



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 12/14/2022 **In control:** Public Utilities Committee

On agenda: 2/13/2023 **Final action:** 2/15/2023

Title: To authorize the Director of the Department of Public Utilities to enter into a construction contract for the HCWP Hypochlorite Disinfection project with Kenmore Construction Company; to authorize the appropriation and expenditure of up to \$31,485,850.00 from the Ohio Water Development Loan Fund; to authorize a transfer of funds and appropriation within the Water Bond Fund; to authorize an expenditure of up to \$2,000.00 from the Water Bond Fund; to amend the 2022 Capital Improvements Budget, and to declare an emergency. (\$31,487,850.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 0006-2023 Information, 2. 0006-2023 Utilization, 3. 0006-2023 Accounting Template

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|----------|--------|
| 2/15/2023 | 1 | CITY CLERK | Attest | |
| 2/14/2023 | 1 | MAYOR | Signed | |
| 2/13/2023 | 1 | COUNCIL PRESIDENT | Signed | |
| 2/13/2023 | 1 | Columbus City Council | Approved | Pass |

1. BACKGROUND: This legislation authorizes the Director of the Department of Public Utilities to enter into a contract with Kenmore Construction Co. Inc. for the HCWP Hypochlorite Disinfection project in an amount up to \$31,485,850.00; to encumber funds with the Department of Public Service for prevailing wage services in an amount up to \$2,000.00; for Capital Improvements Project No. 690486-100000, Division of Water.

The purpose of this project is to convert the HCWP disinfection process from chlorine gas to liquid sodium hypochlorite.

The Community Planning Area is 99 - Citywide since the HCWP services several Columbus communities.

TIMELINE & FUTURE RENEWAL(S): All work shall be substantially complete within 1,040 calendar days of the Notice to Proceed, with final completion to occur within 1,100 calendar days. The City anticipates issuing a Notice to Proceed in March 2023.

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

This project will address the current risks associated with a gaseous chlorine based system while providing a safer storage and handling system for plant staff. The potential threat of an accidental or intentional release of chlorine gas will be mitigated with this project

There will be no anticipated public meetings held during this project. The Division of Water will be responsible for coordinating with stakeholders.

3. BID INFORMATION: The Division advertised for competitive bids submission for the subject services on the City's Vendor Services website and in the City Bulletin in accordance with the overall provisions of Chapter 329 of the

Columbus City Code. The Division of Water received two (2) bids on November 16, 2022 from the following:

1. Kenmore Construction Co. Inc.
2. Kokosing Industrial Inc.

4. CONTRACT COMPLIANCE INFO:

Kenmore Construction Co. Inc.: 34-0802152, expires 11/21/2024, Majority, DAX No. 006456

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

5. EMERGENCY DESIGNATION:

Emergency designation is requested at this time so that project timelines and OWDA's funding schedules can be met.

6. FISCAL IMPACT: This project has been approved for below market-rate loan financing through the Ohio Environmental Protection Agency's Water Supply Revolving Loan Account (WSRLA) which is administered by the Ohio Water Development Authority (OWDA). The loan award is expected in January 2023 when an OWDA Loan Account number will be assigned. Federal Davis-Bacon Wage Rates and Requirements will apply. Funding for Prevailing Wage Services (\$2,000.00) payable to the Department of Public Service will come from the Water G.O. Fund 6006. An amendment to the 2022 Capital Improvement Budget is necessary to align budget authority with the proper project. It will also be necessary to transfer funds between projects within the Water Bond Fund, Fund 6006, to align cash with the proper project.

To authorize the Director of the Department of Public Utilities to enter into a construction contract for the HCWP Hypochlorite Disinfection project with Kenmore Construction Company; to authorize the appropriation and expenditure of up to \$31,485,850.00 from the Ohio Water Development Loan Fund; to authorize a transfer of funds and appropriation within the Water Bond Fund; to authorize an expenditure of up to \$2,000.00 from the Water Bond Fund; to amend the 2022 Capital Improvements Budget, and to declare an emergency. (\$31,487,850.00)

WHEREAS, it is necessary to authorize the Director of Public Utilities to enter into a construction contract with Kenmore Construction Co. Inc. (FID #34-0802152), for the HCWP Hypochlorite Disinfection project CIP 690486-100000; and

WHEREAS, it is necessary to authorize an appropriation and expenditure of up to \$31,485,850.00 within the Ohio Water Development Authority Loan Fund 6011; and

WHEREAS, it is necessary to authorize a transfer and an expenditure of up to \$2,000.00 within the Water G.O. Fund 6006 for Prevailing Wage Services; and

WHEREAS, it is necessary to authorize an amendment to the 2022 Capital Improvements Budget for the purpose of providing sufficient funding and authority for the aforementioned project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to authorize the Director to enter into a construction contract with Kenmore Construction Co. Inc. for the HCWP Hypochlorite Disinfection project CIP 690486-100000 in order to meet project deadlines and deliverables, and 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 the Department of Public Utilities be and hereby is authorized to enter into a construction contract of up to \$31,485,850.00 for the HCWP Hypochlorite Disinfection project, Kenmore Construction Co. Inc., 700 Home Ave; Akron, OH 44310; in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Water; and to obtain the necessary prevailing wage services from the Department of

Public Services up to a maximum amount of \$2,000.00.

SECTION 2. That the 2022 Capital Improvements Budget is amended, as authorized per the accounting codes in the attachment to this ordinance.

SECTION 3. That a transfer of funds between projects within the Water Bond Fund, Fund 6006, is authorized per the accounting codes in the attachment to this ordinance.

SECTION 4. That the appropriation and expenditure of up to \$31,485,850.00, or so much thereof as may be needed, is hereby authorized per the accounting codes in the attachment to this ordinance.

SECTION 5. That the City Auditor is hereby authorized 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 are no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

SECTION 6. 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 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 authorized to establish proper project accounting numbers as appropriate.

SECTION 9. That for the reasons stated in the preamble hereto, which is 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 (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.