



## Legislation Details (With Text)

**File #:** 1195-2020      **Version:** 1

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

**File created:** 5/11/2020      **In control:** Public Utilities Committee

**On agenda:** 6/1/2020      **Final action:** 6/5/2020

**Title:** To authorize the Director of Public Utilities to enter into a construction contract with Complete General Construction Co. for the Hap Cremean Water Plant Sludge Line Improvements Project in an amount up to \$7,226,426.28; to encumber funds with the Department of Public Service for prevailing wage services in an amount up to \$2,000.00; to authorize the appropriation and transfer of \$7,226,426.28 from the Water System Reserve Fund to the Water Supply Revolving Loan Account Fund; to authorize the appropriation and expenditure of \$7,226,426.28 from the Water Supply Revolving Loan Account Fund; to authorize a transfer and expenditure up to \$2,000.00 within the Water General Obligations Voted Bond Fund; for the Division of Water; to authorize an amendment of the 2019 Capital Improvements Budget; and to declare an emergency. (\$7,228,426.28)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD 1195-2020 Bid Tab, 2. ORD 1195-2020 QFF Eval Loan Funded, 3. ORD 1195-2020 Information, 4. ORD 1195-2020 Utilization, 5. ORD 1195-2020 map, 6. ORD 1195-2020 Funding

Date	Ver.	Action By	Action	Result
6/5/2020	1	CITY CLERK	Attest	
6/4/2020	1	MAYOR	Signed	
6/1/2020	1	COUNCIL PRESIDENT	Signed	
6/1/2020	1	Columbus City Council	Approved	Pass

**1.0 BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Complete General Construction Co. for the Hap Cremean Water Plant (HCWP) Sludge Line Improvements Project in an amount up to \$7,226,426.28; to encumber funds with the Department of Public Service for prevailing wage services in an amount up to \$2,000.00; for Capital Improvements Project No. 690510-100004, Division of Water Contract Number 2236.

The HCWP sludge disposal line was constructed in the late 1970's to provide an economical means to transfer treatment residuals from the HCWP facility to the McKinley Avenue Quarry. This sludge disposal line continues to be an essential asset to the City's largest water treatment facility. Beginning in 1997, the 12-inch diameter sludge disposal line began experiencing an increase in break frequencies. As a result, the Division of Water conducted several studies and completed various capital improvements to the sludge disposal line. A previous condition inspection identified various areas that are in need of replacement.

The project will replace portions of the 12-inch HCWP sludge force main along Morse Road, Bethel Road, and Riverside Drive.

Work on this project consists of construction of approximately 13,298 linear feet of open-cut 12-inch force main pipe and associated appurtenances, 217 linear feet of trenchless 12-inch force main pipe and associated appurtenances, 2 air-release valve vaults, sludge handling, 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).

Planning area: “99 - Citywide” since HCWP serves several communities.

**2.0 ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:**

The project will replace sections of the force main known to be structurally deficient. Replacement of these sections will reduce the risk of pipe failures and discharges to the surrounding environment. This project is part of the City’s ongoing efforts to maintain a reliable supply of safe drinking water to its customers, which will result in sustainable economic growth well into the future.

**3.0 CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened one (1) bid on April 29, 2020 from Complete General Construction Co. in the amount of \$7,226,426.28.

Complete General’s bid was deemed the lowest, best, most responsive and responsible bid in the amount of \$7,226,426.28. Their Contract Compliance Number is 31-4366382 (expires 7/8/21, Majority) and their DAX Vendor No. is 6056. Additional information regarding this bidder, description of work, contract time frame and detailed amount 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 Complete General Construction Co.

**3.1 PRE-QUALIFICATION STATUS:** Complete General 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 EMERGENCY DESIGNATION:** This project’s schedule has been coordinated with two Department of Public Service projects: CIP 538000-100000 - Morse & Sunbury Road Improvements and CIP 530103-100064, DR3477E - Arterial Street Rehabilitation - Morse Road Phase 1-Seward St to Stygler Road, both which have multiple funding sources. These three projects share critical path work activities in the Morse Road right-of-way corridor and are seasonally dependent, and emergency legislation is needed to maintain the planned coordination.

