



## Legislation Details (With Text)

**File #:** 1763-2008      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 10/30/2008      **In control:** Utilities Committee  
**On agenda:** 12/1/2008      **Final action:** 12/3/2008

**Title:** To authorize the Director of Public Utilities to modify and increase the General Engineering Services contract with CH2M Hill Inc.; to authorize the transfer of \$211,334.78 within the Water Works Enlargement Voted Bonds Fund; to authorize the appropriation and transfer of \$288,665.22 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize the expenditure of \$500,000 from the Water Works Enlargement Voted Bonds Fund; and to authorize an amendment to the 2008 Capital Improvements Budget for the Division of Power and Water. (\$500,000)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1763-2008 Legis. Info. Form.pdf

Date	Ver.	Action By	Action	Result
12/3/2008	1	CITY CLERK	Attest	
12/2/2008	1	MAYOR	Signed	
12/1/2008	1	Columbus City Council	Approved	Pass
12/1/2008	1	COUNCIL PRESIDENT	Signed	
11/24/2008	1	Columbus City Council	Read for the First Time	
11/14/2008	1	Utilities Drafter	Sent for Approval	
11/14/2008	1	CITY ATTORNEY	Reviewed and Approved	
11/14/2008	1	Utilities Drafter	Sent for Approval	
11/14/2008	1	ODI DIRECTOR	Reviewed and Approved	
11/14/2008	1	Utilities Drafter	Sent to Clerk's Office for Council	
11/13/2008	1	Utilities Drafter	Sent for Approval	
11/13/2008	1	Auditor Reviewer	Reviewed and Approved	
11/13/2008	1	CITY AUDITOR	Reviewed and Approved	
11/13/2008	1	Utilities Drafter	Sent for Approval	
11/13/2008	1	CITY ATTORNEY	Reviewed and Approved	
11/13/2008	1	EBOCO Reviewer	Sent for Approval	
11/12/2008	1	Finance Reviewer	Reviewed and Approved	
11/12/2008	1	Utilities Drafter	Sent for Approval	
11/12/2008	1	Finance Reviewer	Reviewed and Approved	
11/12/2008	1	Finance Reviewer	Reviewed and Approved	

11/12/2008	1	FINANCE DIRECTOR	Reviewed and Approved
11/11/2008	1	Utilities Drafter	Sent for Approval
11/5/2008	1	Utilities Reviewer	Sent for Approval
11/5/2008	1	UTILITIES DIRECTOR	Reviewed and Approved
11/5/2008	1	Utilities Drafter	Sent for Approval
11/3/2008	1	Utilities Drafter	Sent for Approval
11/3/2008	1	Utilities Reviewer	Reviewed and Approved
11/3/2008	1	Utilities Drafter	Sent for Approval
10/31/2008	1	Utilities Reviewer	Reviewed and Approved
10/30/2008	1	Utilities Drafter	Sent for Approval
10/30/2008	1	Utilities Reviewer	Reviewed and Approved

**BACKGROUND:** This Ordinance authorizes the Public Utilities Director to modify and increase the General Engineering Services contract with CH2M Hill Inc. for the Division of Power and Water, Contract No. 1091. Under this contract, the City procures professional engineering services on an as-needed basis. The original contract reserved the City the right to extend the contract for fiscal years 2008 through 2010.

The Division is requesting this modification #2 to the contract to fulfill its planned needs in 2009. The Division anticipates requesting a modification #3 to the contract to fulfill its planned needs in 2010. The work to be done in 2009 will be to continue the work for tasks that have already been initiated but not yet completed and to begin new tasks that are authorized. The following is a list of proposed new tasks for 2009:

1. Design of two new low service pumps to replace the existing Dublin Road Water Plant LSPs-2 & 5.
2. Design of Hap Cremean Water Plant backflow prevention system upgrades.
3. Design of Dublin Road Water Plant fluoride storage expansion.
4. Design of Dublin Road Water Plant HVAC upgrades.
5. Design of Parsons Avenue Water Plant chemical sump improvements.
6. Design of Dublin Road Water Plant chemical sump improvements.

