Control Loan Fund (WPCLF), a program jointly administered by the Ohio EPA's Division of Environmental and Financial Assistance and the Ohio Water Development Authority (OWDA). City Council authorized this loan application and acceptance of funding via Ordinance 2767-2023, passed by Council on 10/30/23. This loan is expected to be approved OWDA June Board meeting. This ordinance is contingent upon the loan being approved by OWDA. The Department of Public Utilities will inform the Auditor's Office when this loan has been approved.

Funding in the amount of \$2,000.00 is appropriated and available within the Sanitary Bond Fund, Fund 6109, to pay the Department of Public Service to provide prevailing wage services for this project. An amendment to the 2023 Capital Improvement Budget is necessary to align budget authority with the proper project.

To authorize the Director of Public Utilities to enter into a construction contract with EN-Tech Corp., for the Alum Creek Trunk South (Phase 1) project; to authorize an amendment to the 2023 Capital Improvement Budget; to make this ordinance contingent upon the Ohio Water Development Authority approving a loan for this project; and to authorize the expenditure of up to \$30,561,381.60 from the Sanitary Revolving Loan Fund and the Sanitary Bond Fund to pay for the project. (\$30,561,381.60)

**WHEREAS**, the Department of Public Utilities is engaged in the Public Sanitary Sewers for Alum Creek Trunk South (Phase 1) Sewer Rehab project; and

**WHEREAS**, two bids for the Public Sanitary Sewers for Alum Creek Trunk South (Phase 1) Sewer Rehab project were received and opened on 03/13/24; and

**WHEREAS**, the lowest, best, most responsive and responsible bid was from EN-Tech Corp.; and

**WHEREAS**, Ordinance 2767-2023 authorized this project to be funded by a loan to be obtained through the Water Pollution Control Loan Fund (WPCLF) Loan Account; and

**WHEREAS**, this ordinance is contingent upon the loan being approved; and

**WHEREAS**, the 2023 Capital Improvement Budget must be modified to align budget authority with the proper project; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to enter into a construction contract with EN-Tech Corp. for the Public Sanitary Sewers for Alum Creek Trunk South (Phase 1) Sewer Rehab project; and

**WHEREAS**, it is necessary to authorize an expenditure of funds from the Sanitary Revolving Loan Fund to pay for the project; and

**WHEREAS**, it is necessary to expend funds from the Sanitary Bond Fund to provide for payment of prevailing wage services associated with said 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 1711-2023 be amended as follows to establish sufficient budget authority for this project:

**Fund / Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change**  
6111 / 650725-100004 / Large Diameter Sewer Rehabilitation - Alum Creek Trunk South Section/Deshler Tunnel-Alum Creek Interceptor Sewer/Truro Sewers (WPCLF/OWDA Loan) / \$20,625,000.00 / \$30,559,382.00 / \$9,934,382.00 (To match the loan amount)

6109 / 650725-100022 / Blacklick Creek Sanitary Subtrunk Rehabilitation (Voted Sanitary Carryover) / \$28,148.00 /

\$26,149.00 / (\$1,999.00)

6109 / 650725-100004 / Large Diameter Sewer Rehabilitation - Alum Creek Trunk South Section/Deshler Tunnel-Alum Creek Interceptor Sewer/Truro Sewers (Voted Sanitary Carryover) / \$1,934,457.00 / \$1,936,456.00 / \$1,999.00

**SECTION 2.** That the appropriation of \$30,559,381.60, or so much thereof as may be needed, is hereby authorized in the Sanitary Revolving Loan Fund, Fund 6111, 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 contract for the Public Sanitary Sewers for Alum Creek Trunk South (Phase 1) Sewer Rehab project with EN-Tech Corp., 91 Ruckman Road, Closter, NJ 07624, in an amount up to \$30,559,381.60; in accordance with the terms and conditions of the contract on file in the Department of Public Utilities; and to obtain the necessary prevailing wage services for this project from the Department of Public Service in an amount up to \$2,000.00.

**SECTION 4.** That the expenditure of \$30,561,381.60, or so much thereof as may be needed, is hereby authorized to pay for this contract per the accounting codes in the attachment to this ordinance.

**SECTION 5.** This ordinance is contingent upon the Ohio Water Development Authority's Board approving the loan for this project.

**SECTION 6.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

**SECTION 7.** 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 8.** 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 9.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.