



Legislation Text

File #: 0908-2016, **Version:** 1

- 1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a service agreement with the Ohio Basement Authority for the Blueprint Clintonville Sump Pump Project for work for which consists of installing sump pumps and other such work as may be necessary to complete the contract, in accordance with the scope of services set forth in this Invitation For Bid (IFB).
- 2. PROCUREMENT:** The Department of Public Utilities advertised for bids pursuant to the requirements of city code section 329 for the Blueprint Clintonville: Sump Pump Project. Two (2) bids were received, opened, and evaluated. It was determined that the Ohio Basement Authority best meet the needs of the Department of Public Utilities.
- 3. PROJECT TIMELINE:** Contract work is required to be completed in a manner acceptable to the City within 180 days from the date that a Notice To Proceed (NTP) is given by the City. Note: this project will involve multiple projects.
- 4. EMERGENCY DESIGNATION:** An emergency designation **is not requested** at this time.
- 5. CONTRACT COMPLIANCE NUMBER:** 38-3823702 | MAJ | Exp. 02/24/2018
- 6. ENVIRONMENTAL IMPACT:** NA
- 7. FISCAL IMPACT:** This ordinance authorizes the appropriation and transfer of \$700,353.46 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund, Fund 6109; to authorize the creation of sufficient budget authority; to authorize the expenditure of up to \$700,353.46 from the G.O. Bond Fund, Fund 6109 and amend the 2016 Capital Improvements Budget to establish sufficient budget authority for this ordinance. Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from a future Bond Sale via the transfer detailed in this ordinance.

To authorize the Director of Public Utilities to enter into a service agreement with the Ohio Basement Authority for the Blueprint Clintonville Sump Pump Project; to authorize the appropriation and transfer of \$700,353.46 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund; to authorize the expenditure of \$700,353.46 from the Sanitary Sewer General Obligation (G.O.) Bond Fund; and to amend the 2016 Capital Improvements Budget. (\$700,353.46).

WHEREAS, the Department of Public Utilities is under a mandate from Ohio EPA to eliminate sanitary sewer overflows and basement back-ups; and

WHEREAS, Blueprint Clintonville Sump Pump Project is designed to reduce residential backups in the impacted area; and

WHEREAS, it is necessary to authorize an expenditure of \$700,353.46 from the Sanitary Sewer General Obligation (G.O.) Bond Fund 6109; and

WHEREAS, it is necessary to amend the 2016 Capital Improvements Budget for purposes of creating and providing sufficient budget authority for the aforementioned expenditures; and

WHEREAS, this transfer should be considered as a temporary funding method; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Sanitary Reserve Fund; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$700,353.46; 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 project described in this ordinance (the “Project”); and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, to authorize the Director to enter into a service agreement with the Ohio Basement Authority for the Blueprint Clintonville Sump Pump Project to be implemented at the earliest practical 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 enter into a service contract with the Ohio Basement Authority, 911 Stelzer Road, Columbus, Ohio 43219 for the Blueprint Clintonville Sump Pump Project in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage.

SECTION 2. That from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 6102, Sub-fund 610201, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2016, the sum of \$700,353.46 is hereby appropriated to the Division of Sewerage and Drainage.

SECTION 3. That the City Auditor is hereby authorized to transfer and appropriate a total \$700,353.46 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer Bond Fund, Fund 6109, into Blueprint Clintonville Sump Pump Project, P650876-100001, at such time as deemed necessary by the Auditor, or so much thereof as may be necessary per the account codes in the attachment to this ordinance.

SECTION 4. That the Director of Public Utilities be and hereby is authorized to expend up to \$700,353.46 from the Sanitary Sewer General Obligation Bond Fund, Fund 6109 | Div. 60-05 | per the account codes in the attachment to this ordinance.

SECTION 5. That the 2016 Capital Improvements Budget is hereby amended as follows:

Fund	Project Number	Project Name	Current Authority	Revised Authority	Change
6109	P650360-100001	WWTF Upgrade General Program	\$3,000,000	\$2,299,647	(-\$700,354)
6109	P650876-100001	Blueprint Clintonville Sump Pump Project	\$0	\$700,354	(+\$700,354)

SECTION 6: That the said engineering company, Ohio Basement Authority, shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator 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 are 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 funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 9. 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 10. 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 Sanitary Sewer Reserve Fund the amount transferred above (Section 3), and said funds are hereby deemed appropriated for such purposes.

SECTION 11. That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$700,353.46 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse Sanitary/Sewer Reserve Fund 6102, which is the fund from which the advance for costs of the Project will be made.

SECTION 12. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.