



## Legislation Text

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File #: 0908-2010, Version: 1

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1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to enter into a construction contract with The Altman Company, for the SMOC Material Storage Addition project for the Division of Sewerage and Drainage. The Sewer Maintenance Operations Center (SMOC) is responsible for the operation, maintenance and repair of the City's sewer collection system.

The proposed contract with The Altman Company is for Contract F32. This contract consists of the construction of an approximately 3,000 square foot Material Storage Building, site related paving and landscaping. Typical material to be stored is rock salt, cold patch asphalt, sand and topsoil for various sewer line repair projects performed by the Sewer Maintenance crews.

The contract was advertised in the City Bulletin, and bids were received on May 5, 2010, as follows:

1. The Altman Company | MAJ | \$469,793.00
2. Ardmore Construction Management & Engineering | FBE | \$550,818.00
3. Central Ohio Building. Co., Inc. | MAJ | \$555,450.00
4. Allen Ballew General Contractor, Inc. | FBE | \$579,804.00
5. Charter Hill Construction, Inc. | MAJ | 612,950.00

The Architect's construction cost estimate was \$506,925.00.

Award is recommended to the lowest Responsive and Responsible and Best Bidder.

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings for Recovery Database.

B. **Contract Compliance No.:** 31-0714676 | (Expires 02/17/2012) | MAJ

C. **Emergency Designation:** Emergency designation is not requested.

2. **FISCAL IMPACT:**

This ordinance authorizes the appropriation, transfer and expenditure of \$469,793.00 from the Sewer System Reserve Fund to the Water Pollution Control Loan Fund to fund this project expenditure. This transaction is a temporary measure that is required until such time as the Department is able to execute a WPCLF loan agreement with the Ohio EPA and the Ohio Water Development Authority (OWDA); and reimburse the Sewer System Reserve Fund, and to amend the 2010 Capital Improvements Budget for the Sanitary Build America Bond (B.A.B.s) Fund; and the loan award is tentatively scheduled for the July 29, 2010 OWDA board meeting.

To authorize the Director of Public Utilities to execute a construction contract with The Altman Company, for the SMOC Material Storage Addition project; to authorize the appropriation, transfer and expenditure of \$469,793.00 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; and to amend the 2010 Capital Improvements Budget for the Sanitary Build America Bond (B.A.B.s) Fund for the Division of Sewerage and Drainage. (\$469,793.00 )

**WHEREAS**, five competitive bids for construction of the SMOC Material Storage Addition project, Contract F32, were received and opened on May 5, 2010 in the offices of the Director of Public Utilities; and

**WHEREAS**, the Division of Sewerage and Drainage engineering personnel have determined it necessary to enter into a construction contract with The Altman Company, in order to provide for construction of SMOC Material Storage Addition project, Contract F32;

and

**WHEREAS**, the Ohio Water Development Authority (OWDA) is tentatively scheduled to approve a loan to the City of Columbus on July 29, 2010, to provide financing for the above listed project with eligible costs including the construction contract and contingency; and capitalized interest; and

**WHEREAS**, sufficient monies will be available within the Sewer System Reserve Fund and transferred to the Water Pollution Control Loan Fund for the aforementioned project expenditure; 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 Water Pollution Loan Fund, in order to temporarily fund this expenditure, until such time as the City is able to execute a WPCLF loan agreement for the above stated purpose and reimburse the Sewer System Reserve Fund; and

**WHEREAS**, the aggregate principal amount which the City will issue to finance this phase of the project is presently expected not to exceed \$469,793.00; and

**WHEREAS**, it is necessary to authorize an amendment to the 2010 Capital Improvement Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; 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**, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to enter into a construction contract with The Altman Company for the SMOC Material Storage Addition project, to authorize the appropriation and transfer of funds from the Sanitary System Reserve Fund to the Ohio Water Development Authority (OWDA) Fund, and at the earliest practical date for the 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 be, and hereby is, authorized to enter into a contract with The Altman Company, 1251 Fairwood Avenue, Columbus, OH 43206, for construction of the SMOC Material Storage Addition 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 2.** 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 SMOC Material Storage Addition project, the sum of \$469,793.00 is hereby appropriated to the Division of Sewerage and Drainage; Division 60-05 | ObjLv11 10 | ObjLv13 5502 | OCA Code 901654.

**Section 3.** That the City Auditor is hereby authorized to transfer \$469,793.00 to the Water Pollution Control Loan Fund No. 666, into the appropriate project accounts as specified in the below section, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

**Section 4.** That the expenditure of \$469,793.00 or as much thereof as may be needed, be and the same is hereby appropriated and authorized for under the Water Pollution Control Loan Fund No. 666 | Division 60-05 | ObjLv13 6630 | as follows:

**Proj. No | Proj. Name | OCA Code | Amount:**

650510-100032| SMOC Materials Storage Addition | 666510 | \$469,793.00

**Section 5.** That the 2010 Capital Improvements Budget Ordinance No. 0564-2010 is hereby amended as follows, to provide and create sufficient budget authority for the award of the agreement stated herein.

Creation of Authority:

Fund No. | Project No. | Project Name | Current Authority | Revised Authority | (Change)

666 | 650510-100032 | SMOC Materials Storage Addition | \$0 | \$469,793 | (+\$469,793)

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

**Section 7.** That upon obtaining other funds for the purpose of funding the sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sewer System Reserve Fund the amount transferred under the above section, and said funds are hereby deemed appropriated for such purpose.

**Section 8.** 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 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.