



## Legislation Text

---

**File #: 1284-2009, Version: 1**

---

### 1. BACKGROUND:

**Need:** This legislation authorizes the Director of Public Utilities to enter into a professional engineering services contract in the amount of \$663,237.56 with Chester Engineers, in connection with the Large Diameter Sewer Assessment - Alum Creek Trunk (North) / Alum Creek SubTrunk Project for the Division of Sewerage and Drainage; to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund in the amount of \$663,237.56, to the Voted Sanitary Sewer Bond Fund.

The purpose of this Project is to perform a sewer condition assessment of the Alum Creek Trunk Sewer - North Segment and the Alum Creek SubTrunk to determine the debris accumulation and structural integrity of the pipes. The approximate total length of this sewer is 39,460 feet. Based on existing record plan information, the pipe material is RCP and the size ranges from 42" to 78". Work items for this phase of the project shall consist of closed circuit televising and sonar to assess the structural and operational condition of the large diameter trunk sewers identified on the project Exhibit, the providing of an Assessment Report outlining recommendations for their cleaning and/or rehabilitation, and all other necessary items for the completion of the Report.

Upon receipt and approval of the Assessment Report, the City and the Engineer shall execute a planned modification to this agreement for all professional services necessary for the completion of the design plans/specifications, bidding documents, engineering services during construction, and all other services required for the completion of the project. The first phase of this project shall be for a period of one year with subsequent planned modifications.

#### 1.1 Amount of Funds to be Expended:

Original Contract:	\$663,237.56
Future Modifications:	\$500,000.00

### 2. FISCAL IMPACT:

This ordinance authorizes the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund, to authorize appropriation and expenditure of \$663,237.56 from the Voted Sanitary Sewer Bond Fund. Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from an upcoming Bond Sale via the transfer detailed in this Ordinance.

**3. CONTRACT COMPLIANCE NO.:** 20-2401674 | MBE | 06/04/2011

**4. EMERGENCY DESIGNATION:** No emergency designation is requested for this legislation

To authorize the Director of Public Utilities to enter into a professional engineering services contract with Chester Engineers, in connection with the Large Diameter Sewer Assessment - Alum Creek Trunk (North) / Alum Creek SubTrunk Project; and to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund in the amount of \$663,237.56, to the Voted Sanitary Sewer Bond Fund. (\$663,237.56)

**WHEREAS**, this legislation authorizes the Director of Public Utilities to enter into a professional engineering service agreement with Chester Engineers, 88 East Broad Street, Suite 1980, Columbus, Ohio 43215, for the purpose of providing a sewer assessment of the Large Diameter Sewer Assessment - Alum Creek Trunk (North) / Alum Creek SubTrunk Project for the amount of \$663,237.56; and

**WHEREAS**, this assessment will result in an Assessment Report which will outline the professional services necessary for the completion of the design plans/specifications, bidding documents, engineering services during construction, and all other services required for the completion of the project; and

**WHEREAS**, it is necessary to authorize the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Voted

Sanitary Sewer Bond Fund for purposes of providing sufficient funding for the sanitary expenditure; and

**WHEREAS**, it is necessary for City Council to authorize the expenditure of funds from the Voted Sanitary Sewer Bond Fund; and

**WHEREAS**, the City will sell notes or bonds to fund this project and will reimburse the Sanitary Sewer Reserve Fund the amount transferred; and

**WHEREAS**, the aggregate principal amount which the City will issue to finance this phase of the project is presently expected not to exceed \$663,237.56; 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 project described in this ordinance (the "Project"); and

**WHEREAS**, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that Council authorize the Director of Public Utilities to execute a planned contract modification to the professional services agreement with Chester Engineers, for the Large Diameter Sewer Assessment - Alum Creek Trunk (North) / Alum Creek SubTrunk Project; and to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of funds from the Voted Sanitary Sewer Bond Fund for purposes of providing sufficient funding for the aforementioned project expenditure; for the immediate 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 Director of Public Utilities is hereby is, authorized to enter into a professional engineering service agreement with Chester Engineers, 88 East Broad Street, Suite 1980, Columbus, Ohio 43215, for the purpose of providing a sewer assessment of the Large Diameter Sewer Assessment - Alum Creek Trunk (North) / Alum Creek SubTrunk Project.

**Section 2.** That from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 654, 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 \$663,237.56 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-05| OCA Code 655225 | Object Level One 10 | Object Level Three 5502.

**Section 3.** That the City Auditor is hereby authorized to transfer a total \$663,237.56 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund 664, into the Large Diameter Sewer Assessment - Alum Creek Trunk (North) / Alum Creek SubTrunk Project. Capital Improvement Project 650725.100002, at such time as deemed necessary by the Auditor, and to expend said funds, or so much thereof as may be necessary.

**Section 4.** That the appropriation and expenditure of \$663,237.56 or as much thereof as may be needed, is hereby authorized from the Voted Sanitary Sewer Bond Fund | Fund 664| Division 60-05| Project 650725.100002 | OCA Code 664725 | Object Level Three 6676.

**Section 5.** That the said firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**Section 6.** That upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sanitary Sewer Reserve Fund the amount transferred above, and said funds are hereby deemed appropriated for such purposes.

**Section 7.** 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 \$663,237.56 (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 Sanitary/Sewer Reserve Fund 654, which is the fund

from which the advance for costs of the Project will be made.

**Section 8.** 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 9.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**Section 10.** 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 11.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.