



Legislation Text

File #: 1736-2015, **Version:** 1

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Jess Howard Electric Co. in the amount of \$803,423.35; for the Stand-By Power for Critical Water Booster Stations Project, Division of Water Contract Number 2078. Work under this project consists of installing stand-by power generators at the Cleveland Avenue and Morse / Hamilton water booster stations, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents.

The planning area for the Cleveland Avenue Booster Station is "Northland".
The planning area for the Morse/Hamilton Booster Station is "Rocky Fork / Blacklick".

2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT: The installation of permanent diesel stand-by power generators at these critical water booster stations will allow the Division of Water to maintain water service in large service areas during isolated power failures.

3.1 CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened five bids on June 17, 2015 from: Jess Howard Electric - \$803,423.35; Knight Electric - \$869,165.40; Claypool Electric - \$875,150.00; Proline Electric - \$907,120.00; and York Electric - \$976,350.00.

Jess Howard Electric Co.'s bid was deemed the lowest, best, most responsive and responsible bid in the amount of \$803,423.35. Their Contract Compliance Number is 31-4405752 (expires 10/29/16, Majority). Additional information regarding all bidders, 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 Jess Howard Electric Co.

3.2 PRE-QUALIFICATION STATUS: Jess Howard Electric Co. and all proposed subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

4. FISCAL IMPACT: This legislation requires 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 the 2015 summer bond sale can be made available.

To authorize the Director of Public Utilities to execute a construction contract with Jess Howard Electric Co. for the Stand-By Power for Critical Water Booster Stations Project, for the Division of Water; to authorize the appropriation and transfer of \$803,423.35 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize an expenditure up to \$803,423.35 within the Water Works Enlargement Voted Bonds Fund. (\$803,423.35)

WHEREAS, five bids for the Stand-By Power for Critical Water Booster Stations Project were received and publicly

opened in the offices of the Director of Public Utilities on June 17, 2015; and

WHEREAS, the lowest, best, most responsive and responsible bid was from Jess Howard Electric Co. in the amount of \$803,423.35; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract for the Stand-By Power for Critical Water Booster Stations Project; 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"); and

WHEREAS, it has become necessary in the usual daily operation of the Division of Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract with Jess Howard Electric Co. for the Stand-By Power for Critical Water Booster Stations Project, 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 Director of Public Utilities be and hereby is authorized to award and execute a construction contract for the Stand-By Power for Critical Water Booster Stations Project with Jess Howard Electric Co., 6630 Taylor Road, Blacklick, Ohio 43004; in the amount of \$803,423.35; in accordance with the terms and conditions of the contract on file in the Office of the Division of Water.

SECTION 2. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Water.

SECTION 3. 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, 2015, the sum of \$803,423.35, is hereby appropriated to the Division of Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

SECTION 4. That the City Auditor is hereby authorized and directed to transfer \$803,423.35, 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 5 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

SECTION 5. That the appropriation and expenditure of \$803,423.35 is hereby authorized for the Stand-By Power for Critical Water Booster Stations Project within the Division 60-09, Fund No. 606, Water Works Enlargement Voted Bonds Fund, Project No. 690473-100005 (New Funding), OCA 647305, OL3 6621.

SECTION 6. 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 4 above, and said funds are hereby deemed appropriated for such purpose.

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 \$803,423.35 (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 8. 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 9. 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 10. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 11. 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 12. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.