



## Legislation Details (With Text)

**File #:** 0791-2012      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/3/2012      **In control:** Public Utilities Committee  
**On agenda:** 4/30/2012      **Final action:** 5/2/2012

**Title:** To authorize the Director of Public Utilities to execute a construction contract with Kenmore Construction Co., Inc. for the Dublin Road Water Plant Miscellaneous Improvements - Flocculator Drive Rehabilitation Project; for the Division of Power and Water; to authorize a transfer and expenditure of up to \$1,652,172.80 within the Water Works Enlargement Voted Bonds Fund; to amend the 2012 Capital Improvements Budget; and to declare an emergency. (\$1,652,172.80)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 0791-2012 Bid Tab, 2. ORD 0791-2012 QFF - Revised, 3. ORD 0791-2012 Information, 4. ORD 0791-2012 Sub ID, 5. ORD 0791-2012 map

Date	Ver.	Action By	Action	Result
5/2/2012	1	CITY CLERK	Attest	
5/1/2012	1	MAYOR	Signed	
4/30/2012	1	COUNCIL PRESIDENT	Signed	
4/30/2012	1	Columbus City Council	Approved	Pass

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Kenmore Construction Co., Inc., in the amount of \$1,652,172.80, for the Dublin Road Water Plant (DRWP) Misc. Improvements - Flocculator Drive Rehabilitation Project, Division of Power and Water Contract Number 1192.

This project consists of rehabilitating flocculation equipment for each of the four flocculation basins at the Dublin Road Water Plant, which will improve the reliability of the original paddle wheel assemblies and drive shafts for the flocculation basins. Work shall include removal of existing flocculation equipment and installation of new paddle wheel assemblies and redwood baffles.

**2. ECONOMIC IMPACT, COMMUNITY OUTREACH & ENVIRONMENTAL FACTORS:** This construction project will replace the original paddle wheel assemblies and drive shafts in four flocculation basins at the Dublin Road Water Plant (DRWP). Rehabilitation will preserve the integrity and reliability of the existing flocculation basins for the operations of the water treatment process. The DRWP is an essential and integral component in the Columbus area water supply and treatment infrastructure. Adequate supply of water is essential to economic growth and development. As this is a secure site on property owned by the Department no community outreach or input was sought in the development of the project.

Kenmore Construction Company (the awarded bidder) submitted paperwork with their proposal to indicate that they have a fleet policy for reducing vehicle emissions from its fleet of on and off-road vehicles by means of an anti-idling directive for its construction sites, as well as use of ultra-low sulfur diesel fuel. No significant long term environmental impacts will be due to construction of this project.

**3. CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened four bids on March 21,

2012 from Danis Industrial Construction Co. - \$1,437,794.40; Kenmore Construction Co., Inc. - \$1,652,172.80; Kokosing Construction Co., Inc. - \$1,845,750.00, and Shook - \$1,859,550.00.

The bids have been reviewed for conformance with City requirements as indicated on the attached Bid Evaluation Form. The bid from Danis Industrial Construction Co. has been disqualified under the provisions of the Columbus Construction and Materials Specification Item 102.03, that all allows the City to reserve the right to disqualify or refuse to consider a proposal if a bidder is in default of any of the reasons listed. There are eight (8) reasons listed and the Department of Public Utilities is disqualifying the bid from Danis Industrial Construction Co. for reason number 3: *Bid prices which obviously are unbalanced.*

The unbalanced pricing occurs on Item #2 of the proposal which is the main component of the contract and are listed below: **(Complete bid tabulation is attached)**

Danis: \$200,000.00  
Kenmore: \$1,216,672.00  
Kokosing: \$1,195,000.00  
Shook: \$1,240,000.00

Therefore, Kenmore Construction Co., Inc. was deemed the lowest, most responsive, and responsible bidder, in the amount of \$1,652,172.80. Their Contract Compliance Number is 31-1361003 (expires 4/28/13, Majority). Additional information regarding each bidder, description of work, contract time frame and detailed amounts 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 Kenmore Construction Co., Inc.

