



## Legislation Details (With Text)

**File #:** 2893-2017      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/24/2017      **In control:** Public Utilities Committee

**On agenda:** 12/4/2017      **Final action:** 12/7/2017

**Title:** To authorize the Director of Public Utilities to enter into a construction contract with Insituform Technologies, LLC for the Blueprint West Franklinton Lining Project; to authorize the appropriation and transfer of \$6,163,893.36 from the Sanitary Sewer Reserve Fund to the Ohio Water Development (OWDA) Loan Fund; to authorize an expenditure of up to \$6,163,893.36 from said fund; and to amend the 2017 Capital Improvements Budget. (\$6,163,893.36).

### Sponsors:

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### Code sections:

**Attachments:** 1. Ord 2893-2017 Bid Tab 650875-100005 West Franklinton, 2. Ord 2893-2017 SWIF BP West Franklinton Lining 650875-100005, 3. Ord 2893-2017 DAX Financial Form 650875-5

Date	Ver.	Action By	Action	Result
12/7/2017	1	CITY CLERK	Attest	
12/6/2017	1	MAYOR	Signed	
12/4/2017	1	COUNCIL PRESIDENT	Signed	
12/4/2017	1	Columbus City Council	Approved	Pass
11/20/2017	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 West Franklinton: Lining Project, CIP 650875-100005. The work for this project consists of rehabilitation of approximately 90,000 LF of 8- thru 36-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 [CC 17671] and other such work as may be necessary to complete the contract, in accordance with the drawings, 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 2241-2015, passed October 19, 2015, authorizes the Director of Public Utilities to enter into a WPCLF Loan for the project. The project's assigned WPCLF Number is CS390274-0261. The loan award is expected on December 7, 2017, an OWDA Loan Account number will be assigned. For this reason Federal Davis-Bacon Wage Rates and Requirements will apply.

**2. PROCUREMENT:** The Department of Public Utilities advertised for bids pursuant to the overall requirements of city code section 329 for the Blueprint West Franklinton: Lining Project and received four (4) bids. These bids were opened, and evaluated using the bid tab and Quality Factor Form (QFF) process. It was determined that Insituform Technologies, LLC best meet the needs of the Department of Public Utilities.

**3. PROJECT TIMELINE:** Contract work is required to be completed in a manner acceptable to the City within 365 days from the date that a Notice To Proceed (NTP) is issued by the City.

4. **EMERGENCY DESIGNATION:** An emergency designation **is not requested** at this time.
5. **CONTRACT COMPLIANCE NUMBER:** 13-3032158 | MAJ | Exp. 07/07/2019 | Vendor: 000636
6. **ENVIRONMENTAL IMPACT:** Project will rehabilitate existing sanitary sewers within the Blueprint West Franklinton area reducing inflow and infiltration to the City's sanitary system. Project will mitigate sanitary sewer overflows to basements and waterways.
7. **FISCAL IMPACT:** This ordinance authorizes the appropriation and transfer of \$6,163,893.36 from the Sanitary Sewer Reserve Fund, Fund 6102 to the Ohio Water Development (OWDA) Loan Fund, Fund 6111; it authorizes an expenditure of up to \$6,163,893.36 from the Ohio Water Development (OWDA) Loan Fund, Fund 6111; and an amendment to the 2017 Capital Improvements Budget to establish sufficient budget authority for this ordinance.

To authorize the Director of Public Utilities to enter into a construction contract with Insituform Technologies, LLC for the Blueprint West Franklinton Lining Project; to authorize the appropriation and transfer of \$6,163,893.36 from the Sanitary Sewer Reserve Fund to the Ohio Water Development (OWDA) Loan Fund; to authorize an expenditure of up to \$6,163,893.36 from said fund; and to amend the 2017 Capital Improvements Budget. (\$6,163,893.36).

**WHEREAS**, it is necessary to authorize the Director of Public Utilities to enter into a construction contract with Insituform Technologies, LLC for the Blueprint West Franklinton Lining Project, CIP 650875-100005; and

**WHEREAS**, the work consists of the rehabilitation of approximately 90,000 LF of 8- thru 36-inch sewers utilizing the Cured-in-Place Pipe (CIPP) process, manhole rehabilitation;; and

**WHEREAS**, the Ohio Water Development Authority (OWDA) will approve an Ohio EPA WPCLF loan agreement with the City of Columbus on December 7, 2017, in the amount of \$6,163,893.36 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**, it is necessary to authorize an expenditure of up to \$6,163,893.36 from the Ohio Water Development (OWDA) Loan Fund, Fund 6111; and

**WHEREAS**, it is necessary to amend the 2017 Capital Improvements Budget for purposes of creating and providing sufficient budget authority for the aforementioned expenditures; and

**WHEREAS**, the aggregate principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$6,163,893.36; 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, Division of Sewerage and Drainage, to authorize the Director to enter into a construction contract with Insituform Technologies, LLC for the Blueprint West Franklinton: Lining Project, CIP 650875-100005 to be implemented at the earliest practical date.  
**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 the Insituform Technologies, LLC, 17988 Edison Avenue, Chesterfield, MO 63005 for the Blueprint West Franklinton Lining Project, CIP 650875-100005 in accordance with the terms and conditions of the contract 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, Sub-fund 610201, 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 \$6,163,893.36 is hereby appropriated to the Division of Sewerage and Drainage in Fund 6102, per the account codes in the DAX Financial attachment to this ordinance.

**SECTION 3.** That the City Auditor is hereby authorized to transfer and appropriate a total \$6,163,893.36 from the Sanitary Sewer Reserve Fund to the OWDA Loan Fund, Fund 6111 for the Blueprint West Franklinton Lining Project, CIP 650875-100005, at such time as deemed necessary by the Auditor, or so much thereof as may be necessary per the account codes in the attachment to this ordinance.

**SECTION 4.** That the City Auditor is hereby authorized to transfer up to \$6,163,893.36 from the Sanitary Sewer Reserve Fund, Fund 6102 per the account codes in the attachment to this ordinance.

**SECTION 5.** That the appropriation and expenditure of up to \$6,163,893.36 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 6.** That the 2017 Capital Improvements Budget is hereby amended as follows:

<b>Fund #</b>	<b>Project No.</b>	<b>Project Name</b>	<b>Current Authority</b>	<b>Revised Authority</b>	<b>Change</b>
6111	P650243-100002	JPWWTP Biosolids Land App	\$15,000,000	\$8,836,107	(-\$6,163,894)
6111	P650875-100005	BP West Franklinton Lining Project	\$0	\$6,163,894	(+\$6,163,894)

**SECTION 7:** That the said 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 8.** 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 9.** That 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 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 \$6,163,893.36 (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.