



## Legislation Text

File #: 2684-2015, Version: 1

- 1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to fund the construction inspection costs payable the City of Columbus Department of Public Service for the Barthman/Parsons Blueprint Green Infrastructure Pilot Project Phases I and II. Construction for Phase I of the project (Ord. 1492-2015) authorized a construction contract with Facemyer Landscaping, LLC. Construction for Phase II of the project (Ord. 1977-2015) authorized a construction contract with John Eramo and Sons, Inc. Both contracts require construction inspection and administrative services. The Department of Public Service has agreed to provide these services.
- 2. PROJECT TIMELINE:** The contracted work is required to be completed in a manner acceptable to the City within 120 days from the date that a Notice To Proceed (NTP) is given by the City.
- 3. CONTRACT COMPLIANCE NO.:** The City of Columbus Department of Public Service is a governmental agency and contract compliance is not applicable.
- 4. EMERGENCY DESIGNATION:** Emergency designation is requested in order to support the construction needs and timelines of the project.
- 5. FISCAL IMPACT:** This ordinance authorizes the appropriation and transfer of \$441,120.00 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund, Fund 664; the creation of sufficient budget authority; authorization of the expenditure of up to \$441,120.00 from the G.O. Bond Fund 664 and amends the 2015 Capital Improvements Budget to establish sufficient budget authority for this ordinance. Monies for this expenditure 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 encumber funds for the Construction Inspection and Administration Services associated with the Barthman/Parsons Blueprint Green Infrastructure Pilot Project to the City's Department of Public Service; to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund; to amend the 2015 Capital Improvement Budget to provide sufficient budget authority; to authorize the expenditure of \$441,120.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund; and declare an emergency. (\$441,120.00)

**WHEREAS**, the work for the Barthman/Parsons Blueprint Green Infrastructure Project Phases I and II require construction inspection and administrative services; and

**WHEREAS**, the Department of Public Services has agreed to conduct the construction inspection and administration services in order to verify contractor adherence to the requirements of the City of Columbus Construction and Materials Specifications; and

**WHEREAS**, the Department of Public Services will incur costs with the inspection and administration of the subject project construction; and

**WHEREAS**, it is necessary to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund; and

**WHEREAS**, it is necessary for City Council to authorize the expenditure of funds from the Sanitary Sewer System GO Bond Fund, Fund 664; and

**WHEREAS**, it is necessary to authorize an amendment to the 2015 Capital Improvements Budget to provide sufficient budget authority for this ordinance; and

**WHEREAS**, it is necessary to transfer funds from the Sanitary Sewer Reserve Fund in the amount \$441,120.00 for construction inspection and administrative services; 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 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 Division of Sewerage and Drainage, Department of Public Utilities, to authorize the Director of Public Utilities to encumber and expend construction inspections costs incurred by the Department of Public Service for the Barthman/Parsons Blueprint Green Infrastructure Pilot Project in order to maintain construction schedules and meet project timelines; to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Sanitary Sewer Bond Fund; 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 from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 654, 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, 2015, the sum of \$441,120.00 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-05 | OCA Code 655225 | Object Level One 10 | Object Level Three 5502.

**SECTION 2.** That the City Auditor is hereby authorized to transfer and appropriate a total \$177,070.00 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer Bond Fund, Fund 664, into the Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase I, CIP 650405-100100, at such time as deemed necessary by the Auditor, or so much thereof as may be necessary in the following manner: Division 60-05 | 645100 | Object Level 06 | Object Level Three 6630.

**SECTION 3.** That the City Auditor is hereby authorized to transfer and appropriate a total \$264,050.00 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer Bond Fund, Fund 664, into the Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II, CIP 650405-100101, at such time as deemed necessary by the Auditor, or so much thereof as may be necessary in the following manner: Division 60-05 | 645101 | Object Level 06 | Object Level Three 6630.

**SECTION 4.** That the 2015 Capital Improvements Budget is hereby amended as follows:

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

650405-100100 | Barthman/Parsons Blueprint Green Infrastructure Phase I | \$3,000,000 | \$2,735,950 | (-\$264,050)

650405-100101 | Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II | \$1,760,330 | \$2,024,380 | (+\$264,050)

**SECTION 5.** That the City Auditor is authorized to establish an Auditor's Certificate totaling \$441,120.00 and these funds are authorized to be expended for the payment of construction inspection and administrative services to the Department of Public Service in support of the Barthman/Parsons Blueprint Green Infrastructure Pilot Project Phases I and II.in the following manner for the Div. 60-05 | Obj. Lvl 3 6630:

650405-100100 | Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase I | 645100 | \$177,070.00

650405-100101 | Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II | 645101 | \$264,050.00

**SECTION 6.** 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 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 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 in Section 2 and Section 3, and said funds are hereby deemed appropriated for such purposes.

**SECTION 10.** 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 \$441,120 (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 the fund from which the advance for costs of the Project will be made.

**SECTION 12.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure which shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.