



## Legislation Details (With Text)

**File #:** 0141-2020      **Version:** 1

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

**File created:** 1/8/2020      **In control:** Public Utilities Committee

**On agenda:** 2/10/2020      **Final action:** 2/13/2020

**Title:** To authorize the Director of Public Utilities to enter into a construction contract with Complete General Construction Company for the West Franklinton Sewer Improvements CIP 650870-116161 and Central Avenue Underpass Stormwater Improvements CIP 611033-100000; to authorize the appropriation and transfer of \$1,082,925.54 from the Storm Sewer Reserve Fund to the Ohio Water Development (OWDA) Storm Water Loan Fund; to authorize the appropriation and transfer of \$699,910.80 from the Sanitary Sewer Reserve Fund to the Ohio Water Development (OWDA) Sanitary Loan Fund; to authorize the appropriation and expenditure of \$1,082,925.54 from the Ohio Water Development (OWDA) Storm Sewer Loan Fund; to authorize the appropriation and expenditure of \$699,910.80 from the Ohio Water Development (OWDA) Sanitary Sewer Loan Fund; to authorize a transfer within and an expenditure of up to \$1,000.00 for prevailing wage services within the Sanitary General Obligations Voted Bonds Fund; to authorize an expenditure of up to \$1,000.00 for prevailing wage services within the Storm Sewer Bond Fund; and to amend the 2019 Capital Improvement Budget. (\$1,784,836.34)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD. 0141-2020 Funding Template, 2. West Franklinton & Central Ave Sewer Improvements Map, 3. ORD. 0141-2020 Utilization Form, 4. Recommendation Letter

Date	Ver.	Action By	Action	Result
2/13/2020	1	CITY CLERK	Attest	
2/12/2020	1	MAYOR	Signed	
2/10/2020	1	COUNCIL PRESIDENT	Signed	
2/10/2020	1	Columbus City Council	Approved	Pass
2/3/2020	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 Complete General Construction Company for the West Franklinton Sewer Improvements CIP 650870-116161 and Central Avenue Underpass Stormwater Improvements CIP 611033-100000. This project will construct upgrades to the collection system in the West Franklinton Blueprint area by upsizing 740 feet of existing 10-inch sanitary sewer pipes to 15 inch sewer in order to convey additional flow. This will help to reduce the occurrence of sewer backups into basements. Also, the project will upgrade the storm sewer system in the area by upsizing 1,164 feet of storm sewer in order to collect more runoff and eliminate the flooding issues along South Central Avenue (SR3/US62) north of West Mound Street.

Planning Area: 54-Franklinton

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). The loan awards are expected in February 2020. At that time OWDA Loan Account numbers will be assigned. Both the sanitary sewer and storm sewer projects (combined in the Invitation for Bid and this ordinance are funded through two separate loans with OWDA). Federal Davis-Bacon Wage Rates and Requirements will apply.

Funds in the amount of \$2,000.00 will also be encumbered for prevailing wage services to the Department of Public Service.

**2. THE 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 given by the City.

**3. PROCUREMENT:** In accordance with the procedures set forth in the overall provisions of Columbus City Code, Section 329, Invitation for Bids were received December 4, 2019. Four (4) competitive bids were received. The following bidders submitted bids.

NAME	CC#	Exp	DAX #	City/State	Status
Complete General Construction	31-4366382	7/8/2021	006056	Columbus, OH	MAJ
Shelly & Sands, Inc.	31-4351261	3/1/2020	006043	Columbus, OH	MAJ
Trucco Construction Co., Inc.	31-1293605	3/21/2020	004988	Delaware, OH	MAJ
Darby Creek Excavating, Inc.	31-1345111	4/20/2020	005129	Circleville, OH	MAJ

The selection process used the Bid Tab and Quality Factor Form evaluation process and the project was awarded to the lowest responsive, responsible and best bidder, Complete General Construction Company.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Complete General Construction Company

**4. ECONOMIC/ENVIRONMENTAL IMPACT:** The sanitary improvements project was identified in the comprehensive collection system model, in order to mitigate water in basement events to the goal of a 10 year Level of Service (LOS). The storm sewer improvements project will mitigate the flooding issues at railroad/Central Avenue overpass, and makes it accessible during heavy rain event.

**5. FISCAL IMPACT:** This Ordinance authorizes the City Auditor to appropriate and transfer funds from the Storm Sewer Reserve Fund 6207 and the Sanitary Sewer Reserve Fund 6102 to the Ohio Water Development (OWDA) Loan Funds 6211 and 6111 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 loans with the OWDA Loan Fund and reimburse both the Storm Sewer Reserve Fund and the Sanitary Sewer Reserve Fund. The loans are expected to be approved in February 2020.

Funding for Prevailing Wage Services (\$2,000.00) to the Department of Public Service will come from the both Sanitary G.O. Voted Bonds Fund 6109 and the Storm Water Bond Fund 6204. A transfer within Sanitary G.O. Bond Fund 6109 is needed as well as an amendment to the 2019 Capital Improvement Budget in order to provide sufficient authority.

