



Legislation Details (With Text)

File #: 1977-2015 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 7/10/2015 **In control:** Public Utilities Committee

On agenda: 7/27/2015 **Final action:** 7/30/2015

Title: To authorize the Director of Public Utilities to enter into a construction contract with John Eramo & Sons, Inc. for the Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II; to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund; to authorize the expenditure of \$1,760,330.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund; and declare an emergency. (\$1,760,330.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ord 1977-2015 Sub-Contractor WIF 650405-100101, 2. Ord 1977-2015 405-100101 Director's Legislation Information Sheet 405-100101 (7-9-15)

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|----------|--------|
| 7/30/2015 | 1 | CITY CLERK | Attest | |
| 7/29/2015 | 1 | MAYOR | Signed | |
| 7/27/2015 | 1 | COUNCIL PRESIDENT | Signed | |
| 7/27/2015 | 1 | Columbus City Council | Approved | Pass |

- BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with John Eramo & Sons, Inc. for the Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II, CIP 650405-100101. The work for this project consists of constructing four Bio-retention basins and associated storm water piping systems, and other such work as may be necessary to complete the contract, in accordance with the plans CC-17001 and specifications.
- PROJECT TIMELINE:** The contract work is required to be completed in a manner acceptable to the City within 120 days from the date that a Notice To Proceed (NTP) is given by the City. *The work under this contract shall be completed in a manner acceptable to the City within 120 calendar days after the date of the Notice to Proceed. And other special completion milestones apply; namely that plantings for the bio-retention areas may not begin until after September 1, 2015.*
- PROCUREMENT INFORMATION:** The Department of Public Utilities advertised for competitive bids for the Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II in the City Bulletin in accordance with the overall provisions of Section 329 of Columbus City Codes. On July 1st, 2015, two (2) firms submitted detailed proposal for this project to the Director of Public Utilities. The following companies submitted detailed bid proposals:

| <u>Name</u> | <u>C.C. No./Exp. Date</u> | <u>City/State</u> | <u>Status</u> |
|-------------------------|---------------------------|-------------------|---------------|
| John Eramo & Sons, Inc. | 31-0724866 12/16/2015 | Hilliard, OH | MAJ |
| McDaniel's Construction | 31-1145406 11/30/2015 | Columbus, OH | MAJ |

The bid was evaluated using the bid tab and quality factor forms and it was determined that the John Eramo & Sons, Inc. was the lowest responsive, responsible, and best bid.

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings for Recovery Database.

4. **Contract Compliance No.:** 31-0724866| MAJ | Exp. 12/16/2015

5. **Emergency Designation:** Emergency designation **is requested** at this time.

In order to maintain construction schedules and meet project timelines for this Pilot project, it is necessary to designate this project as an emergency.

6. **ECONOMIC IMPACT:** The City has embarked upon its approved Wet-Weather Management Plan (WWMP). Currently, that plan is almost entirely comprised of a series of treatment plant capacity upgrades, storage tanks, tunnels, and other piping system augmentations; collectively known as “gray” infrastructure. After approval of the WWMP, the use of more renewable, sustainable, and environmentally friendly systems, commonly referred to as “green” infrastructure, has been recognized and implemented in many communities as a potential solution to many of the elements associated with consent order requirements.

It is anticipated there will be a greater impact to both economic impact and advantages by implementing a group of smaller projects which would be conducive for competition with local suppliers and vendors as opposed to the large scale, previously devised, WWMP projects. This project begins construction of the Blueprint plan.

7. **FISCAL IMPACT:** This ordinance authorizes the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund, Fund 664; to authorize the expenditure of \$1,760,330.00 from the G.O. Bond Fund, Fund 664 sufficient budget authority already exist for this ordinance. Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from a future Bond Sale via the transfer detailed in this ordinance.

To authorize the Director of Public Utilities to enter into a construction contract with John Eramo & Sons, Inc. for the Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II; to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund; to authorize the expenditure of \$1,760,330.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund; and declare an emergency. (\$1,760,330.00)

WHEREAS, the work for this project consists of constructing four bio-retention basins and associated storm water piping systems, and other such work as may be necessary to complete the contract; and

WHEREAS, this project is the pilot project for the Barthman Parsons Green Infrastructure; and

WHEREAS, it is necessary to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Sanitary Sewer System GO Bond Fund, Fund 664; and

WHEREAS, it is necessary to authorize an amendment to the 2015 Capital Improvements Budget to provide sufficient budget authority for this ordinance; and

WHEREAS, it is necessary to transfer funds from the Sanitary Sewer Reserve Fund in the amount \$1,760,330.00 for this project; and

WHEREAS, this transfer should be considered as a temporary funding method; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Sanitary Reserve 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 project described in this ordinance (the “Project”); and

WHEREAS, it has become necessary in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract with John Eramo & Sons, Inc. for the Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II in order to maintain construction schedules and meet project timelines; to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Sanitary Sewer Bond Fund; for the preservation of the public health, peace, property and safety; now, therefore

WHEREAS, an emergency exists in the usual daily operations of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary for this Council to authorize the Director of Public Utilities to enter into a construction contract with John Eramo & Sons, Inc. for the Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II 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 the Director of Public Utilities is hereby authorized enter into a construction agreement with John Eramo & Sons, Inc., 3670 Lacon Road, Hilliard, Ohio 43026 for the Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage.

SECTION 2. That from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 654, 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, 2015, the sum of \$1,760,330.00 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-05 | OCA Code 655225 | Object Level One 10 | Object Level Three 5502.

SECTION 3. That the City Auditor is hereby authorized to transfer and appropriate a total \$1,760.330.00 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer Bond Fund, Fund 664, into the Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II, CIP 650405-100101, at such time as deemed necessary by the Auditor, or so much thereof as may be necessary in the following manner: Division 60-05 | 645101 | Object Level 06 | Object Level Three 6630

SECTION 4. That the 2015 Capital Improvements Budget is hereby amended as follows:

Project No. | Project Name | Current Authority | Revised Authority | (Change)

650560-100000 | Franklinton East Sewer Improvements | \$2,000,000 | \$239,670 | (-\$1,760,330)

650405-100101 | Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II | \$0 | \$1,760,330 | (+\$1,760,330)

SECTION 5. That the Director of Public Utilities be and hereby is authorized to expend up to \$1,760,330.00 for the Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II in the following manner for the Div. 60-05 | Obj. Lvl 3 6630:

650405-100101 | Barthman Parsons Blueprint Green Infrastructure Pilot Project Phase II | 645101 | \$1,760,330.00

SECTION 6. That the said firm, John Eramo & Sons, Inc., shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

SECTION 7. 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 are no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

SECTION 8. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 9. 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 10. That upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sanitary Sewer Reserve Fund the amount transferred above (Section 3), and said funds are hereby deemed appropriated for such purposes.

SECTION 11. 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 \$1,760,330.00 (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 Sanitary/Sewer Reserve Fund 654, which is the fund from which the advance for costs of the Project will be made.

SECTION 12. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure which 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.