



## Legislation Text

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**File #:** 2130-2023, **Version:** 1

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### **1. BACKGROUND**

This ordinance authorizes the Finance and Management Director to associate all General Budget Reservations resulting from this ordinance with the Universal Term Contract (UTC) Purchase Agreement for the Rental of Construction Equipment with an Operator for the Department of Public Utilities, Division of Water, for the Lead Service Line Inventory and Mapping Program, in an amount up to \$75,000.00. It also authorizes the Department of Public Utilities, Division of Water, to expend more than \$100,000.00 in calendar year 2023 against this UTC.

This General Budget Reservation will be used for the rental of equipment with an operator to identify and map water service lines that contain lead. These lines will be replaced under a separate contract. Per City Code 329.19(g)(1), purchases by a City Agency using a UTC in excess of \$100,000.00 in a fiscal year must be approved by ordinance of City Council. While this ordinance does not exceed the \$100,000.00 limit, the Department of Public Utilities, Division of Water, has other contracts in place this fiscal year utilizing this UTC so the overall expenditure with this request does exceed the \$100,000.00 limit.

### **2. UNIVERSAL TERM CONTRACT PURCHASE AGREEMENT**

PA006132 - Rental of Construction Equipment with an Operator - expires 10/31/25  
Travco Construction, Inc, Vendor #009944

### **3. CONTRACT COMPLIANCE INFORMATION**

Travco Construction's contract compliance number is CC-009944 and Expires 9/26/24.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

### **4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract will be for less than \$100,000.00 so is not subject to City of Columbus MBE/WBE Program goals. Travco Construction is classified as an MAJ by the City's Office of Diversity and Inclusion. Travco Construction has not proposed the use of subcontractors to perform this work. The anticipated MBE/WBE percentage for this contract is 0%.

The certification of Travco Construction was in good standing at the time the contract was awarded.

### **5. FISCAL IMPACT**

An H2Ohio grant from the Ohio Environmental Protection Agency (OEPA) will be used to fund the first \$50,000.00 of this contract. This grant has been set-up under Fund 6013, Water Grants Fund, Grant #G602300 (2023 Lead Service Line Inventory and Mapping Program). These funds have been appropriated. The OEPA has given an advance payment of \$37,500.00 to be used toward eligible expenses under the grant agreement. The remaining \$12,500.00 will be dispersed in a final installment on a reimbursement of eligible expenses basis. This grant does not require the expenditure of matching funds.

The remaining \$25,000.00 will come from Department of Public Utilities, Division of Water, operating funds. The funds are appropriated and available. It will be necessary to transfer cash and appropriation between Object Classes to align cash and appropriation with the proper Object Class.

### **6. EMERGENCY DESIGNATION**

Emergency designation is requested for this ordinance so water lines containing lead can be identified and remedied as soon as possible, eliminating this public health hazard.

To authorize the Finance and Management Director to associate all General Budget Reservations resulting from this ordinance with the appropriate Universal Term Contract Purchase Agreement for the Rental of Construction Equipment with an Operator for the Department of Public Utilities; to authorize the Department of Public Utilities, Division of Water, to expend more than \$100,000.00 from that Universal Term Contract; to authorize a transfer of cash and appropriation between object classes within the Water Operating Fund; to authorize the expenditure of up to \$75,000.00 from the Water Grants Fund and the Water Operating Fund; and to declare an emergency. (\$75,000.00)

**WHEREAS**, the Department of Public Utilities is engaged in the 2023 Lead Service Line Inventory and Mapping Program project; and

**WHEREAS**, it is necessary to dig holes to examine existing water lines to see if they contain lead; and

**WHEREAS**, the Purchasing Office has established a Universal Term Contract Purchase Agreement for the Rental of Construction Equipment with an Operator that will allow the needed work on the 2023 Lead Service Line Inventory and Mapping Program to be performed; and

**WHEREAS**, an Agency requires City Council's approval to expend more than \$100,000.00 against a Universal Term Contract in a fiscal year; and

**WHEREAS**, the Division of Water has a need to transfer \$25,000.00 between Object Classes within the 2023 Water Operating Fund's Budget. Funds for the transfer have been identified and are available in Object Class 01 (Personal Services); and

**WHEREAS**, it is necessary to authorize the expenditure of \$75,000.00, or so much thereof as is needed, from the Water Grants Fund and from the Water Operating Fund to pay for this work; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Finance and Management Director to associate all General Budget Reservations resulting from this ordinance with the appropriate Universal Term Contract Purchase Agreement for the Rental of Construction Equipment with an Operator for the Division of Water; and;

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to authorize the Finance and Management Director to execute the contract so repairs can be made as soon as possible so water lines containing lead can be identified and remedied as soon as possible, eliminating this public health hazard, thereby preserving 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 Finance and Management Director be and is hereby authorized to associate all General Budget Reservations resulting from this ordinance with the appropriate Universal Term Contract Purchase Agreement for the Rental of Construction Equipment with an Operator.

**SECTION 2.** That City Council approves the Department of Public Utilities, Division of Water, expending in excess of \$100,000.00 this fiscal year against Universal Term Contract PA006132 - Rental of Construction Equipment with an Operator.

**SECTION 3.** That the transfer of \$25,000.00 or so much thereof as may be needed, is hereby authorized between Object Classes within Fund 6000 Water Operating Fund per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That the expenditure of \$50,000.00 or so much thereof as may be needed, be and is hereby authorized in Fund 6013 (Water Grants 2023 Lead Service Line Inventory and Mapping Program) in Object Class 03 (Services) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That the expenditure of \$25,000.00 or so much thereof as may be needed, be and is hereby authorized in Fund 6000 (Water Operating Fund) in object class 03 (Services) per the accounting codes in the attachment to this ordinance.

**SECTION 6.** 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 7.** That for the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.