



## Legislation Text

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**File #:** 1129-2013, **Version:** 1

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**1. BACKGROUND:** This Ordinance authorizes the Director of Public Utilities to modify and decrease the construction contract with Kokosing Construction Company, Inc. for the Dublin Road Water Plant (DRWP) Treatment Capacity Increase Sludge Pump Station and Electrical Substation Project, for the Division of Water, Contract No. 1009-Part 1.

This contract modification (No. 1) will reduce Contract No. EL013960 by \$854,700.00. During bidding of this project the City was in negotiation for a land swap with ODOT for property in the median between Dublin Road and Twin Rivers Drive (Alternative A). This exchange permitted the City to provide material and an equal flood plain cross-section to meet Flood Control Regulation. Since this transaction was not completed during the bidding an addendum was issued including underground storage and additional off site material be supplied. Subsequent to the bid opening the ODOT land transaction was completed permitting the City to award the original plan. This amounted to a cost reduction of \$854,700.00 from the amount that was included in the legislation submitted to Council.

**1.1 Amount of additional funds to be expended: (\$854,700.00)**

Original Contract Amount: \$22,001,320.00 (EL013960)

Modification 1 (current)                      (\$ 854,700.00)

Total (Orig. + Mod. 1)                      \$21,146,620.00

**1.2. Reasons additional goods/services could not be foreseen:**

The Department of Public Utilities anticipated additional funds would be necessary for underground storage and additional off site material via addendum to the bidding documents. Since the land transaction occurred the underground storage and additional off site material is not necessary, therefore the contract is being modified in order to reduce said amount.

**1.3. Reason other procurement processes are not used:**

Additional work is not being performed; see 1.2.

**1.4. How cost of modification was determined:**

The cost of Alternative A plus 10% contingency was reduced from the original bid amount.

**2. CONTRACT COMPLIANCE INFO:** 31-1023518, expires 2/14/14, Majority

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Kokosing Construction Company, Inc.

**3. FISCAL IMPACT:** Additional funds will not be necessary for this contract modification.

To authorize the Director of Public Utilities to modify and decrease the construction contract with Kokosing Construction Company, Inc., in the amount of \$854,700.00, for the Dublin Road Water Plant Treatment Capacity Increase Sludge Pump Station and Electrical Substation Project; for the Division of Water. (\$854,700.00)

**WHEREAS,** Contract No. EL013960 with Kokosing Construction Company, Inc. was authorized by Ordinance No. 0052-2013, passed February 4, 2013, was executed on February 13, 2013, and approved by the City Attorney on February 21, 2013, for the Dublin Road Water Plant (DRWP) Treatment Capacity Increase Sludge Pump Station and Electrical

Substation Project; and

**WHEREAS**, a modification to the contract is necessary in order to modify and decrease the contract for underground storage and additional off site material no longer needed, in the amount of \$854,700.00; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to execute a modification to the construction contract for the Dublin Road Water Plant (DRWP) Treatment Capacity Increase Sludge Pump Station and Electrical Substation Project; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Water, to authorize the Director of Public Utilities to modify and decrease the construction contract with Kokosing Construction Company, Inc., for the Dublin Road Water Plant (DRWP) Treatment Capacity Increase Sludge Pump Station and Electrical Substation Project, 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 is hereby authorized and directed to modify and decrease the construction contract with Kokosing Construction Company, Inc. for the Dublin Road Water Plant (DRWP) Treatment Capacity Increase Sludge Pump Station and Electrical Substation Project in the amount of \$854,700.00.

**SECTION 2.** That this agreement modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

**SECTION 3.** That the City Auditor is hereby authorized and directed to reduce \$854,700.00 from Contract No. EL013960.

**SECTION 4.** That the 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 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 all 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.