



Legislation Text

File #: 1840-2008, **Version:** 1

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into an agreement with EMH&T, Inc. in the amount of \$158,555.00, for professional engineering services for the Lazelle Road 2 Million Gallon (MG) Storage Tank Project.

This project consists of designing a 2 MG hydropillar water tank including a mixing system. The tank will be located on an existing tank site owned by the City of Columbus. The site design shall meet all City of Columbus stormwater requirements, which will include an approved CC Drawing. The consultant will prepare the design specifications for the project and review all construction submittals.

2. BID INFORMATION: The selection of the firm providing the professional engineering services has been performed in accordance with the procedures set forth in Columbus City Code, Section 329.14, "Awarding professional service contracts through requests for proposals." The evaluation criteria for this contract included: 1. proposal quality, 2. project schedule, 3. environmentally preferable offeror, and 4. local workforce.

Requests for Proposals (RFP's) were received on September 15, 2008 from EMH&T, Inc., Chester Engineers, and Poggemeyer Design Group, Inc.

Upon review of the technical proposals, the bidders were ranked using the criteria mentioned above and EMH&T, Inc. was the firm selected to perform the services for this project. Their Contract Compliance Number is 31-0685594 (expires 11/2/09, Majority). Additional information regarding each bidder, description of work, contract time frame and detailed amounts can be found on the attached Legislation Information Form.

3. FISCAL IMPACT: This legislation includes a transfer of funds within the Water Works Enlargement Voted Bonds Fund and a transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund as a temporary measure until such time as the proceeds from a bond sale can be made available.

To authorize the Director of Public Utilities to enter into an agreement with EMH&T, Inc. for professional engineering services for the Lazelle Road 2 MG Storage Tank Project; to authorize the transfer of \$1,278.30 within the Water Works Enlargement Voted Bonds Fund; to authorize the appropriation and transfer of \$157,276.70 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$158,555.00 from the Water Works Enlargement Voted Bonds Fund; for the Division of Power and Water. (\$158,555.00)

WHEREAS, three technical proposals for the Lazelle Road 2 MG Storage Tank Project were received on September 15, 2008; and

WHEREAS, EMH&T, Inc. was the firm selected to perform the design services for this project based on criteria set forth in Columbus City Codes; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds within the Water Works Enlargement Voted Bonds Fund; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the construction of the Project described in this Ordinance (collectively, the "Project"); and

WHEREAS, it has become necessary in the usual daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into an agreement for professional engineering services for the Lazelle Road 2 MG Storage Tank Project, to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, for the preservation of the public health, peace, property and safety;

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 an agreement for professional engineering services for the Lazelle Road 2 MG Storage Tank Project with the lowest and best bidder, EMH&T, Inc., 5500 New Albany Road, Columbus, Ohio 43054; in the amount of \$158,555.00; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

SECTION 2. That the City Auditor is hereby authorized to transfer \$1,278.30 within the Division of Power and Water, Dept./Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Object Level One 06, Object Level Three 6686, as follows:

Project No. | Project Name | OCA Code | change

690006 | Hoover Reservoir Erosion Control | 642900 | -\$1,129.30

690394 | Water Meter Renewal | 606394 | -\$149.00

690424 | Lazelle Rd. Storage Tank | 606424 | +\$1,278.30

SECTION 3. That from the unappropriated monies in the Water System Reserve Fund, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2008, the sum of \$157,276.70, is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

SECTION 4. That the City Auditor is hereby authorized and directed to transfer \$157,276.70 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the appropriate project account as specified within Section 5 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

SECTION 5. That the expenditure of \$158,555.00 for the Lazelle Road 2 MG Storage Tank Project is hereby appropriated as follows: Division of Power and Water, Dept./Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Project 690424, OCA Code 606424, Object Level One 06, Object Level Three 6686.

SECTION 6. That upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 4 above, and said funds are hereby deemed appropriated for such purpose.

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 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 intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$157,425.70 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the Water Reserve Fund 603, which is the fund from

which the advance for costs of the Project will be made.

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