



## Legislation Text

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**File #: 1878-2007, Version: 1**

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### 1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Kokosing Construction Company, Inc. for the Southerly Wastewater Treatment Plant Secondary Clarifier Additions and Improvements project for the Division of Sewerage and Drainage.

This is a contract for one of the key, time-critical wastewater plants construction projects in the City's Wet Weather Management Plan (WWMP) program, for the period through 2010. The work in this program is a very substantial group of sewer capital improvement projects, both collections systems and treatment works improvements, which have been agreed to by the City and Ohio EPA in order to conform to the requirements of the City's consent orders.

The proposed contract with Kokosing Construction Company, Inc., is for Contract S72. This contract Work consists of construction of three 200-foot diameter circular secondary clarifiers, construction of one return activated sludge pump building, modification of a clarifier sludge collection mechanisms in two existing secondary clarifiers, replacement of a clarifier sludge collection mechanisms in six existing secondary clarifiers, construction of three return activated sludge metering chambers, and other work as shown and described in the Bidding Documents.

The contract was advertised in the City Bulletin, and bids were received on August 22, 2007, as follows:

1. Kokosing Construction Company, Inc. | Majority Firm | \$52,633,900.00
  2. C. J. Mahan Construction Company, LLC | Majority Firm | \$62,294,254.00
- The Engineer's construction cost estimate was \$62,499,800.00

**Award is recommended to the lowest and best bidder.**

**B. Contract Compliance No.:** 31-1023518 (MAJ) (Expires 3/16/2008)

**C. Emergency Designation:** The Division of Sewerage and Drainage is requesting City Council to designate this ordinance an emergency measure in order to allow for the immediate commencement of this work. This expediency is justified in order to fulfill the City's capital improvement project scheduling commitments set forth within the consent agreement between the City and the Ohio Attorney General's Office that addresses the city's wet weather wastewater overflows.

### 2. **FISCAL IMPACT:**

Monies for this project will be provided from a proposed upcoming Sanitary Bond Sale in January of 2008. Once the Bond Sale is complete there will be sufficient available cash for these expenditures. The necessary authority is available in the 2007 Capital Improvements Budget due to a recent 2007 CIB Amendment. This legislation will authorize the expenditure of \$52,633,900.00 within the Sanitary Sewer Revenue Bonds Fund.

To authorize the Director of Public Utilities to enter into a construction contract with Kokosing Construction Company, Inc., in connection with the Southerly Wastewater Treatment Plant Secondary Clarifier Additions and Improvements project; to authorize the appropriation and expenditure of \$52,633,900.00 within the Sanitary Sewer Revenue Bonds Fund, from monies that will be available from the proposed upcoming Sanitary Bond Sale; for the Division of Sewerage and Drainage; and to declare an emergency. (\$52,633,900.00)

**WHEREAS**, two competitive bids for construction of the Southerly Wastewater Treatment Plant Secondary Clarifier Additions and Improvements project, Contract S72, were received and opened August 22, 2007 in the offices of the Director of Public Utilities; and

**WHEREAS**, the Division of Sewerage and Drainage engineering personnel have determined it necessary to enter into a construction contract with Kokosing Construction Company, Inc., in order to provide for construction of Southerly Wastewater Treatment Plant Secondary Clarifier Additions and Improvements project, Contract S72; and

**WHEREAS**, sufficient monies will be available within the Sanitary Sewer Revenue Bonds Fund for the aforementioned project expenditure through the proposed upcoming January 2008 Sanitary Bond Sale; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary for this Council to authorize the Director of Public Utilities to execute a construction contract with Kokosing Construction Company, Inc., in connection with the Southerly Wastewater Treatment Plant Secondary Clarifier Additions and Improvements project, in order to fulfill the City's capital improvement project scheduling commitments set forth within the consent agreement between the City and the Ohio Attorney General's Office that addresses the city's wet weather wastewater overflows; for the immediate 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 enter into a contract with Kokosing Construction Company, Inc., 886 McKinley Avenue, Columbus, Ohio 43222, for construction of the Southerly Wastewater Treatment Plant Secondary Clarifier Additions and Improvements project in accordance with the terms and conditions as shown on the contract on file in the office of the Division of Sewerage and Drainage.

**Section 2.** That for the purpose of paying the cost of the construction contract, the following expenditure, or as much thereof as may be needed, is hereby authorized contingent on the sale of sanitary sewer bonds in January of 2008 as follows: Division 60-05; Fund 665; Southerly Wastewater Treatment Plant Secondary Clarifier Additions and Improvements, Project No. 650366; Object Level 6624; OCA Code 665366; Amount \$52,633,900.00.

**Section 3.** 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 no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

**Section 4.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**Section 5.** 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 6.** 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.