



Legislation Text

File #: 0769-2007, Version: 1

1. BACKGROUND:

A. Need. This legislation authorizes the Director of Public Utilities to enter into a construction contract with George J. Igel and Company, Inc., in connection with the Southerly Wastewater Treatment Plant, New Effluent Pump Station and Effluent Conduit project for the Division of Sewerage and Drainage. A loan for these purposes is tentatively scheduled for the Ohio Water Development Authority (OWDA) May 31, 2007 board meeting. This legislation will additionally authorize the appropriation of funds from the OWDA Loan Fund; and authorize the expenditure of funds from the loan for the construction contract.

This is a contract for one of the key, time-critical wastewater plants construction projects in the City's Wet Weather Management Plan (WWMP) program, for the period through 2010. The work in this program is a very substantial group of sewer capital improvement projects (CIPs), both collections systems and treatment works improvements, which have been agreed to by the City and Ohio EPA in order to conform to the requirements of the City's consent orders.

The proposed contract with George J. Igel and Company, Inc., is for Contract S70, Levee, Mass Excavation and Dewatering and is the first phase of project construction. This contract work consists of a levee construction, mass excavation, dewatering for the mass excavation, electrical service for the dewatering system, storm sewer installation, maintenance and operation of the dewatering system through a period of construction by others, seeding and site restoration. This work must be performed to prepare the site for the construction of the second phase of project construction, Contract S71, New Effluent Pump Station and Effluent Conduit.

The contract was advertised in the City Bulletin, and bids were received on May 2, 2007, as follows:

1. George J. Igel and Company, Inc. | Majority Firm | \$4,377,366.90
 2. C. J. Mahan Construction Company, LLC | Majority Firm | \$4,628,750.00
 3. Trucco Construction Company, Inc. | Majority Firm | \$4,656,350.00
 4. Sunesis Construction Company | Majority Firm | \$4,729,053.00
 5. Kokosing Construction Company, Inc. | Majority Firm | \$4,956,500.00
- The Engineer's construction cost estimate was \$9,800,000.00.

Award is recommended to the lowest and best bidder.

B. Contract Compliance No.: 314214570

C. Emergency Designation: The Division of Sewerage and Drainage is requesting City Council to designate this legislation an emergency measure, in order to allow for the immediate execution of the subject contract. There has been some holdup in the loan approval process through the Ohio Water Development Authority, which has caused this request for legislation to be delayed. This wastewater plant upgrade project is one of several projects the City is undertaking to fulfill commitments contained within the Consent Order executed between the City of Columbus and the Ohio Attorney General's Office. In order to ensure that the City meets the scheduling constraints of this project, it is imperative that a notice-to-proceed be issued as soon as possible.

2. FISCAL IMPACT:

This ordinance requests and authorizes the transfer and appropriation of funds in the amount of \$4,377,366.90 from the Sewer System Reserve Fund to the Ohio Water Development Authority Loan Fund in order to fund this proposed expenditure. This transaction is a temporary measure that is required until such time as the Division is able to execute a loan with the Ohio Water Development Authority Loan Fund and reimburse the Sewer System Reserve Fund.

3. PROJECT LOCATION:

This project is located at the Southerly Wastewater Treatment Plant.

To authorize the Director of Public Utilities to enter into a construction contract with George J. Igel and Company, Inc., in connection with the Southerly Wastewater Treatment Plant, New Effluent Pump Station and Effluent Conduit project, for the Division of Sewerage and Drainage; to authorize the appropriation, transfer, and expenditure of \$4,377,366.90 from the Sewer System Reserve

Fund to the Ohio Water Development Authority Loan Fund; for the Division of Sewerage and Drainage; and to declare an emergency. (\$4,377,366.90)

WHEREAS, five competitive bids for construction of the Southerly Wastewater Treatment Plant, New Effluent Pump Station and Effluent Conduit, Contract S70, were received and opened May 2, 2007 in the offices of the Director of Public Utilities; and

WHEREAS, Division of Sewerage and Drainage engineering personnel have determined it necessary to enter into a construction contract with George J. Igel and Company, Inc., in order to provide for construction of the Southerly Wastewater Treatment Plant New Effluent Pump Station and Effluent Conduit, capital improvements project 650363, Contract S70; and

WHEREAS, it is immediately necessary to both appropriate funds from the Sewer System Reserve Fund and authorize the transfer of said funds into the OWDA Loan Fund; in order to temporarily fund this expenditure, until such time as the City is able to execute a loan for the above stated purpose and reimburse the Sewer System Reserve Fund;

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary for this Council to authorize the Director of Public Utilities to execute a construction contract with George J. Igel and Company, Inc., in connection with the Southerly Wastewater Treatment Plant New Effluent Pump Station and Effluent Conduit project, in order to fulfill the City's capital improvement project scheduling commitments set forth within the consent agreement between the City and the Ohio Attorney General's Office that addresses the city's wet weather wastewater overflows, 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 from the unappropriated monies in the Sewer System Reserve Fund 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated from any other purpose for the Southerly Wastewater Treatment Plant New Effluent Pump Station and Effluent Conduit project, the sum of \$4,377,366.90 is hereby appropriated to the Division of Sewerage and Drainage;

Div. 60-05 | Object Level One 10 | Object Level Three 5502 | OCA Code 901654

Section 2. That the City Auditor is hereby authorized to transfer \$4,377,366.90 to the OWDA Loan Fund No. 666, into the appropriate project accounts as specified in Section 3, at such times as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

Section 3. That the expenditure of \$4,377,366.90 is hereby appropriated for the Southerly Wastewater Treatment Plant New Effluent Pump Station and Effluent Conduit within the OWDA Loan Fund No. 666 | Division 60-05 | Object Level Three 6624 | as follows:

Proj. No. 650363 | Southerly Wastewater Treatment Plant New Effluent Pump Station and Effluent Conduit | OCA Code 666363 | \$4,377,366.90.

Section 4. 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 Sewer System Reserve Fund the amount transferred under Section 2., above, and said funds are hereby deemed appropriated for such purpose.

Section 5. That the expenditure of \$4,377,366.90 or as much thereof as may be needed, be and the same hereby is authorized from the OWDA Loan Fund No. 666; Division 60-05; within the following projects:

Proj. No. 650363 | Southerly Wastewater Treatment Plant New Effluent Pump Station and Effluent Conduit | OCA Code 666363 | \$4,377,366.90

Section 6. That the Director of Public Utilities be, and hereby is, authorized to enter into a contract with George J. Igel and Company, Inc., 2040 Alum Creek Drive, Columbus, Ohio 43207, for construction of the for the Southerly Wastewater Treatment Plant, New Effluent Pump Station and Effluent Conduit, Contract S70 project in accordance with the terms and conditions as shown on the contract on file in the office of the Division of Sewerage and Drainage.

Section 7. That the City Auditor is hereby authorized 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 by

monies from more than one source.

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

Section 9. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contracts or contract modifications associated with this ordinance.

Section 10. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure which 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.