To authorize the Director of Public Utilities to enter into a construction contract with Complete General Construction Company for the West Franklinton Sewer Improvements CIP 650870-116161 and Central Avenue Underpass Stormwater Improvements CIP 611033-100000; to authorize the appropriation and transfer of \$1,082,925.54 from the Storm Sewer Reserve Fund to the Ohio Water Development (OWDA) Storm Water Loan Fund; to authorize the appropriation and transfer of \$699,910.80 from the Sanitary Sewer Reserve Fund to the Ohio Water Development (OWDA) Sanitary Loan Fund; to authorize the appropriation and expenditure of \$1,082,925.54 from the Ohio Water Development (OWDA) Storm Sewer Loan Fund; to authorize the appropriation and expenditure of \$699,910.80 from the Ohio Water Development (OWDA) Sanitary Sewer Loan Fund; to authorize a transfer within and an expenditure of up to \$1,000.00 for prevailing wage services within the Sanitary General Obligations Voted Bonds Fund; to authorize an expenditure of up to \$1,000.00 for prevailing wage services within the Storm Sewer Bond Fund; and to amend the 2019 Capital Improvement Budget. (\$1,784,836.34)

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract with Complete General Construction Company and to encumber and expend funds to provide for payment of prevailing wage services for the Division of Sewerage and Drainage's West Franklinton Sewer Improvements CIP 650870-116161 and Central Avenue Underpass Stormwater Improvements CIP 611033-100000; and

**WHEREAS**, it is necessary to appropriate \$1,082,925.54 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 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 both appropriate \$699,910.80 from the Storm Sewer Reserve Fund 6207 and to authorize the transfer of said funds to the OWDA Storm Sewers Loan Fund 6211 in order to temporarily fund this expenditure until such time as the City receives loan proceeds for the above stated purpose and reimburse the Storm Sewer Reserve Fund; and

**WHEREAS**, it is necessary to authorize the expenditure of up to \$1,082,925.54 from the OWDA Sewer Loan Fund 6111; and

**WHEREAS**, it is necessary to authorize the expenditure of up to \$699,910.80 from the Storm Sewers Loan Fund 6211; 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 is necessary to authorize a transfer within and an expenditure of up to \$1,000.00 within the Sanitary G.O. Voted Bonds Fund 6109 for Prevailing Wage Services; and

**WHEREAS**, it is necessary to authorize an expenditure of up to \$1,000.00 within the Storm Sewer Bond Fund 6204 for Prevailing Wage Services; 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 Complete General Construction Company for the West Franklinton Sewer Improvements CIP 650870-116161 and Central Avenue Underpass Stormwater Improvements CIP 611033-100000 CIP # 650725-100016 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 Complete General Construction Company, 1221 East Fifth Avenue, Columbus, Ohio 43219; for the West Franklinton Sewer Improvements CIP 650870-116161 and Central Avenue Underpass Stormwater Improvements CIP 611033-100000 in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage; and to obtain the necessary prevailing wage services from the Department of Public Services up to a maximum amount of \$2,000.00.

**SECTION 2.** That from the unappropriated monies in the Sanitary Sewer Reserve Fund 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, 2020, the sum of \$699,910.80 is appropriated, per the account codes in the funding attachment to this ordinance.

**SECTION 3.** That the transfer of \$1,082,925.54 or so much thereof as may be needed, is hereby authorized between the Storm Serwer Reserve Fund 6207 and the OWDA Storm Sewer Loan Fund 6211 per the accounting codes in the

attachment to this ordinance.

**SECTION 4.** That from the unappropriated monies in the Storm Sewer Reserve Fund 6207 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, 2020, the sum of \$1,082,925.54 is appropriated, per the account codes in the funding attachment to this ordinance.

**SECTION 5.** That the transfer of \$699,910.80 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 6.** That the expenditure of \$1,784,836.34, inclusive of \$2,000.00 to the Department of Public Service for prevailing wage services, or so much thereof as may be needed, is hereby authorized per the accounting codes in the attachment to this ordinance.

**SECTION 7.** That the 2019 Capital Improvement Budget is amended as follows:

<u>Fund</u>	<u>Project #</u>	<u>Project Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Net Change</u>
6109	P650870-100802	Blueprint Hilltop Eureka Freemont	\$ 470,839	\$469,839	-\$1,000
6109	P650870-116161	West Franklinton Sewer Improvements	\$0	\$1,000	+\$1,000
6111	P650870-110166	Blueprint Olde Beechwold Area Int. Sol.	\$1,200,000	\$986,092	-\$213,908
6111	P650870-116161	West Franklinton Sewer Improvements	\$486,003	\$699,911	+\$213,908

**SECTION 8.** That the said company, Complete General Construction Company, 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 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 10.** 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 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 \$1,782,836.54 (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 and the Storm Sewer Reserve Fund 6207, 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.