



# City of Columbus

Office of City Clerk  
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## Legislation Text

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**File #: 0865-2007, Version: 1**

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**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Darby Creek Excavating, Inc. in the amount of \$1,715,969.65; to encumber funds with the Transportation Division for inspection, testing and prevailing wage coordination services in the amount of \$267,675.00; to authorize an amendment to the 2007 Capital Improvements Budget; and to authorize the transfer and expenditure of \$1,983,644.65 within the Water Works Enlargement Voted 1991 Bonds Fund in connection with the East Columbus Area Water Main Improvements Project.

**2. CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened two bids on May 9, 2007. Bids were received from: Darby Creek Excavating, Inc. - \$1,715,969.65 and Complete General Construction Co. - \$1,937,698.71.

The lowest and best bid was from Darby Creek Excavating, Inc. in the amount of \$1,715,969.65. Their Contract Compliance Number is 31-1345111 (expires 5/4/08, Majority). Additional information regarding both 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 1991 Bonds Fund and an amendment to the 2007 Capital Improvements Budget.

To authorize the Director of Public Utilities to execute a construction contract with Darby Creek Excavating, Inc.; in the amount of \$1,715,969.65; to provide for payment of inspection, material testing and related services to the Transportation Division in the amount of \$267,675.00; for the East Columbus Area Water Main Improvements Project; for the Division of Power and Water (Water); to amend the 2007 Capital Improvements Budget; and to authorize the transfer and expenditure of \$1,983,644.65 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$1,983,644.65)

**WHEREAS**, two bids for the East Columbus Area Water Main Improvements Project were received and publicly opened in the offices of the Director of Public Utilities on May 9, 2007; and

**WHEREAS**, the lowest and best bid was from Darby Creek Excavating, Inc. in the amount of \$1,715,969.65; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection, testing and prevailing wage coordination services costs associated with the East Columbus Area Water Main Improvements Project; and

**WHEREAS**, it is necessary to authorize an amendment to the 2007 Capital Improvements Budget for purposes of providing sufficient funding and spending authority for the aforementioned project expenditures; and

**WHEREAS**, it is necessary for this Council to authorize the City Auditor to transfer funds within the Water Works Enlargement Voted 1991 Bonds Fund; and

**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 East Columbus Area Water Main Improvements Project, 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 East Columbus Area Water Main Improvements Project; with the lowest and best bidder, Darby Creek Excavating, Inc.; 6790

Brooksmiller Rd., Circleville, Ohio 43113; in the amount of \$21,715,969.65; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water; to obtain the necessary testing and prevailing wage coordination services from the Transportation Division and to pay up to a maximum amount of \$267,675.00; for a grand legislative total of \$1,983,644.65.

**SECTION 2.** That said construction company shall conduct the work to the satisfaction of the Directors of Public Utilities and Public Service and the Administrators of the Divisions of Power and Water and Transportation.

**SECTION 3.** That the City Auditor is hereby authorized to transfer \$1,983,644.65 within the Division of Power and Water (Water), Dept/Div. No. 60-09, Water Works Enlargement Voted 1991 Bonds Fund, Fund No. 606, Object Level One 06, Object Level Three 6629, as follows:

**Project No. | Project Name | OCA Code | (change)**

690448 | McKinley Ave. 36" W.M. | 606448 | (-\$1,983,644.65) |  
690236 | Water Main Rehab. | 642900 | (+\$1,983,644.65) |

**SECTION 4.** That the 2007 Capital Improvements Budget is hereby amended as follows:

**Project No. | Project Name | Current Authority | Revised Authority | (change)**

690448 | McKinley Ave. 36" W.M. | \$5,000,000 | \$3,016,355 | (-\$1,983,645)  
690236 | Water Main Rehab. | \$12,431,407 | \$14,415,052 | (+\$1,983,645)

**SECTION 5.** That for the purpose of paying the cost of the contract, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division of Power and Water (Water), Dept./Div. No. 60-09, Water Works Enlargement Voted 1991 Bonds Fund, Fund No. 606, Project 690236, OCA Code 642900, Object Level One 06, Object Level Three 6629, Amount \$1,983,644.65.

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