



Legislation Text

File #: 1736-2011, **Version:** 1

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with S.J. Louis Construction Co., Inc., in the amount of \$14,973,898.50, for the Columbus Upground Reservoirs, Raw Water Pipeline Project, Division of Power and Water Contract Number 1032-Part III.

As central Ohio continues to grow, additional water supply sources must be developed. To address the growing needs, three upground reservoirs located near the Scioto River in northwestern Delaware County were recommended in the Water Beyond 2000 study as a way to supplement the water supplies needed to support projected economic development in Franklin County. The R-2 reservoir, the largest of the three recommended reservoirs is currently under construction as Contract 1032-Part I. The Upground Reservoir Raw Water Pump Station (along the Scioto River) that will be used to fill the reservoirs is currently under construction as Contract 1032-Part II. This contract (Contract 1032-Part III) will provide a pipeline to transfer raw water from the Raw Water Pump Station to the R-2 reservoir.

Community Open House events were held on July 13, 2006, October 19, 2006, October 25, 2007 and April, 7, 2011. Multiple Stakeholder briefing meetings were held during the design phase in 2006-2007.

Environmental coordination meetings were held with:

- Ohio Environmental Protection Agency
- Ohio Department of Natural Resources
- Ohio Department of Transportation
- Preservation Parks of Delaware County
- US Army Corps of Engineers
- US Fish and Wildlife Service
- Delaware County Soil & Water Conservation District

Permits from both the Army Corps of Engineers (CWA Section 404 Permit) and Ohio EPA (CWA Section 401 Water Quality Certification) were secured and mitigation requirements negotiated with these entities. Mitigation includes removal of the low-head dam at Prospect, Ohio and development of new wetlands site in western Franklin County.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened seven bids on September 28, 2011. Bids were received from: S.J. Louis Construction Co., Inc. - \$14,973,898.50; Kokosing Construction Co. - \$15,607,240.00; Kenmore Construction Co. - \$15,617,926.50; George J. Igel & Co., Inc. - \$15,914,552.50; Thalle Construction Co., Inc. - \$16,708,120.00; Complete General Construction Co. - \$16,909,970.00; and Reynolds, Inc. - \$17,416,718.00.

The lowest, most responsive and responsible bidder was S.J. Louis Construction Co., Inc. in the amount of \$14,973,898.50. Their Contract Compliance Number is 41-1440589 (expires 7/21/13, 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 S.J. Louis Construction Co., Inc.

3. EMERGENCY DESIGNATION: It is requested that this Ordinance be handled in an emergency manner in order to have the construction contract executed by the City Auditor's Office before their contract deadline in early/mid-

December.

4. FISCAL IMPACT: A transfer of funds within the Water Works Enlargement Voted Bonds Fund will be necessary, as well as an amendment to the 2011 Capital Improvements Budget.

To authorize the Director of Public Utilities to execute a construction contract with S.J. Louis Construction Co., Inc. for the Columbus Upground Reservoirs, Raw Water Pipeline Project; for the Division of Power and Water; to authorize a transfer and expenditure of \$14,973,898.50 within the Water Works Enlargement Voted Bonds Fund; and to amend the 2011 Capital Improvements Budget; and to declare an emergency. (\$14,973,898.50)

WHEREAS, seven bids for the Columbus Upground Reservoirs, Raw Water Pipeline Project were received and publicly opened in the offices of the Director of Public Utilities on September 28, 2011; and

WHEREAS, the lowest and best bid was from S.J. Louis Construction Co., Inc. in the amount of \$14,973,898.50; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract for the Columbus Upground Reservoirs, Raw Water Pipeline 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, for the Division of Power and Water; and

WHEREAS, it is necessary to authorize an amendment to the 2011 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Power and Water, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a construction contract with S.J. Louis Construction Co., Inc., for the Columbus Upground Reservoirs, Raw Water Pipeline Project, in an emergency manner in order to have the construction contract executed by the City Auditor's Office before their contract deadline in early/mid-December, 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 award and execute a construction contract for the Columbus Upground Reservoirs, Raw Water Pipeline Project with the lowest and best bidder, S.J. Louis Construction Co., Inc., 1351 Broadway Street West, Rockville, MN 56369; in the amount of \$14,973,898.50; 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 \$14,973,898.50 within the Department of Public Utilities, Division of Power and Water, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept/Div. No. 60-09, Object Level Three 6621, as follows:

Fund No. | Project No. | Project Name | OCA Code | Change

606 | 690370-100000 (carryover) | Upground Reservoir | 642900 | -\$14,973,898.50

606 | 690370-100002 (carryover) | Upground Reservoir RWL | 663702 | +\$14,973,898.50

SECTION 3. That the 2011 Capital Improvements Budget is hereby amended as follows:

<u>Fund No.</u>	<u>Proj. No.</u>	<u>Proj. Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Change</u>
606	690370-100000 (carryover)	Upground Reservoir	\$34,769,628	\$19,795,729	-\$14,973,899
606	690370-100002 (carryover)	Upground Reservoir RWL	\$0	\$14,973,899	+\$14,973,899

SECTION 4. That the expenditure of \$14,973,898.50 is hereby authorized for the Columbus Upground Reservoirs, Raw Water Pipeline Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690370-100002 (carryover), Object Level Three 6621, OCA Code 663702.

SECTION 5. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.

SECTION 6. 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 7. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 8. 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 9. That for reasons stated in the preamble hereto, which is hereby 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 days after passage if the Mayor neither approves nor vetoes the same.