



Legislation Text

File #: 0534-2009, Version: 1

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with U.S. Utility Contractor Co. in the amount of \$215,919.00; to encumber funds with the Transportation Division for prevailing wage coordination services in the amount of \$1,000.00; to transfer \$216,919.00 from the Electricity Reserve Fund to the Voted Street Lighting and Electricity Distribution Improvement Fund; in connection with the North High St. Circuit Conversion Project, Phase II. This is the second phase of a circuit conversion project along North High Street, from Arcadia Avenue to Glencoe Road.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened two bids on March 25, 2009. U.S. Utility Contractor Co. - \$215,919.00 and Vaughn Industries - \$231,473.00.

The lowest and best bid was submitted by U.S. Utility Contractor Co. Their Contract Compliance Number is 34-1606689 (expires 2/28/10, F1). Additional information regarding this 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 from the Electricity Reserve Fund to the Voted Street Lighting and Electricity Distribution Improvement Fund as a temporary measure until such time as the proceeds from a bond sale can be made available and an amendment to the 2008 Capital Improvement Budget.

To authorize the Director of Public Utilities to execute a construction contract with U.S. Utility Contractor Co. for the North High St. Circuit Conversion Project, Phase II for the Division of Power and Water (Power); to authorize the appropriation and transfer of \$216,919.00 from the Electricity Reserve Fund to the Voted Street Lighting and Electricity Distribution Improvement Fund; and to authorize the expenditure of \$216,919.00 from the Voted Street Lighting and Electricity Distribution Improvement Fund for the Division of Power and Water; and to amend the 2008 Capital Improvement Budget. (\$216,919.00)

WHEREAS, two bids for the North High St. Circuit Conversion Project, Phase II was received and publicly opened in the offices of the Director of Public Utilities on March 25, 2009; and

WHEREAS, U.S. Utility Contractor Co., Inc. submitted the lowest and best bid; 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 associated with the North High St. Circuit Conversion Project, Phase II; and

WHEREAS, it is necessary to authorize an amendment to the 2008 Capital Improvement Budget for the purpose of providing sufficient expenditure authority for the aforementioned project; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds from the Electricity Reserve Fund to the Voted Street Lighting and Electricity Distribution Improvement 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 a construction contract for the North High St. Circuit Conversion Project, Phase II, to authorize the appropriation and transfer of funds from the Electricity Reserve Fund to the Voted Street Lighting and

Electricity Distribution Improvement Fund; 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 from the unappropriated monies in the Electricity 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, 2009, the sum of \$216,919.00, is hereby appropriated to the Division of Power and Water, Division 60-07, Object level One 10, Object level Three 5502, OCA 551001.

SECTION 2. That the City Auditor is hereby authorized and directed to transfer \$216,919.00, from the Electricity Reserve Fund to the Voted Street Lighting and Electricity Distribution Improvement Fund, Fund No. 553, into the appropriate project account as specified within Section 3 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

SECTION 3. That the appropriation and expenditure of \$216,919.00 is hereby authorized for the 7220 Circuit Conversion on North High Street, from Arcadia Avenue to Glencoe Road, Phase II, within the Voted Street Lighting and Electricity Distribution Improvement Fund, Fund No. 553, Project 670784, OCA Code 553784, Object Level One 06, Object Level Three 6621.

SECTION 4. That upon obtaining other funds for the purpose of funding street lighting capital improvement work, the City Auditor is hereby authorized to repay the Electricity Reserve Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriated for such purpose.

SECTION 5. The 2008 Capital Improvement Budget as established in Ordinance 0690-2008 is hereby amended as follows to provide sufficient budget authority to award the aforementioned contract:

Project No. | Project Name | OCA Code | change

670608-100002 | Dublin Avenue Control Building | 670608 | -\$1,459

670784-100000 | North High Street Circuit Phase 2 | 553784 | +\$1,459

SECTION 6. That the Director of Public Utilities be and hereby is authorized to award and execute a construction contract for the North High St. Circuit Conversion Project, Phase II with the lowest and best bidder, U.S. Utility Contractor Co.; 3115 E. 17th Ave., Columbus, Ohio 43219; in the amount of \$215,919.00; to encumber funds with the Transportation Division for prevailing wage coordination services in the amount of \$1,000.00; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

SECTION 7. 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 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 said 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 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 \$216,919.00 (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 Electricity Reserve Fund 551, 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.