**5.0 FISCAL IMPACT:** This Ordinance authorizes the City Auditor to appropriate and transfer funds from the Water System Reserve Fund, Fund No. 6003 to the Water Supply Revolving Loan Account Fund, Fund No. 6011, 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 June 2020.

A portion of funding will also come from the Water G.O. Voted Bonds Fund, Fund No. 6006, and will require a transfer of funds and an amendment to the 2019 Capital Improvements Budget.

To authorize the Director of Public Utilities to enter into a construction contract with Complete General Construction Co. for the Hap Cremean Water Plant Sludge Line Improvements Project in an amount up to \$7,226,426.28; to encumber funds with the Department of Public Service for prevailing wage services in an amount up to \$2,000.00; to authorize the appropriation and transfer of \$7,226,426.28 from the Water System Reserve Fund to the Water Supply Revolving Loan Account Fund; to authorize the appropriation and expenditure of \$7,226,426.28 from the Water Supply Revolving Loan Account Fund; to authorize a transfer and expenditure up to \$2,000.00 within the Water General Obligations Voted Bond Fund; for the Division of Water; to authorize an amendment of the 2019 Capital Improvements Budget; and to declare an emergency. (\$7,228,426.28)

**WHEREAS**, one (1) bid for the Hap Cremean Water Plant Sludge Line Improvements Project was received and publicly opened in the offices of the Director of Public Utilities on April 29, 2020; and

**WHEREAS**, the lowest, best, most responsive and responsible bid was from Complete General Construction Co. in the amount of \$7,226,426.28; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of prevailing wage services associated with the Hap Cremean Water Plant Sludge Line Improvements 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 is necessary to authorize a transfer and expenditure of funds within the Water G.O. Voted Bonds Fund; and

**WHEREAS**, it is necessary to authorize an amendment to the 2019 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditures; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Water, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a construction contract with Complete General Construction Co. for the Hap Cremean Water Plant Sludge Line Improvements Project, in an emergency manner in order to keep the construction schedule congruent with two Department of Public Service projects; for the immediate 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 Hap Cremean Water Plant Sludge Line Improvements Project with Complete General Construction Co. (FID #31-4366382), 1221 East Fifth Ave., Columbus, OH 43219, in an amount up to \$7,226,426.28; in accordance with the terms and conditions of the contract on file in the Office of the Division of Water; and to obtain the necessary prevailing wage services from the Design and Construction Division and to pay up to a maximum amount of \$2,000.00.

**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 the 2019 Capital Improvements Budget is hereby amended, as shown below:

<b>Fund No.</b>	<b>Fund Name</b>	<b>Project ID</b>	<b>Project Name</b>	<b>Current Authority</b>	<b>Revised Authority</b>	<b>Change</b>
6011	WSRLA	P690510-100004 (NEW)		\$0	\$7,226,426	+\$7,226,426 (add authority to match expenditure)
6006	Water G.O Bonds	P690290-100000 (NEW)	Distribution Imp's	\$95,783	\$93,783	-\$2,000
6006	Water G.O Bonds	P690510-100004 (NEW)	HCWP Sludge Line Imp's	\$773,692	\$775,692	+\$2,000

**SECTION 4.** 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 ending December 31, 2020, the sum of \$7,226,426.28 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 5.** That the transfer of \$7,226,426.28 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 6.** That the transfer of \$2,000.00 or so much thereof as may be needed, is hereby authorized between Fund 6006 - Water G.O. Bonds Fund, per the account codes in the attachment to this ordinance.

**SECTION 7.** That the expenditure of \$7,226,426.28 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 8.** That the expenditure of \$2,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6006 - Water G.O. Bonds Fund, in Object Class 06 - Capital Outlay, per the accounting codes in the attachment to this ordinance.

**SECTION 9.** 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 6 above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 10.** 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 \$7,226,426.28 (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, Fund 6003, which is the fund from which the advance for costs of the Project will be made.

**SECTION 11.** 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 12.** 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 13.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 14.** 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 15.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.