



Legislation Details (With Text)

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On agenda: 6/23/2008 **Final action:** 6/25/2008

Title: To authorize the Director of Public Utilities to modify and increase the construction contract with U.S. Utility Contractor Co. for the Underground Street Lighting System Rehabilitation and Betterments Project (Southeast and Southwest); for quantity overruns and equipment purchases not accounted for in the original contract; for the Division of Power and Water (Power); to authorize the expenditure of \$41,753.69 within the Voted Street Lighting and Electricity Distribution Improvement Fund; and to declare an emergency. (\$41,753.69)

Sponsors:

Indexes:

Code sections:

Attachments: 1. CONTRACTMODSE&SWDirector's Legislation Information Sheet - Updated as of 7-20-07.pdf, 2. CONTRACTMODSE&SWREHAB&BETTERMTS.pdf, 3. CONTRACTMODSE&SWRequest for CIP Legislation Form1 (Revised 7-26-07).pdf

Date	Ver.	Action By	Action	Result
6/25/2008	1	CITY CLERK	Attest	
6/24/2008	1	MAYOR	Signed	
6/23/2008	1	Columbus City Council	Approved	Pass
6/23/2008	1	COUNCIL PRESIDENT	Signed	
6/13/2008	1	Auditor Reviewer	Reviewed and Approved	
6/13/2008	1	CITY AUDITOR	Reviewed and Approved	
6/13/2008	1	Utilities Drafter	Sent for Approval	
6/13/2008	1	CITY ATTORNEY	Reviewed and Approved	
6/13/2008	1	Utilities Drafter	Sent to Clerk's Office for Council	
6/12/2008	1	ODI DIRECTOR	Reviewed and Approved	
6/12/2008	1	Utilities Drafter	Sent for Approval	
6/11/2008	1	EBOCO Reviewer	Sent for Approval	
6/10/2008	1	FINANCE DIRECTOR	Reviewed and Approved	
6/10/2008	1	Utilities Drafter	Sent for Approval	
6/9/2008	1	Finance Reviewer	Reviewed and Approved	
6/5/2008	1	Utilities Drafter	Sent for Approval	
6/4/2008	1	Utilities Reviewer	Sent for Approval	
6/4/2008	1	UTILITIES DIRECTOR	Reviewed and Approved	
6/3/2008	1	Utilities Reviewer	Reviewed and Approved	
6/3/2008	1	Utilities Drafter	Sent for Approval	

6/3/2008	1	Utilities Reviewer	Reviewed and Approved
6/3/2008	1	Utilities Drafter	Sent for Approval
5/29/2008	1	Utilities Drafter	Sent for Approval
5/29/2008	1	Utilities Reviewer	Reviewed and Approved
5/21/2008	1	Utilities Drafter	Sent for Approval
5/21/2008	1	Utilities Reviewer	Sent for Approval
5/20/2008	1	Utilities Drafter	Sent for Approval
5/20/2008	1	Utilities Reviewer	Reviewed and Approved
5/19/2008	1	Utilities Reviewer	Reviewed and Approved
5/16/2008	1	Utilities Drafter	Sent for Approval
5/16/2008	1	Utilities Reviewer	Reviewed and Approved

BACKGROUND: This Ordinance authorizes the Director of Public Utilities to modify and increase the construction contract with U.S. Utility Contractor Co. for the Underground Street Lighting System Rehabilitation and Betterments Project (Southeast and Southwest Quadrants), for the Division of Power and Water (Power). Due to variables such as soil content, moisture and atmospheric temperatures the quantity of ground rods required for grounding and bonding was unknown. A pilot project was used to identify the estimated number of ground rods required for grounding and bonding. This one and only modification authorizes payment for quantity overruns for ground rod installation, so that street lights are in conformance with National Electric Safety Code NESC - Article 250. It is necessary to modify and increase the original contract to account for these additional expenditures.

1. Amount of additional funds to be expended: \$41,753.69

Original Contract Amount: \$681,119.59

Amount of original contract and this modification: \$722,873.28

2. Reasons additional goods/services could not be foreseen:

In order for the Division to meet current specifications and standards for grounding and bonding street light poles, additional ground rods are required to conform to 25 Ohms or less per National Electric Safety Code NESC - Article 250. A pilot project failed to accurately predict the number of ground rods required for grounding and bonding. Atmospheric conditions and soil content are variables which affect the need for grounding and bonding.

3. Reason other procurement processes are not used:

Due to this contract playing a vital role in the Division's effort to provide a safe street lighting system to the public it is felt, to expedite construction, that the existing contract be modified. It would not be in the best interest of the City to contract with another vendor for the same service U.S. Utility Contractor Co. is currently providing.

4. How cost of modification was determined:

Due to quantity overruns, the cost was determined utilizing the unit price bid amount for Reference 4, Item 4, Street Light Betterment - Ground Rods as Needed, of the original contract.

Contract Compliance Information: 34-1606689, expires 2/28/2010, F1

Emergency Designation: It is requested that this Ordinance be handled in an emergency manner so the contractor can be immediately compensated for these additional costs.

FISCAL IMPACT: There are sufficient funds available within the Voted Street Lighting and Electricity Distribution Improvement Fund.

To authorize the Director of Public Utilities to modify and increase the construction contract with U.S. Utility Contractor Co. for the Underground Street Lighting System Rehabilitation and Betterments Project (Southeast and Southwest); for quantity overruns and equipment purchases not accounted for in the original contract; for the Division of Power and Water (Power); to authorize the expenditure of \$41,753.69 within the Voted Street Lighting and Electricity Distribution Improvement Fund; and to declare an

emergency. (\$41,753.69)

WHEREAS, Contract No. EL006636 was authorized by Ordinance No. 2188-2006, passed December 11, 2006, was executed on December 13, 2006, and was approved by the City Attorney on December 20, 2006; and

WHEREAS, a modification to the contract is needed in order to pay for quantity overruns for ground rod installation and equipment purchases that weren't accounted for in the original contract due to unforeseen variables such as soil content and atmospheric conditions; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, to modify and increase the existing contract with U.S. Utility Contractor Co. for quantity overruns and equipment purchases not accounted for in the original contract for the Underground Street Lighting System Rehabilitation and Betterments Project (Southeast and Southwest Quadrants), in an emergency manner so the contractor can be immediately compensated for these additional costs, for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities is hereby authorized and directed to modify and increase the existing construction contract with U.S. Utility Contractor Co. for the Underground Street Lighting System Rehabilitation and Betterments Project (Southeast and Southwest Quadrants), for quantity overruns and equipment purchases not accounted for in the original contract, in the amount of \$41,753.69.

SECTION 2. That this contract modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

SECTION 3. 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 4. That to pay the cost of the aforesaid contract modification, the expenditure of \$41,753.69, or so much thereof as may be needed, is hereby authorized from the Voted Street Lighting and Electricity Distribution Improvements Fund, Fund No. 553, Division No. 60-07, Street Lighting Project 670003, OCA 675017, Object Level One 06, Object Level Three 6621.

SECTION 5. 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 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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 for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby 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.