



## Legislation Text

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**File #: 0060-2011, Version: 1**

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**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Deer Creek Excavating, LLC, in the amount of \$1,495,056.04; to encumber funds with the Transportation Division for inspection, testing, and prevailing wage coordination services in the amount of \$181,500.96; all in connection with the Safford/Union Area Stormwater System and Water Line Improvements Projects.

This project includes \$989,575.00 for Stormwater System Improvements as directed by the Project Engineer, which will be paid from the Storm Build America Bonds Fund and the Storm Sewer Bonds Fund; and \$686,982.00 for Water Line Improvements as directed by the Project Engineer, which will be paid from the Water Build America Bonds Fund.

**2. CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened twelve (12) bids on December 1, 2010. These bids were received from: Deer Creek-\$1,495,056.04, Underground Utilities-\$1,788,616.34, Eramo-\$1,804,910.71, Connie-\$1,849,157.08, Elite-\$1,898,693.42, Double Z-\$1,933,683.48, Seals-\$1,991,830.04, Savko-\$2,046,018.68, Columbus Asphalt-\$2,235,078.90, Complete General-\$2,311,165.80, Danbert-\$2,355,757.46 and Trucco-\$2,404,330.84.

The lowest and best bid was from Deer Creek Excavating, LLC, for \$1,495,056.04. Additional information regarding each bidder, description of work, contract timeframe, detailed amounts and sub-contractors can be found on the attached Legislation Information Form.

**Contract Compliance Information:** 81-0651708, expires 11/02/11, Majority

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Deer Creek Excavating, LLC.

**3. FISCAL IMPACT:** There is sufficient cash and authority for the Stormwater portion of this project in both the Storm Build America Bonds Fund and the Storm Sewer Bonds Fund. A transfer of funds within the Water Build America Bonds Fund and an amendment to the 2010 Capital Improvements Budget will also be necessary.

To authorize the Director of Public Utilities to execute a construction contract with Deer Creek Excavating, LLC; to provide for payment of inspection, material testing and related services to the Transportation Division for the Safford/Union Area Stormwater System and Water Line Improvements Projects, for the Divisions of Sewerage and Drainage & Power and Water; to authorize the expenditure of \$629,262.00 from the Storm Sewer Bonds Fund; to authorize the expenditure of \$360,313.00 from the Storm Build America Bonds Fund; to authorize the transfer and expenditure of \$686,982.00 within the Water Build America Bonds Fund; and to authorize an amendment to the 2010 Capital Improvements Budget. (\$1,676,557.00)

**WHEREAS,** twelve (12) bid proposals were received and publicly opened in the offices of the Director of Public Utilities on December 1, 2010 for the construction of the Safford/Union Area Stormwater System and Water Line Improvements Projects; 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 Safford/Union Area Stormwater System and Water Line Improvements Projects; and

**WHEREAS,** it is necessary for this Council to authorize the City Auditor to transfer funds within the Water Build America Bonds Fund; and

**WHEREAS,** it is necessary to authorize an amendment to the 2010 Capital Improvements Budget for purposes of providing sufficient funding and spending authority for the aforementioned project expenditure; and

WHEREAS, this project will mitigate street and yard flooding and improve water infrastructure along Union, Springmont, Safford, and Homewood Avenues between Highland and Whitethorne Avenues.; and

WHEREAS, in the usual daily operation of the Department of Public Utilities, Divisions of Sewerage and Drainage & Power and Water it is necessary to enter into a construction contract with Deer Creek Excavating, LLC for the Safford/Union Area Stormwater System and Water Line Improvements Projects for the preservation of 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 contract for construction of the Safford/Union Area Stormwater System and Water Line Improvements Projects with the lowest and best bidder, Deer Creek Excavating, LLC, 6352 Durbin Road.; Bellville, Ohio 44813; in the amount of \$1,495,056.04 in accordance with the terms and conditions of the contract on file in the Office of the Division of Sewerage and Drainage; and to obtain the necessary inspection, testing and prevailing wage coordination services from the Transportation Division; and to pay up to a maximum amount of \$181,500.96.

**SECTION 2.** That the City Auditor is hereby authorized and directed to appropriate the following funds:

Division: Power and Water  
Fund Name: Water Build America Bonds Fund  
Fund No.: 609  
Dept./Div. No.: 60-09  
OL3: 6629

<u>Project No.</u>	<u>Project Name</u>	<u>OCA</u>	<u>Amount</u>
609999-100000 (carryover)	Unallocated Balance	609999	\$996,963.53

**SECTION 3.** That the City Auditor is hereby authorized to transfer \$686,982.00 within the Division of Power and Water, Dept/Div. No. 60-09, Water Build America Bonds Fund, Fund No. 609, Object Level One 06, Object Level Three 6629, as follows:

<u>Project No.</u>	<u>Project Name</u>	<u>OCA Code</u>	<u>change</u>
609999-100000 (carryover)	Unallocated Balance	609999	-\$686,982.00
690236-100007 (carryover)	Safford/Union W.L. Imp's	692367	+\$686,982.00

**SECTION 4.** That the 2010 Capital Improvements Budget is hereby amended as follows:

<u>Proj. No.</u>	<u>Proj. Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Change</u>
609999-100000 (carryover)	Unallocated Balance	\$186,699	\$996,964	+\$810,265 (establish authority to match cash)
609999-100000 (carryover)	Unallocated Balance	\$996,964	\$309,982	-\$686,982
690236-100007 (carryover)	Safford/Union W.L. Imp's	\$0	\$686,982	+\$686,982

**SECTION 5.** That for the purpose of paying the cost of the construction contract, the cost of inspection, testing and prevailing wage coordination services, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Sewer Bonds Fund No. 685, Project 610761-100000, Object Level Three 6621, OCA Code 685761, Amount \$629,262.00.

**SECTION 6.** That for the purpose of paying the cost of the construction contract, the cost of inspection, testing and prevailing wage coordination services, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Build America Bonds Fund No. 676, Project 610761-100000, Object Level Three 6621, OCA Code 676761, Amount \$360,313.00.

**SECTION 7.** That for the purpose of paying the cost of the construction contract, the cost of inspection, testing and prevailing wage coordination services, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-09, Water Build America Bonds Fund, Fund No. 609, Project 690236-100007 (carryover), Object Level Three 6629, OCA Code 692367, Amount \$686,982.00.

**SECTION 8.** That the said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the

Administrators of the Division of Sewerage and Drainage & Power and Water.

**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.