**1. Amount of additional funds to be expended: \$500,000**

Original Contract Amount:	\$200,000
Modification #1:	\$300,000
Modification #2 (current):	\$500,000
Amount of original contract and 2 modifications:	\$1,000,000

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

This was a planned modification as indicated in the original authorizing legislation, Ordinance No. 1845-2006.

**3. Reason other procurement processes are not used:**

The work was bid out and planned for a total of 4 annual contracts. This is the second modification for the third year of the annual contracts.

**4. How cost of modification was determined:**

In Schedule A of the original contract the hourly labor rates were delineated for the years 2007-2009. The cost of the modification was determined from the increased labor rates for 2009 and the estimated general engineering services needed to augment existing engineering personnel to fulfill the planned tasks of the Water Supply Group for 2009. This information was reviewed and approved by the Project Manager for the City Division of Power and Water.

**Contract Compliance Info.:** 59-0918189, expires 5/15/10, Majority

**FISCAL IMPACT:** This legislation includes a transfer of funds within the Water Works Enlargement Voted Bonds Fund and a transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund as a temporary measure

until such time as the proceeds from a bond sale can be made available. An amendment to the 2008 CIB is also necessary.

To authorize the Director of Public Utilities to modify and increase the General Engineering Services contract with CH2M Hill Inc.; to authorize the transfer of \$211,334.78 within the Water Works Enlargement Voted Bonds Fund; to authorize the appropriation and transfer of \$288,665.22 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize the expenditure of \$500,000 from the Water Works Enlargement Voted Bonds Fund; and to authorize an amendment to the 2008 Capital Improvements Budget for the Division of Power and Water. (\$500,000)

**WHEREAS**, Contract No. EL006697 was authorized by Ordinance No.1845-2006, passed November 20, 2006, was executed December 27, 2006 and approved by the City Attorney on January 2, 2007; and

**WHEREAS**, Modification No. 1 EL007504 was authorized by Ordinance No. 1481-2007, passed October 22, 2007, was executed on December 27, 2006, and was approved by the City Attorney on January 2, 2007; and

**WHEREAS**, the contract needs modified a second time to continue the work for tasks that have already been initiated but not yet completed and to begin new tasks that are authorized for 2009; 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**, 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**, 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**, 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").

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power and Water, to authorize the Director of Public Utilities to modify and increase the General Engineering Services contract with CH2M Hill Inc., 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, safety and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Public Utilities Director is hereby authorized and directed to modify and increase the General Engineering Services contract with CH2M Hill Inc. in the amount of \$500,000.

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

**SECTION 3.** That the City Auditor is hereby authorized to transfer \$211,334.78 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 6686, as follows:

<b>Project No.</b>	<b>Project Name</b>	<b>OCA Code</b>	<b>change</b>
690236	Water Main Rehab	642900	-\$23,434.84
690474	Morse Rd. 36" W.M.	606474	-\$158,032.03
690491	HCWP External Masonry Rehab.	606491	-\$29,867.91
690446	Gen'l Eng. Svcs. - Supply	690446	+\$211,334.78

**SECTION 4.** 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, 2008, the sum of \$288,665.22, is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

**SECTION 5.** That the City Auditor is hereby authorized and directed to transfer \$288,665.22, 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 7 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

**SECTION 6.** That the 2008 Capital Improvements Budget is hereby amended as follows:

**Project No. | Project Name | Current Authority | Revised Authority | change**  
690446-100000 | Gen'l Eng. Svcs. - Supply | \$300,000 | \$511,335 | +\$211,335

**SECTION 7.** That for the purpose of paying the cost of the contract modification, the appropriation and expenditure of \$500,000 or so much thereof as may be necessary be and hereby is authorized for the General Engineering Services - Supply Group project, to be expended as follows: Division of Power and Water, Dept./Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Project 690446, OCA Code 690446, Object Level One 06, Object Level Three 6686.

**SECTION 8.** 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 5 above, and said funds are hereby deemed appropriated for such purpose.

**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 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 \$288,665.22 (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 11.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.