



Legislation Details (With Text)

File #: 2626-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/17/2018 **In control:** Public Utilities Committee

On agenda: 10/22/2018 **Final action:** 10/24/2018

Title: To authorize the Director of Public Utilities to enter into a construction contract with BLD Services, LLC for the Downspout Redirection - Clintonville 1, Overbrook/Chatham Project and the Lateral Lining - Clintonville 1, Overbrook/Chatham Project; to authorize the appropriation and transfer of \$2,261,588.73 from the Sanitary Sewer Reserve Fund to the Ohio Water Development Loan Fund; to authorize the transfer within and the expenditure of up to \$714,472.95 Sanitary Sewer General Obligation (G.O.) Bond Fund; for a total expenditure of \$2,976,061.68; and to amend the 2018 Capital Improvements Budget. (\$2,976,061.68)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ord 2626-2018 Subcontractor Util Form Loan Bond Funded Downspout-Lateral Overbrook Chatham, 2. Ord 2626-2018 DAX Financial Downspout Lateral Overbrook Chatham, 3. Ord 2626-2018 Bid Tab Downspout & Lateral Lining Overbrook-Chatham, 4. Ord 2626-2018 QFF Downspout Redirect and Lateral Lining 080218

Date	Ver.	Action By	Action	Result
10/24/2018	1	CITY CLERK	Attest	
10/23/2018	1	MAYOR	Signed	
10/22/2018	1	COUNCIL PRESIDENT	Signed	
10/22/2018	1	Columbus City Council	Approved	Pass
10/15/2018	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 BLD Services, LLC for the Downspout Redirection - Clintonville 1, Overbrook/Chatham Project and the Lateral Lining - Clintonville 1, Overbrook/Chatham Project, C.I.P. numbers 650871-110175 and 650872-110175. The work for these projects consists of redirecting downspouts from homes to discharge to the street, and lining approximately 311 sanitary service laterals via cured-in-place pipe (CIPP) technology, 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).

The Downspout Redirection project is a bond funded project and the Lateral Lining 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 2778-2017, passed December 4, 2017, authorizes the Director of Public Utilities to enter into a WPCLF Loan for these projects. The combined projects' assigned WPCLF Number is CS390274-0303. Upon the loan award, which is expected December 6, 2018, an OWDA Loan Account number will be assigned.

2. **PROJECT TIMELINE:** the work is to be completed within 365 calendar days after the effective date of the Notice to Proceed.

3. **PROCUREMENT INFORMATION:** The Division advertised for competitive bids for the subject project on the City's Vendor Services website, the City's Bulletin, and the Bid Express website in accordance with the overall provisions of Section 329 of Columbus's City Codes. The Division of Sewerage and Drainage received two (2) bids on August 1, 2018 from the following companies:

<u>Name</u>		<u>C.C. No</u>	<u>Vendor #</u>	<u>Exp. Date</u>	<u>City/State</u>	<u>Status</u>
BLD Services, LLC	72-1512625	019505	03/30/19	Kenner, LA	MAJ	
Musson Bros., Inc.	39-0880737	025329	04/04/20	Brookfield, WI	MAJ	

These bids were reviewed and ranked utilizing the Bid Tab and Quality Factor Form process. It was determined that BLD Services, LLC was the lowest responsive, responsible, and best bid.

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

5. **CONTRACT COMPLIANCE NO:** 72-1512625 | MAJ | 03/30/19 | Vendor #: 019505

6. **ECONOMIC IMPACT:** This project is a Consent Order project and is an improvement identified in the Integrated Plan and 2015 Wet Weather Management Program (WWMP) Update Report. The project is needed to mitigate water in basement events and sanitary sewer overflows to achieve the goal of a 10 year Level of Service (LOS). Public meetings were conducted to solicit public input regarding the project and descriptions of the work associated with this project were included on the City of Columbus website.

7. **FISCAL IMPACT:** This project will have bond funding and OWDA loan funding. This ordinance authorizes the appropriation and transfer of \$2,261,588.73 from the Sanitary Sewer Reserve Fund 6102 to the Ohio Water Development (OWDA) Loan Fund 6111; it authorizes the transfer within and the expenditure of up to \$714,472.95 Sanitary Sewer General Obligation (G.O.) Bond Fund 6109; which includes \$2,000.00 for the cost of prevailing wage administration for a combined total expenditure of \$2,976,061.68; and amends the 2018 Capital Improvements Budget.

