



Legislation Text

File #: 0871-2007, Version: 1

1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to modify the construction contract with Lake Erie Electric, Inc. for the Southerly Wastewater Treatment Plant Electrical System Upgrade Project. The Lake Erie Electric, Inc. modification amount requested under this ordinance is \$227,142.39. The contract total including this modification is \$4,837,891.89. These additional monies will fund known costs of needed additions to the contract work that have become necessary to complete the Electrical System Upgrade construction and settle construction claims, the total of which would exceed the original contract contingency amount. Due to the complex and comprehensive nature of this project, this additional work could not be foreseen, and it is not practical or feasible to undertake a new procurement to deliver these services. This legislation also amends the 2007 Capital Improvements Budget and authorizes the expenditure of funds within the Sanitary Sewer Bond Fund.

B. **Contract Compliance No.:** 341536829

C. **Type of Business Enterprise:** Majority

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

2. **FISCAL IMPACT:**

Monies for this project will utilize proceeds from the Sanitary Sewer Bond Fund. There will be sufficient authority in the 2007 Capital Improvements Budget for these expenditures upon passage of this ordinance. The transfer and amendment is needed to place the amounts in the correct project.

3. **PROJECT LOCATION:**

This project is located at the Southerly Wastewater Treatment Plant.

To authorize the Director of Public Utilities to modify a contract with Lake Erie Electric, Inc. for the Southerly Wastewater Treatment Plant Electrical System Upgrade Project; to authorize the transfer of \$227,142.39 within the Voted Sanitary Bond Fund; to amend the 2007 Capital Improvements Budget; and to authorize the expenditure of \$227,142.39 within the Sanitary Sewer Bond Fund for the Division of Sewerage and Drainage. (\$227,142.39).

WHEREAS, Contract No. EL005424 was authorized by Ordinance No.0564-2005, as passed by Columbus City Council on March 23, 2005 for purposes of authorizing the Director of Public Utilities to enter into a construction contract with Lake Erie Electric, Inc. for the Southerly Wastewater Treatment Plant Electrical System Upgrade Project; and

WHEREAS, it is necessary to modify this contract to provide additional monies to cover the cost of needed additions to the contract work and to settle construction claims which exceed the available contingency amounts provided in the contract, pursuant to completion of the work; and

WHEREAS, it is necessary to authorize the transfer of monies within the Sanitary Sewer Bond Fund to provide sufficient funding for the aforementioned project expenditure; and

WHEREAS, it is necessary to authorize an amendment to the 2007 Capital Improvements Budget for the purpose of providing

sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to modify the construction contract for the Southerly Wastewater Treatment Plant Electrical System Upgrade project, Construction Contract S68 at the earliest practicable date; **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 modify Contract No. EL005424 with Lake Erie Electric, Inc., 360 Industrial Drive, Franklin, OH 45005 for construction of the Southerly Wastewater Treatment Plant Electrical System Upgrade project, Construction Contract S68, in order to provide for additional work and claims settlement, in accordance with the terms and conditions as shown in the Modification on file in the office of the Division of Sewerage and Drainage.

Section 2. That for the purpose of paying the cost of the construction contract modification, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows: Division 60-05; Fund 664; Project- Southerly Wastewater Treatment Plant Electrical System Upgrade, Project No. 650346; Object Level 3 6624; OCA Code 650346; Amount \$227,142.39.

Section 3. That the 2007 Capital Improvements Budget Ordinance No. 0733-2007 is hereby amended as follows, to provide sufficient budget authority for the execution of the project modification:

Proj. No. | Proj. Name | Current Authority | Revised Authority | (Amount of Change)

650577 | Hilock/Lewis Roads Assessments Part 2 | \$872,416 | \$645,273 | (-\$227,143)
650346 | SWWTP Electrical System Upgrade | \$0 | \$227,143 | (+\$227,143)

Section 4. That the City Auditor is hereby authorized to transfer \$227,142.39 within the Sanitary Sewer Bond Fund, Fund 664, Object Level 3 6624, Division of Sewerage and Drainage, Division 60-05,

FROM:

650577 | Hilock/Lewis Roads Assessments Part 2 | OCA 664577

TO:

650346 | SWWTP Electrical System Upgrade | OCA 650346

Section 5. 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 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 7. 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 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.