**4. EMERGENCY DESIGNATION:** These improvements must be made prior to an upcoming major regulatory-driven construction project (690430-100001) at the Hap Cremean Water Plant (HCWP). The HCWP project is time-critical and flow reductions at the plant will be performed as part of the construction project; the DRWP project must be complete prior to these water flow reductions to ensure adequate system-wide water production.

**5. FISCAL IMPACT:** A transfer of funds within the Water Works Enlargement Voted Bonds Fund will be necessary, as well as an amendment to the 2012 Capital Improvements Budget.

To authorize the Director of Public Utilities to execute a construction contract with Kenmore Construction Co., Inc. for the Dublin Road Water Plant Miscellaneous Improvements - Flocculator Drive Rehabilitation Project; for the Division of Power and Water; to authorize a transfer and expenditure of up to \$1,652,172.80 within the Water Works Enlargement Voted Bonds Fund; to amend the 2012 Capital Improvements Budget; and to declare an emergency. (\$1,652,172.80)

**WHEREAS,** four bids for the Dublin Road Water Plant (DRWP) Misc. Improvements - Flocculator Drive Rehabilitation Project were received and publicly opened in the offices of the Director of Public Utilities on March 21, 2012; and

**WHEREAS,** the apparent lowest bidder, Danis Industrial Construction Co., was disqualified under the provisions of the Columbus Construction and Materials Specification Item 102.03 Item 3, *Bid prices are which obviously are unbalanced;* and

**WHEREAS,** Kenmore Construction Co., Inc., the second lowest bidder, was therefore deemed the lowest, most responsive, and responsible bidder, in the amount of \$1,652,172.80; and

**WHEREAS,** it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract for the Dublin Road Water Plant (DRWP) Misc. Improvements - Flocculator Drive Rehabilitation

Project to Kenmore Construction Co., Inc.; and

**WHEREAS**, it is necessary for this Council to authorize the transfer and expenditure of funds within the Water Works Enlargement Voted Bonds Fund, for the Division of Power and Water; and

**WHEREAS**, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Power and Water, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a construction contract with Kenmore Construction Co., Inc., for the Dublin Road Water Plant (DRWP) Misc. Improvements - Flocculator Drive Rehabilitation Project, in an expedited manner in order to have improvements at the DRWP complete before construction at the Hap Cremean Water Plant (HCWP) (which involves reduced treatment capacity), for the immediate 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 award and execute a construction contract for the Dublin Road Water Plant (DRWP) Misc. Improvements - Flocculator Drive Rehabilitation Project with the lowest, most responsive, and responsible bidder, Kenmore Construction Co., Inc., 700 Home Avenue, Akron, Ohio 44310; in the amount of \$1,652,172.80; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

**SECTION 2.** That the City Auditor is hereby authorized to transfer \$652,172.80 within the Department of Public Utilities, Division of Power and Water, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept/Div. No. 60-09, Object Level Three 6623, as follows:

**Fund No. | Project No. | Project Name | OCA Code | Change**

606 | 690026-100002 (carryover) | 910/Indianola Bldg. Imp's | 623639 | -\$652,172.80  
606 | 690278-100001 (carryover) | DRWP Flocculator Drive Rehab | 662781 | +\$652,172.80

**SECTION 3.** That the 2012 Capital Improvements Budget is hereby amended as follows:

**Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | Change**

606 | 690026-100002 (carryover) | 910/Indianola Bldg. Imp's | \$2,781,847 | \$2,129,674 | -\$652,173  
606 | 690278-100001 (carryover) | DRWP Flocculator Drive Rehab | \$1,000,000 | \$1,652,173 | +\$652,173

**SECTION 4.** That the expenditure of \$1,652,172.80 is hereby authorized for the Dublin Road Water Plant (DRWP) Misc. Improvements - Flocculator Drive Rehabilitation Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690278-100001 (carryover), Object Level Three 6623, OCA Code 662781.

**SECTION 5.** That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.

**SECTION 6.** 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; except that no transfer shall be made from a project account by monies from more than one source.

**SECTION 7.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 8.** 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 9.** That for reasons stated in the preamble hereto, which is hereby 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 days after passage if the Mayor neither approves nor vetoes the same.