To authorize the Director of Public Utilities to enter into a construction contract with BLD Services, LLC for the Downspout Redirection - Clintonville 1, Overbrook/Chatham Project and the Lateral Lining - Clintonville 1, Overbrook/Chatham Project; to authorize the appropriation and transfer of \$2,261,588.73 from the Sanitary Sewer Reserve Fund to the Ohio Water Development Loan Fund; to authorize the transfer within and the expenditure of up to \$714,472.95 Sanitary Sewer General Obligation (G.O.) Bond Fund; for a total expenditure of \$2,976,061.68; and to amend the 2018 Capital Improvements Budget. (\$2,976,061.68)

WHEREAS, it is necessary to authorize the Director of Public Utilities to enter into a construction contract with BLD Services, LLC for the Downspout Redirection - Clintonville 1, Overbrook/Chatham Project and the Lateral Lining - Clintonville 1, Overbrook/Chatham Project, C.I.P. 650871-110175 and 650872-110175; and

WHEREAS, the work consists of redirecting downspouts from homes to discharge to the street, and lining approximately 311 sanitary service laterals via cured-in-place pipe (CIPP) technology; and

WHEREAS, two (2) competitive bids were received and opened by the Department of Public Utilities in accordance with the overall provisions of Section 329 of the Columbus City Code; and

WHEREAS, it was determined that BLD Services, LLC submitted the lowest, best, and most responsive bid; and

WHEREAS, it is necessary to authorize the transfer within and the expenditure of up to \$712,472.95 for the Downspout Redirection - Clintonville 1, Overbrook/Chatham Project and \$2,000.00 for the administration of prevailing wages 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, the Ohio Water Development Authority (OWDA) will approve an Ohio EPA WPCLF loan agreement with the City of Columbus on December 6, 2018 in the amount of \$2,261,588.73 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 6102, and to authorize the transfer of said funds to the OWDA Loan Fund 6111 in order to temporarily fund the loan portion of this project expenditure until the City receives the loan proceeds for the above stated purpose and reimburse the Sewer System Reserve Fund; and

WHEREAS, it is necessary to authorize the expenditure of up to \$2,261,588.73 from the Ohio Water Development (OWDA) Loan Fund 6111; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this project will not exceed \$2,261,588.73; and

WHEREAS, the total expenditure for both funding sources shall not exceed \$2,976,061.68; 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 to enter into a construction contract with BLD Services, LLC for the Downspout Redirection - Clintonville 1, Overbrook/Chatham Project and the Lateral Lining - Clintonville 1, Overbrook/Chatham Project, C.I.P 650871-110175 and 650872-110175 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 to enter into a construction contract with BLD Services, LLC, 2424 Tyler Street, Kenner, LA 700062, for the Downspout Redirection - Clintonville 1, Overbrook/Chatham Project & Lateral Lining - Clintonville 1, Overbrook/Chatham Project, C.I.P 650871-110175 and 650872-110175 in accordance with the terms and conditions on file in the office of the Division of Sewerage and Drainage.

SECTION 2. 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 \$2,261,588.73 is appropriated in Fund 6102, per the account codes in the DAX Financial attachment to this ordinance.

SECTION 3. That the transfer of \$2,261,588.73 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 \$2,261,588.73 or so much thereof as may be needed, is hereby authorized in the Ohio Water Development (OWDA) Loan Fund 6111 per the accounting codes in the attachment to this ordinance.

SECTION 5. That the City Auditor is hereby authorized to transfer \$714,472.95 within the Sanitary Sewer General Obligation Bond Fund 6109, per the account codes in the attachment to this ordinance.

SECTION 6. That the 2018 Capital Improvements Budget is hereby amended as follows:

Fund No.	Project No.	Project Name	Current	Revised	(Change)
6109	650870-100003	Morse Dominion Integrated Solution (carryover)	\$89,922	\$0	(-\$89,922)
6109	650870-100703	Blueprint Linden -Agler / Berrell (carryover)	\$30,144	\$0	(-\$30,144)
6109	650870-101202	BP Miller Kelton / Fairwood (carryover)	\$50,000	\$0	(-\$50,000)
6109	650870-109151	BP 5 th Ave Northwest - Sunrise / Glenn (carryover)	\$36,492	\$0	(-\$36,492)
6109	650870-115153	BP Hilltop 4 - Highland / Harris (carryover)	\$228,181	\$0	(-\$228,181)
6109	650870-122172	BP Near South Champion/Roberts (carryover)	\$93,455	\$0	(-\$93,455)
6109	650870-109152	BP 5 th Northwest Edgehill / Meadow (carryover)	\$244,370	\$58,092	(-\$186,279)
6109	650871-110175	Downspout Redirection Clintonville 1 Overbrook/Chatham	\$0	\$714,473	+\$714,473
6111	650872-110175	Lateral Lining - Clintonville 1 Overbrook/Chatham	\$0	\$2,261,589	+\$2,261,589
Creation of Authority to Match Expenditure					

SECTION 7. That the Director is hereby authorized to expend up to \$712,472.95 for the Downspout Redirection Clintonville 1 Overbrook/Chatham project or as much thereof as may be needed and \$2,000.00 for the administration of prevailing wages services from the Sanitary Sewer General Obligation Bond Fund 6109 per the account codes in the attachment to this ordinance.

SECTION 8. That the said firm, BLD Services, 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 9. 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 10. 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 11. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 12. 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 13. 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 14. 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 \$2,261,588.73 (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 15. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

