



Legislation Details (With Text)

File #: 0910-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/22/2018 **In control:** Public Utilities Committee

On agenda: 5/7/2018 **Final action:** 5/10/2018

Title: To authorize the Director of Public Utilities to enter into a construction contract with Shook Construction Co. for the Dublin Road Water Plant (DRWP) UV Disinfection Facility Project; to authorize the appropriation and transfer of \$23,766,093.20 from the Water System Reserve Fund to the Water Supply Revolving Loan Account Fund; and to authorize the appropriation and expenditure of \$23,766,093.20 from the Water Supply Revolving Loan Account Fund for the Division of Water. (\$23,766,093.20)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 0910-2018 Bid Tab, 2. ORD 0910-2018 QFF, 3. ORD 0910-2018 Information, 4. ORD 0910-2018 SWIF, 5. ORD 0910-2018 map, 6. ORD 0910-2018 Funding

Date	Ver.	Action By	Action	Result
5/10/2018	1	CITY CLERK	Attest	
5/8/2018	1	ACTING MAYOR	Signed	
5/7/2018	1	COUNCIL PRESIDENT	Signed	
5/7/2018	1	Columbus City Council	Approved	Pass
4/23/2018	1	Columbus City Council	Read for the First Time	

1.0 BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Shook Construction Co. for the Dublin Road Water Plant (DRWP) UV Disinfection Facility Project, Capital Improvements Project No. 690535-100000, Division of Water Contract Number 2024.

This project will construct a UV disinfection facility at the DRWP to provide a multi-barrier disinfection process. Work includes: installation of UV reactors and associated analytical equipment; instrumentation devices, Local Control Panels (LCP), Master Control Panel (MCP), UVT monitors, and accessories, connecting channels and piping systems; building construction; electrical systems; HVAC; plumbing; instrumentation and controls and associated site work and paving; and other such work as may be necessary to complete the contract, in accordance with the plans and specifications set forth in the Invitation For Bid.

Planning Area: "N/A" since the DRWP serves several communities.

2.0 ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT: The addition of UV disinfection provides a multi-barrier treatment operation that improves public health protection by inactivating chlorine resistant microorganisms and other harmful pathogens. Water quality provided by the City is essential to human health and economic growth and development. There are no public meetings planned regarding this work because the work will be conducted within the water plant property, which is a secure facility and is not accessible to the public. LEED certification is not being pursued for this project, but some LEED principles are employed where applicable.

3.0 CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened two (2) bids on March 7, 2018 from:

- | | |
|------------------------------|-----------------|
| 1. Shook Construction Co. | \$23,766,093.20 |
| 2. Kokosing Industrial, Inc. | \$24,446,700.00 |

Shook Construction's bid was deemed the lowest, best, most responsive and responsible bid in the amount of \$23,766,093.20. Their Contract Compliance Number is 31-0443680 (expires 9/28/18, Majority) and their DAX Vendor No. is 004127. Additional information regarding both bidders, description of work, contract time frame and detailed amounts can be found on the attached Information form.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Shook Construction Co.

3.1 PRE-QUALIFICATION STATUS: Shook Construction Co. and all proposed subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

4.0 FISCAL IMPACT: This Ordinance authorizes the City Auditor to appropriate and transfer funds from the Water System Reserve Fund to the Water Supply Revolving Loan Account Fund in order to fund this proposed expenditure. This transaction is a temporary measure that is required until such time as the Division is able to execute a loan with the Water Supply Revolving Loan Account Fund and reimburse the Water System Reserve Fund. The loan is expected to be approved in May 2018.

To authorize the Director of Public Utilities to enter into a construction contract with Shook Construction Co. for the Dublin Road Water Plant (DRWP) UV Disinfection Facility Project; to authorize the appropriation and transfer of \$23,766,093.20 from the Water System Reserve Fund to the Water Supply Revolving Loan Account Fund; and to authorize the appropriation and expenditure of \$23,766,093.20 from the Water Supply Revolving Loan Account Fund for the Division of Water. (\$23,766,093.20)

WHEREAS, two (2) bids for the Dublin Road Water Plant (DRWP) UV Disinfection Facility Project were received and publicly opened in the offices of the Director of Public Utilities on March 7, 2018; and

WHEREAS, the lowest, best, most responsive and responsible bid was from Shook Construction Co. in the amount of \$23,766,093.20; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to enter into a construction contract for the Dublin Road Water Plant (DRWP) UV Disinfection Facility Project; and

WHEREAS, it is necessary to both appropriate funds from the Water System Reserve Fund and to authorize the transfer of said funds into the Water Supply Revolving Loan Account Fund in order to temporarily fund this expenditure, until such time as the City is able to execute a loan for the above stated purpose and reimburse the Water System 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 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 Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract with Shook Construction Co. for the Dublin Road Water Plant (DRWP) UV Disinfection Facility Project, 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 to enter into a construction contract for the Dublin Road Water Plant (DRWP) UV Disinfection Facility Project with Shook Construction Co., 4977 Northcutt Pl., Dayton, OH 45414 (FID# 31-0443680); in an amount up to \$23,766,093.20; in accordance with the terms and conditions of the contract on file in the Office of the Division of Water.

SECTION 2. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Water.

SECTION 3. That from the unappropriated monies 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 ended December 31, 2018, the sum of \$23,766,093.20 is appropriated in Fund 6003 - Water System Reserve Fund, in Object Class 10 - Transfer Out Expenditure, per the account codes in the attachment to this ordinance.

SECTION 4. That the transfer of \$23,766,093.20 or so much thereof as may be needed, is hereby authorized between Fund 6003 - Water System Reserve Fund and Fund 6011 - Water Supply Revolving Loan Account Fund, per the account codes in the attachment to this ordinance.

SECTION 5. That the appropriation and expenditure of \$23,766,093.20 or so much thereof as may be needed, is hereby authorized in Fund 6011 - Water Supply Revolving Loan Account Fund, in Object Class 06 - Capital Outlay, per the accounting codes in the attachment to this ordinance.

SECTION 6. That upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 5 above, and said funds are hereby deemed appropriated for such purpose.

SECTION 7. 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 \$23,766,093.20 (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 the Water System Reserve Fund 6003, which is the fund from which the advance for costs of the Project will be made.

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

SECTION 11. 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 12. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.