



## Legislation Details (With Text)

**File #:** 0008-2009      **Version:** 1

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

**File created:** 12/29/2008      **In control:** Utilities Committee

**On agenda:** 2/9/2009      **Final action:** 2/10/2009

**Title:** To authorize the Director of Public Utilities to execute a construction contract with Jess Howard Electric Co. for construction of the Smoky Row Booster Station Motor Control Center & Pump Replacements; to authorize the transfer of \$58.04 within the Water Works Enlargement Voted Bonds Fund; to authorize the appropriation and transfer of \$297,857.61 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$297,915.65 from the Water Works Enlargement Voted Bonds Fund; for the Division of Power and Water. (\$297,915.65)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0008-2009 Bid tab.pdf, 2. ORD0008-2009 QFF.pdf, 3. ORD0008-2009 Smoky Row map.pdf, 4. ORD0008-2009 Legis. Info. Form.pdf

Date	Ver.	Action By	Action	Result
2/10/2009	1	MAYOR	Signed	
2/10/2009	1	CITY CLERK	Attest	
2/9/2009	1	Columbus City Council	Approved	Pass
2/9/2009	1	COUNCIL PRESIDENT	Signed	
2/2/2009	1	Columbus City Council	Read for the First Time	
1/23/2009	1	Utilities Drafter	Sent for Approval	
1/23/2009	1	CITY ATTORNEY	Reviewed and Approved	
1/23/2009	1	Utilities Drafter	Sent to Clerk's Office for Council	
1/22/2009	1	Utilities Drafter	Sent for Approval	
1/22/2009	1	EBOCO Reviewer	Sent for Approval	
1/22/2009	1	ODI DIRECTOR	Reviewed and Approved	
1/16/2009	1	EBOCO Reviewer	Reviewed and Disapproved	
1/14/2009	1	Utilities Drafter	Sent for Approval	
1/13/2009	1	Utilities Drafter	Sent for Approval	
1/13/2009	1	Auditor Reviewer	Reviewed and Approved	
1/13/2009	1	CITY AUDITOR	Reviewed and Approved	
1/12/2009	1	FINANCE DIRECTOR	Reviewed and Approved	
1/9/2009	1	Finance Reviewer	Reviewed and Approved	
1/9/2009	1	Finance Reviewer	Reviewed and Approved	
1/7/2009	1	Utilities Reviewer	Sent for Approval	

1/7/2009	1	UTILITIES DIRECTOR	Reviewed and Approved	
1/7/2009	1	Utilities Drafter	Sent for Approval	
1/6/2009	1	Utilities Reviewer	Reviewed and Approved	
1/6/2009	1	Utilities Drafter	Sent for Approval	
1/5/2009	1	Utilities Drafter	Sent for Approval	
1/2/2009	1	Utilities Reviewer	Reviewed and Approved	
12/31/2008	1	Utilities Reviewer	Reviewed and Approved	Pass
12/30/2008	1	Utilities Drafter	Sent for Approval	

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Jess Howard Electric Co. for the Smoky Row Booster Station Motor Control Center & Pump Replacements; in the amount of \$297,915.65; and to transfer \$297,857.61 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund.

**2. CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened nine bids on December 17, 2008. Bids were received from: Jess Howard Electric Co. - \$297,915.65; Lake Erie Electric - \$303,270; Crace Construction - \$323,957.70; Claypool Electric - \$343,090; Proline Electric - \$346,500; Righter Co. - \$364,430; Area Energy & Electric (incomplete) - \$366,753.20; Affordable Choice Electric - \$398,970; and Valley Electrical Consolidated - \$416,130.

The lowest and best bid was from Jess Howard Electric Co. in the amount of \$297,915.65. Their Contract Compliance Number is 31-4405752 (expires 1/16/11, Majority). Additional information regarding all bidders, description of work, contract time frame and detailed amounts can be found on the attached Legislation Information Form.

**3. 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.

To authorize the Director of Public Utilities to execute a construction contract with Jess Howard Electric Co. for construction of the Smoky Row Booster Station Motor Control Center & Pump Replacements; to authorize the transfer of \$58.04 within the Water Works Enlargement Voted Bonds Fund; to authorize the appropriation and transfer of \$297,857.61 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$297,915.65 from the Water Works Enlargement Voted Bonds Fund; for the Division of Power and Water. (\$297,915.65)

**WHEREAS,** nine bidders for the Smoky Row Booster Station Motor Control Center & Pump Replacements were received and publicly opened in the offices of the Director of Public Utilities on December 17, 2008; and

**WHEREAS,** the lowest and best bid was from Jess Howard Electric Co. in the amount of \$297,915.65; 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,** 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 Division of Power and Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract for the Smoky Row Booster Station Motor Control Center & Pump Replacements, 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 City Auditor is hereby authorized to transfer \$58.04 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 6621, as follows:

**Project No. | Project Name | OCA Code | change**  
690395 | Valve Renewal Program | 606395 | -\$58.04  
690473 | Misc. Booster Station Imp's | 690473 | +\$58.04

**SECTION 2.** 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, 2009, the sum of \$297,857.61, is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

**SECTION 3.** That the City Auditor is hereby authorized and directed to transfer \$297,857.61 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 4 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

**SECTION 4.** That the appropriation and expenditure of \$297,915.65 is hereby authorized for the Smoky Row Booster Station Motor Control Center & Pump Replacements within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690473, Object Level Three 6621, OCA Code 690473.

**SECTION 5.** 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 3 above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 6.** That the Director of Public Utilities be and hereby is authorized to award and execute a construction contract for the Smoky Row Booster Station Motor Control Center & Pump Replacements with the lowest and best bidder, Jess Howard Electric Co.; 6630 Taylor Rd., Blacklick, Ohio 43004; in the amount of \$297,915.65; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

**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 said construction company shall conduct the work to the satisfaction of the Director of Public and the Administrator of the Division of Power and Water.

**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 \$297,857.61 (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 10.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.