



Legislation Text

File #: 0179-2008, Version: 1

1. **BACKGROUND:**

This legislation authorizes the Director of Public Utilities to execute a final construction contract modification with the C.J. Mahan Construction Company, LLC, for the Southerly Wastewater Treatment Plant New Headworks project. This modification, in the amount of \$1,500,000.00, will provide increased funding for material escalation costs and to address the remaining change orders for additional contract work that is necessary to successfully complete the Raw Sewage Pump Building construction, the total of which would exceed the original contract contingency amount.

The original contract award was \$50,868,825.00. Modification No. 1 provided \$9,861,370.00 in contingency funds required for flood recovery efforts due to the January 2005 site flooding. The total contract, including this modification, will result in a final contract appropriation of \$60,730,195.00. Due to the complex and comprehensive nature of this project this additional work could not be foreseen, and it is not practical or feasible to undertake a new procurement to deliver these services. At the current time, division engineering and the City's construction manager are confident that the funds authorized by this contract modification will be sufficient to complete the scope of work and ensure optimum operational use of this infrastructure.

2. **CONTRACT COMPLIANCE NO.:** 721576467 (Majority | Expiration 09/10/2009)

3. **FISCAL IMPACT:**

There is sufficient funding and budget authority within the Division of Sewerage and Drainage's Sanitary Sewer Revenue Bonds Fund for this expenditure.

To authorize the Director of Public Utilities to execute a final contract modification with the C.J. Mahan Construction Company, LLC for the Southerly Wastewater Treatment Plant New Headworks project; to authorize the expenditure of \$1,500,000.00 from within the Sanitary Sewer Revenue Bonds Fund; for the Division of Sewerage and Drainage. (\$1,500,000.00).

WHEREAS, Contract No. EL004202 was authorized by Ordinance No. 0271-2004, as passed by Columbus City Council on March 29, 2004 for purposes of authorizing the Director of Public Utilities to enter a construction contract with C.J. Mahan Construction Company, LLC, for the purpose of providing construction services associated with the new raw sewage pump building, systems start-up, testing, commissioning, and operation instruction and training at the Southerly Pike Wastewater Treatment Plant, in connection with the Southerly Wastewater Treatment Plant New Headworks project, Construction Contract S65; and

WHEREAS, it is necessary to modify this contract to provide funding for needed additions to the contract work which exceeds the available contingency amounts provided in the contract, pursuant to completion of the work; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Sanitary Sewer Revenue Bonds Fund; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to modify the construction contract for the Southerly Wastewater Treatment Plant New Headworks project, Construction Contract S65 at the earliest practicable date; **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 modify Contract No. EL004202 with C.J. Mahan Construction Company, LLC, 3400 Southwest Blvd., Grove City, Ohio 43123, for construction of the Southerly Wastewater Treatment Plant New Headworks project, Construction Contract S65, in order to provide for additional work, in accordance with the terms and conditions as shown in the Modification 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 modification, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows: Division 60-05; Fund 665; SWWTP New Headworks,

Project No. 650352; Object Level 6624; OCA Code 665352; Amount \$1,500,000.00.

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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.