



Legislation Details (With Text)

File #: 2636-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/18/2018 **In control:** Public Utilities Committee

On agenda: 10/8/2018 **Final action:** 10/10/2018

Title: To authorize the Director of Public Utilities to modify an existing construction contract with Shelly & Sands for the Petzinger Road Sanitary Sewer Project; to authorize a transfer within and an expenditure of up to \$500,000.00 Sanitary Sewer General Obligation (G.O.) Bond Fund; to amend the 2018 Capital Improvements Budget; and to declare an emergency. (\$500,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ord 2636-2018 Director's Legislation Information Sheet (2-8-2018) (2), 2. Ord 2636-2018 Petzinger Area Map, 3. Ord 2636-2018 DAX Financial Petzinger Rd, 4. Ord 2636-2018 Subcontractor Utilization Petzinger Rd

Date	Ver.	Action By	Action	Result
10/11/2018	1	ACTING CITY CLERK	Attest	
10/10/2018	1	MAYOR	Signed	
10/8/2018	1	COUNCIL PRESIDENT	Signed	
10/8/2018	1	Columbus City Council	Approved	Pass

1. **BACKGROUND:** This legislation authorizes the Director of Public Utilities to modify (Mod #1) a construction contract with Shelly & Sands for the Petzinger Road Sanitary Sewer Project, CIP 650739-100000. The work for this project consists of the construction of approximately 2300 feet of 8-inch diameter sanitary sewer, including 66 feet of 24-inch diameter, tunnel-jacked liner and 13 service wyes, 338 feet of 36-inch diameter storm sewer, miscellaneous curb, sidewalk and pavement replacement, 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 the Invitation For Bid (IFB).

Modification Information:

1.1 Amount of additional funds to be expended: \$500,000.00

Original Contract (PO115160)	\$ 1,010,861.52
Modification No. 1(Current)	\$ <u>500,000.00</u>

CURRENT PROPOSED TOTAL **\$ 1,510,861.52**

1.2 Reasons additional goods/services could not be foreseen.

Numerous unmarked and/or incorrectly marked utilities were encountered which resulted in loss of production. In addition, the Contractor experienced soil conditions which lead to increased costs in the installation of pipe to which the Contractor could not have included in its bid.

1.3 Reason other procurement processes are not used:

The contractor has already delivered materials to the site and is familiar with the site conditions and

requirements. Bidding of the contract modification would push completion of the project into the next construction season, and residents are eager to connect to the proposed system (currently on septic systems).

1.4 How cost of modification was determined:

Cost proposal provided by the contractor, which has been reviewed and confirmed by the CM and DOSD.

2. **PROJECT TIMELINE:** Contract work is required to be completed in a manner acceptable to the City within 240 days from the date that a Notice to Proceed (NTP) is given by the City.
3. **EMERGENCY DESIGNATION:** An emergency designation **is requested** at this time.
4. **EMERGENCY JUSTIFICATION:** To maintain a schedule of work as close as possible to the original schedule. Continuation of stored materials on-site to avoid costs of removing materials and then paying to have them returned. Ensure completion of the project in the current construction season. Expedite connection of residents to the proposed system (currently on septic systems) and minimize disruption to them and the motoring public. Enable project benefits to the environment to be realized sooner.
5. **CONTRACT COMPLIANCE NO:** 31-4351261 | MAJ | 03/01/20 | Vendor #: 006043
6. **ECONOMIC IMPACT:** The Septic Tank Elimination Program (STEP) will provide financial assistance to participating homeowners to help defer the costs of septic system abandonment and connection to the new sewer. This project will eliminate septic systems which can fail and pollute the streams and rivers. Also, converting from a septic system to sanitary sewer service has a positive impact to the property values. The community is aware of this project and the City has worked closely with the residents to ensure that the sewer alignment and construction will have as minimal an impact as possible.
7. **FISCAL IMPACT:** This ordinance authorizes the transfer within and the expenditure of up to \$500,000.00 in funds from the Sanitary Sewer General Obligation (G.O.) Bond Fund 6109 and amends the 2018 Capital Improvements Budget.

To authorize the Director of Public Utilities to modify an existing construction contract with Shelly & Sands for the Petzinger Road Sanitary Sewer Project; to authorize a transfer within and an expenditure of up to \$500,000.00 Sanitary Sewer General Obligation (G.O.) Bond Fund; to amend the 2018 Capital Improvements Budget; and to declare an emergency. (\$500,000.00)

WHEREAS, the original contract with Shelly & Sands was PO098558, was authorized by Ordinance 3004-2017, passed by City Council on December 11, 2017; executed by the Director of Public Utilities on January 11, 2018, approved the City Attorney on January 19, 2018, and certified by the City Auditor's office January 19, 2018; and

WHEREAS, it is necessary to modify the original contract in order modify the scope to provide additional funding for this project for the alignment of roughly 1,340 LF of 8-inch sanitary sewer; and

WHEREAS, it is necessary to authorize the transfer within and expenditure of up to \$500,000.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund 6109; and

WHEREAS, it is necessary to amend the 2018 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditures; and

WHEREAS, an emergency exists in the usual daily operations of the Divisions of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to modify (Mod #1) an existing construction contract with Shelly & Sands for the Petzinger Road Sanitary Sewer Project, CIP 650739-100000 for the 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 modify (Mod #1) an existing construction contract with Shelly & Sands, 1515 Harmon Ave, Columbus, Ohio 43223 for the Petzinger Road Sanitary Sewer Project, CIP 650739-100000 in accordance with the terms and conditions on file in the office of the Division of Sewerage and Drainage.

SECTION 2. That the City Auditor is hereby authorized to transfer \$500,000.00 within the Department of Public Utilities Division of Sewerage and Drainage Fund 6109 per the accounting codes attached to this ordinance.

SECTION 3. That the 2018 Capital Improvements Budget is hereby amended as follows:

<u>Proj. No.</u>	<u>Proj. Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Change</u>
6109	650800-100000	General CA /CI (carryover)	\$527,742	\$27,742 (-\$500,000)
6109	650739-100000	Petzinger Road Sanitary Sewer (carryover)	\$0	\$500,000 (+\$500,000)

SECTION 4. That the Director of Public Utilities is hereby authorized to expend up to \$500,000.00 from the Sanitary Sewer General Obligation Bond Fund 6109 per the accounting codes attached to this ordinance.

SECTION 5. That said company, Shelly & Sands, Inc. shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

SECTION 6. 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 7. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 8. 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 9. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish accounting codes as necessary.

SECTION 10. That for reasons stated in the preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.