



## Legislation Text

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**File #: 2589-2013, Version: 1**

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**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Darby Creek Excavating, Inc. in the amount of \$2,296,930.08; to encumber funds with the Design and Construction Division for inspection, material testing, and related services in the amount of \$300,000.00; for the Johnstown Road Area Water Line Improvements Project, Division of Water Contract Number 1167.

This project consists of installing approximately 5,019 linear feet of 6-inch water line, 3,893 linear feet of 8-inch water line, 636 linear feet of 12-inch water line and repair work on the 48-inch water main near the intersection of Stelzer Road and International Gateway Boulevard, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the bid submittal documents. Other roads impacted include: Johnstown Road, Cassady Avenue, Sixth Avenue, Columbia Avenue, Drexel Avenue, and Northview Avenue.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:** The goal of this project is to replace water lines that have a high break frequency. The new lines constructed under this project should eliminate the pattern of frequent water line breaks and will decrease burden on water maintenance operations. The Neighborhood Liaison(s) will be contacted and informed of this project during the construction phase. Further community outreach may result through the Neighborhood Liaison Program.

**3. CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened six bids on October 23, 2013 from: Darby Creek Excavating - \$2,296,930.08; John Eramo & Sons - \$2,379,531.64; Kenmore Construction - \$2,393,785.95; Double Z Construction - \$2,415,697.76; Complete General Construction - \$2,539,790.19; and Shelly & Sands - \$2,599,648.60.

Darby Creek Excavating's bid was deemed the lowest, best, most responsive and responsible bid in the amount of \$2,296,930.08. Their Contract Compliance Number is 31-1345111 (expires 2/16/14, Majority). Additional information regarding all bidders, description of work, contract time frame and detailed amounts can be found on the attached Information form.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Darby Creek Excavating, Inc.

**4. FISCAL IMPACT:** A transfer of funds within the Water Works Enlargement Voted Bonds Fund, the Water Build America Bonds Fund, and the Water Super Build America Bonds Fund will be necessary, as well as an amendment to the 2013 Capital Improvements Budget.

To authorize the Director of Public Utilities to execute a construction contract with Darby Creek Excavating, Inc. for the Johnstown Road Area Water Line Improvements Project in an amount up to \$2,296,930.08; for the Division of Water; to provide for payment of inspection, material testing and related services to the Design and Construction Division in an amount up to \$300,000.00; to authorize a transfer and expenditure up to \$2,596,930.08 within the Water Works Enlargement Voted Bonds Fund, the Water Build America Bonds Fund, and the Water Super Build America Bonds Fund; and to amend the 2013 Capital Improvements Budget. (\$2,596,930.08)

**WHEREAS**, six bids for the Johnstown Road Area Water Line Improvements Project were received and publicly opened in the offices of the Director of Public Utilities on October 23, 2013; and

**WHEREAS**, the lowest, best, most responsive and responsible bid was from Darby Creek Excavating, Inc. in the amount of \$2,296,930.08; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection and testing services costs associated with the Johnstown Road Area Water Line Improvements Project; and

**WHEREAS**, it is necessary for this Council to authorize the transfer and expenditure of funds within the Water Works Enlargement Voted Bonds Fund, the Water Build America Bonds Fund, and the Water Super Build America Bonds Fund, for the Division of Water; and

**WHEREAS**, it is necessary to authorize an amendment to the 2013 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditures; and

**WHEREAS**, it has become necessary in the usual daily operation of the Division of Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract with Darby Creek Excavating, Inc. for the Johnstown Road Area Water Line Improvements Project, 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 the Director of Public Utilities be and hereby is authorized to award and execute a construction contract for the Johnstown Road Area Water Line Improvements Project with Darby Creek Excavating, Inc., 6790 Brooksmiller Road, Circleville, Ohio 43113; in the amount of \$2,296,930.08; in accordance with the terms and conditions of the contract on file in the Office of the Division of Water; and to obtain the necessary inspection, testing and prevailing wage coordination services from the Design and Construction Division and to pay up to a maximum amount of \$300,000.00.

**SECTION 2.** That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Water.

**SECTION 3.** That the City Auditor is hereby authorized and directed to appropriate the following:

Division: Water  
Dept./Div. No.: 60-09  
OL3: 6629

**Fund No. | Fund Name | Project No. | Project Name | OCA | Amount**

609 | Water Build America Bonds Fund | 609999-100000 (carryover) | Unallocated Balance Fund 609 | 609999 | \$50,502.77

610 | Water Super Build America Bonds Fund | 610999-100000 (carryover) | Unallocated Balance Fund 610 | 610999 | \$3,807.76

**SECTION 4.** That the City Auditor is hereby authorized to transfer \$2,296,930.08 within the Department of Public Utilities, Division of Water, Dept/Div. No. 60-09, Object Level Three 6623, as indicated on attachment “ORD 2589-2013 Transfers”.

**SECTION 5.** That the 2013 Capital Improvements Budget is hereby amended as indicated on attachment “ORD 2589-2013 Transfers”.

**SECTION 6.** That the expenditure of \$2,596,930.08 is hereby authorized for the Johnstown Road Area Water Line Improvements Project Dept.-Div. 60-09, Project No. 690236-100045 (carryover), as noted below:

**Fund No. | Fund Name | OCA | OL3 | Amount**

606 | Water Works Enlargement Voted Bonds | 663145 | 6629 | \$2,096,586.49

609 | Water Build America Bonds | 692345 | 6629 | \$36,174.73

609 | Water Build America Bonds | 692345 | 6687 | \$300,000.00

610 | Water Super Build America Bonds | 6629 | 612345 | \$164,168.86

6629 (construction) = \$2,296,930.08

6687 (inspection) = \$300,000.00

**Grand Total = \$2,596,930.08**

**SECTION 7.** 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 8.** 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 9.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 10.** 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 11.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.