



Legislation Details (With Text)

File #: 2727-2017 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/10/2017 **In control:** Public Utilities Committee

On agenda: 11/20/2017 **Final action:**

Title: To authorize the Director of Public Utilities to enter into a construction contract with Insituform Technologies, LLC for the Blueprint Fifth by Northwest: Lining Project; to authorize the appropriation and transfer of \$2,252,338.20 from the Sanitary Sewer Reserve Fund to the Ohio Water Development (OWDA) Loan Fund; to authorize the expenditure of \$2,252,338.20 from the Ohio Water Development (OWDA) Loan Fund; and to amend the 2017 Capital Improvements budget to provide sufficient authority. (\$2,252,338.20)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ord 2727-2017 SWIF Schedule 2A-1 650875-4, 2. Ord 2727-2017 Bid Tab BP 5th by NW Lining 650875-100004, 3. Ord 2727-2017 DAX Legislation template R.2017.pdf

Date	Ver.	Action By	Action	Result
11/22/2017	1	ACTING CITY CLERK	Attest	
11/21/2017	1	MAYOR	Signed	
11/20/2017	1	COUNCIL PRESIDENT	Signed	
11/20/2017	1	Columbus City Council	Approved	Pass
10/30/2017	1	Columbus City Council	Read for the First Time	

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Insituform Technologies, LLC for the Blueprint Fifth by Northwest: Lining Project, CIP 650875-100004. The work for this project consists of the rehabilitation of approximately 43,000 LF of 8- thru 15-inch sewers utilizing the Cured-in-Place Pipe (CIPP) process, manhole rehabilitation, and other such work as may be necessary to complete the contract, in accordance with the plans [CC17673], technical specifications, and City of Columbus Construction and Material Specifications as set forth in this Invitation For Bid (IFB).

This project has been approved for below market-rate loan financing through the Ohio Environmental Protection Agency's Water Pollution Control Loan Fund (WPCLF) which is administered by the Ohio Water Development Authority (OWDA). Ordinance 2219-2016, passed September 26, 2016, authorizes the Director of Public Utilities to enter into a WPCLF Loan for the project. The project's assigned WPCLF Number is CS390274-0253. The loan award is expected on December 14, 2017, an OWDA Loan Account number will be assigned. For this reason Federal Davis-Bacon Wage Rates and Requirements will apply.

2. THE PROJECT TIMELINE: Work is to be completed within 365 days after the effective date of the Notice to Proceed.

3. PROCUREMENT: In accordance with the procedures set forth in the overall provisions of Columbus City Code, Section 329, invitation for Bids were received September 6, 2017 for Blueprint Fifth by Northwest: Lining Project. Three (3) competitive bids were received and opened at the Department of Public Utilities' 910 Dublin Road facility. The following bidders submitted bids:

Name	CCCN	Vendor#	Exp. Date	City/St	Status
Insituform Technologies LLC	13-3032158	000636	07/07/19	Chesterfield, MO	MAJ
SAK Construction LLC	20-4193988	001326	09/26/19	O Fallon, MO	MAJ
Layne Inliner LLC	01-0684682	000027	02/03/18	Hilliard, OH	MAJ

The selection process used the Bid Tab and Quality Factor Form evaluation process and was awarded to the lowest responsive, responsible and best bidder, Insituform Technologies, LLC.

4. EMERGENCY DESIGNATION: An emergency designation **is not requested** at this time.

5. CONTRACT COMPLIANCE No.: 13-3032158 | MAJ | 07/07/2019 | Vendor #000636

6. ENVIRONMENTAL IMPACT: This project will rehabilitate existing sanitary sewers within the City of Columbus reducing inflow and infiltration to the City's sanitary system. This project will mitigate sanitary sewer overflows to basements and waterways.

7. FISCAL IMPACT: This ordinance authorizes the following: appropriation and transfer of \$2,252,338.20 from the Sanitary Sewer Reserve Fund 6102 to the Ohio Water Development (OWDA) Loan Fund 6111; an expenditure of up to \$2,252,338.20 from the OWDA loan fund 6111; amends the 2017 Capital Improvements Budget; and aligns the budget authority for this project.

To authorize the Director of Public Utilities to enter into a construction contract with Insituform Technologies, LLC for the Blueprint Fifth by Northwest Lining Project; to authorize the appropriation and transfer of \$2,252,338.20 from the Sanitary Sewer Reserve Fund to the Ohio Water Development (OWDA) Loan Fund; to authorize the expenditure of \$2,252,338.20 from the Ohio Water Development (OWDA) Loan Fund; and to amend the 2017 Capital Improvements budget to provide sufficient authority. (\$2,252,338.20)

WHEREAS, it is necessary to authorize the Director of Public Utilities to enter into a construction contract with Insituform Technologies, LLC for the Blueprint Fifth by Northwest Lining Project for the Division of Sewerage and Drainage; and

WHEREAS, the Ohio Water Development Authority (OWDA) will approve an Ohio EPA WPCLF loan agreement with the City of Columbus in the December 14, 2017 award period, in the amount of \$2,252,338.20 to provide financing for the above listed project with eligible costs including the construction contract and contingency; and

WHEREAS, it is necessary to both appropriate funds from the Sewer System Reserve Fund and to authorize the transfer of said funds to the OWDA Loan Fund in order to temporarily fund this expenditure until such time as the City receives loan proceeds for the above stated purpose and reimburse the Sewer System Reserve Fund; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this project will not exceed \$2,252,338.20; and

WHEREAS, it is necessary to authorize the expenditure of up to \$2,252,338.20 from the Ohio Water Development (OWDA) Loan Fund 6111; 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 Department of Public Utilities to authorize the Director to enter into a construction contract with Insituform Technologies, LLC for the Blueprint Fifth by Northwest:

Lining Project, CIP 650875-100004 for the preservation of the public health, peace, property, 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 to enter into a construction contract with Insituform Technologies, LLC, 17988 Edison Avenue, Chesterfield, MO 63005 for the Blueprint Fifth by Northwest Lining Project 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. 6102 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, 2017, the sum of \$2,252,338.20 is appropriated, per the account codes in the funding attachment to this ordinance.

SECTION 3. That the transfer of \$2,252,338.20 or so much thereof as may be needed, is hereby authorized between the Sanitary Sewer Reserve Fund 6102 and OWDA Loan Fund 6111 per the accounting codes in the attachment to this ordinance.

SECTION 4. That the appropriation and expenditure of \$2,252,338.20, or so much thereof as may be needed, is hereby authorized in the Ohio Water Development (OWDA) Loan Fund, Fund 6111 per the accounting codes in the attachment to this ordinance.

SECTION 5. That the 2017 Capital Improvement Budget is amended as follows:

Fund # | Project No. | Project Name | Current Authority | Revised Authority | Net Change

6111 | P650367-100003 | SWWTP Chemically Enhanced Primary Treatment (CEPT) Disinfection | \$3,456,549 | \$1,204,210 | -\$2,252,339

6111 | P650875-100004 | Blueprint Fifth by Northwest Lining Project | \$0 | \$2,252,339 | (+\$2,252,339)

SECTION 6: That the said engineering company, Insituform Technologies, LLC, 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 funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated and the City Auditor shall establish such accounting codes as necessary.

SECTION 9. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 10. 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 11. 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 12. 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 \$2,252,338.20 (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 6102, which is the fund from which the advance for costs of the Project will be made.

SECTION 13. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.