



## Legislation Details (With Text)

**File #:** 2259-2020      **Version:** 1

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

**File created:** 10/1/2020      **In control:** Public Utilities Committee

**On agenda:** 11/9/2020      **Final action:** 11/12/2020

**Title:** To authorize the Director of Public Utilities to enter into a construction contract with Groundworks OBA, LLC for the Roof Redirection Clintonville 1 Blenheim / Glencoe Area 2 Project; to authorize the appropriation and transfer of \$1,755,435.32 from the Sanitary Sewer Reserve Fund to the Ohio Water Development (OWDA) Loan Fund; to authorize the appropriation and expenditure of \$1,755,435.32 from the Ohio Water Development (OWDA) Loan Fund; to authorize an expenditure up to \$2,000.00 for prevailing wage services within the Sanitary General Obligations Voted Bonds Fund; and to authorize an amendment to the 2019 Capital Improvements Budget. (\$1,757,435.32)

### Sponsors:

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### Code sections:

**Attachments:** 1. ORD 2259-2020 Bid Tab, 2. ORD 2259-2020 QFF Eval Loan Funded, 3. ORD 2259-2020 Information, 4. ORD 2259-2020 Utilization, 5. ORD 2259-2020 map, 6. ORD 2259-2020 Funding

Date	Ver.	Action By	Action	Result
11/12/2020	1	CITY CLERK	Attest	
11/11/2020	1	MAYOR	Signed	
11/10/2020	1	COUNCIL PRESIDENT	Signed	
11/9/2020	1	Columbus City Council	Approved	Pass
10/26/2020	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 Groundworks OBA, LLC for the Roof Redirection Clintonville 1 Blenheim / Glencoe Area 2 Project, CIP No. 650871-110177.

This project consists of replacing or redirecting downspout drain tiles from up to 493 houses in the Clintonville 1 Blueprint area, 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: 39 - Clintonville

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 400 calendar days from the date that a Notice to Proceed (NTP) is given by the City.

**3. CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened four bids on September 9, 2020 from Groundworks OBA, LLC, Facemyer Co., George J. Igel & Co., and Mid State Basements.

**3.1 PRE-QUALIFICATION STATUS:** Groundworks OBA, LLC has met code requirements with respect to pre-

qualification, pursuant to relevant sections of Columbus City Code Chapter 329. There are no proposed subcontractors on this project.

Groundworks OBA, LLC's bid was deemed the lowest, best, most responsive and responsible bid in the amount of \$1,755,435.32. Their Contract Compliance Number is 30-1147944 (expires 7/26/21, Majority) and their DAX Vendor Account No. is 30312. Additional information regarding all 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 Groundworks OBA, LLC.

**4. ECONOMIC/ENVIRONMENTAL IMPACT:** This is a Consent Order project and is an improvement identified in the Integrated Plan and 2015 WWMP Update Report. The project is needed to mitigate water in basement events and sanitary sewer overflows to the goal of a 10 year Level Of Service (LOS).

**5. FISCAL IMPACT:** 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 award is expected in December, 2020 when an OWDA Loan Account number will be assigned. Federal Davis-Bacon Wage Rates and Requirements will apply.

This Ordinance authorizes the City Auditor to appropriate and transfer funds from the Sanitary Sewer Reserve Fund - Fund No. 6102 to the Ohio Water Development (OWDA) Loan Fund - Fund No. 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 a loan with the OWDA Loan Fund and reimburse the Sanitary Sewer Reserve Fund.

Funding for Prevailing Wage Services (\$2,000.00) payable to the Department of Public Service will come from the Sanitary G.O. Voted Bonds Fund - Fund No. 6109.

An amendment to the 2019 Capital Improvement Budget is necessary to align budget authority with the proper project.

To authorize the Director of Public Utilities to enter into a construction contract with Groundworks OBA, LLC for the Roof Redirection Clintonville 1 Blenheim / Glencoe Area 2 Project; to authorize the appropriation and transfer of \$1,755,435.32 from the Sanitary Sewer Reserve Fund to the Ohio Water Development (OWDA) Loan Fund; to authorize the appropriation and expenditure of \$1,755,435.32 from the Ohio Water Development (OWDA) Loan Fund; to authorize an expenditure up to \$2,000.00 for prevailing wage services within the Sanitary General Obligations Voted Bonds Fund; and to authorize an amendment to the 2019 Capital Improvements Budget. (\$1,757,435.32)

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to enter into a construction contract with Groundworks OBA, LLC and to encumber and expend funds to provide for payment of prevailing wage services for the Division of Sewerage and Drainage's Roof Redirection Clintonville 1 Blenheim / Glencoe Area 2 Project; and

**WHEREAS**, it is necessary to both appropriate funds from the Sewer System Reserve Fund - Fund No. 6102 and to authorize the transfer of said funds to the OWDA Loan Fund - Fund No. 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**, 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 an expenditure of up to \$2,000.00 within the Sanitary G.O. Voted Bonds Fund - Fund No. 6109 for Prevailing Wage Services; 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**, 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 Groundworks OBA, LLC for the Roof Redirection Clintonville 1 Blenheim / Glencoe Area 2 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 with Groundworks OBA, LLC, 911 Stelzer Rd., Columbus Ohio, 43219; for the Roof Redirection Clintonville 1 Blenheim / Glencoe Area 2 Project 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 - Fund No. 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 \$1,755,435.32 is appropriated in Fund 6102, per the account codes in the funding attachment to this ordinance.

**SECTION 3.** That the transfer of \$1,755,435.32 or so much thereof as may be needed, is hereby authorized between the Sanitary Sewer Reserve Fund - Fund No. 6102 and OWDA Loan Fund - Fund No. 6111, per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That the 2019 Capital Improvements Budget is hereby amended, as shown below:

**Fund No. 6111**

**Fund Name: OWDA Loan Fund**

**Project ID | Project Name | Current Authority | Revised Authority | Change**

P650871-110177 (NEW) | Roof Redirect. - Clintonville 1 Blenheim/Glencoe Area 2 | \$0 | \$1,755,435 | +\$1,755,435  
(establish authority to match expenditure)

**Fund No. 6109**

**Fund Name: Sanitary G.O. Voted Bonds Fund**

**Project ID | Project Name | Current Authority | Revised Authority | Change**

P650871-110173 (NEW) | Roof Redirect. - Clintonville 1 Blenheim/Glencoe | \$609,993 | \$607,993 | -\$2,000

P650871-110177 (NEW) | Roof Redirect. - Clintonville 1 Blenheim/Glencoe Area 2 | \$464,682 | \$466,682 | +\$2,000

**SECTION 5.** That the expenditure of \$1,755,435.32, or so much thereof as may be needed, is hereby authorized per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That the expenditure 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 said company, Groundworks OBA, 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 8.** 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 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 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 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 13.** 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 \$1,755,435.32 (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 14.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.