



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 11/25/2020 **In control:** Public Utilities Committee

On agenda: 2/1/2021 **Final action:** 2/5/2021

Title: To authorize the Director of Public Utilities to enter into a professional engineering services agreement with Osborn Engineering, for the Division of Water (DOW) Safety Improvements Project; to authorize the appropriation and transfer of \$175,000.00 from the Water System Reserve Fund to the Water General Obligations Bond Fund; to authorize a transfer of \$44,300.00 within the Water General Obligations Bond Fund; to authorize the appropriation and expenditure up to \$219,300.00 from the Water General Obligations Bond Fund; for the Division of Water; and to amend the 2020 Capital Improvements Budget. (\$219,300.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 2835-2020 Information, 2. ORD 2835-2020 Utilization, 3. ORD 2835-2020 Funding

Date	Ver.	Action By	Action	Result
2/5/2021	1	CITY CLERK	Attest	
2/3/2021	1	MAYOR	Signed	
2/1/2021	1	COUNCIL PRESIDENT	Signed	
2/1/2021	1	Columbus City Council	Approved	Pass
1/25/2021	1	Columbus City Council	Read for the First Time	

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a professional engineering services agreement with Osborn Engineering, for the Division of Water (DOW) Safety Improvements Project, in an amount up to \$219,300.00, for Division of Water Contract No. 2206.

This project will provide preliminary design, detailed design and bidding, and engineering services during construction to address safety related needs at various Division of Water facilities.

The Community planning is “99 - Citywide” because the water facilities associated with this contract serve multiple planning areas.

2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT: This project will address miscellaneous safety needs at various Division of Water facilities, which will improve employee working conditions and reduce the potential for employee injuries. Most improvements will occur within secure areas that are not accessible to the public; for these projects no community outreach activities are anticipated. Community outreach activities will be considered for improvements that occur within areas accessible to the public, but at this time, outreach is not expected to be needed. The consultant team has identified a commitment to the Mayor’s Green Initiative in their business practices and will be involved in applying DPU’s environmental management system (EMS) to the construction projects.

3. BID INFORMATION: The selection of the firm providing the professional engineering services has been performed in accordance with the procedures set forth in Columbus City Code, Section 329, "Awarding professional service

contracts through requests for proposals." The evaluation criteria for this contract included: 1. understanding of project/project approach, 2. past performance, 3. environmentally preferable consultant, 4. local workforce, and 5. anticipated project team.

Request for Proposals (RFP) were received on October 16, 2020 from: Osborn Engineering, LJB Inc., and Star Consultants.

An evaluation committee reviewed the proposal and recommends that the DOW Safety Improvements Project be awarded to Osborn Engineering.

The Contract Compliance Number for Osborn Engineering is 34-0445030 (expires 7/30/21, MAJ) and their DAX Vendor Number is 6417. 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 Osborn Engineering.

4. FUTURE RENEWALS: The Division anticipates two renewals to this agreement for detailed design and bidding services and engineering services during construction.

5. FISCAL IMPACT: The total amount needed is \$219,300.00.

The 2020 Bond Sale request includes \$175,000.00 for this project. Until proceeds from the Bond Sale are received, a transfer from the Water System Reserve Fund - Fund No. 6003 to the Water G.O. Bond Fund - Fund No. 6006 will be needed so the project can proceed. This transaction is only a temporary measure.

The remaining \$44,300.00 needed will require a transfer within the Water G.O. Voted Funds Fund - Fund No. 6006, as well as an amendment to the 2020 Capital Improvements Budget.

To authorize the Director of Public Utilities to enter into a professional engineering services agreement with Osborn Engineering, for the Division of Water (DOW) Safety Improvements Project; to authorize the appropriation and transfer of \$175,000.00 from the Water System Reserve Fund to the Water General Obligations Bond Fund; to authorize a transfer of \$44,300.00 within the Water General Obligations Bond Fund; to authorize the appropriation and expenditure up to \$219,300.00 from the Water General Obligations Bond Fund; for the Division of Water; and to amend the 2020 Capital Improvements Budget. (\$219,300.00)

WHEREAS, three (3) technical proposals for professional engineering services for the Division of Water (DOW) Safety Improvements Project were received on October 16, 2020; and

WHEREAS, the Department of Public Utilities recommends that the agreement be awarded to Osborn Engineering; 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 the appropriation and transfer of \$175,000.00 from the Water System Reserve Fund - Fund No. 6003 to the Water G.O. Voted Bonds Fund - Fund No. 6006 in order to temporarily fund this expenditure, until such time as the proceeds from the 2020 Bond Sale can be made available; and

WHEREAS, it is necessary to authorize a transfer of \$44,300.00 within the Water G.O. Voted Bonds Fund - Fund No. 6006; and

WHEREAS, it is necessary to authorize the appropriation and expenditure up to \$219,300.00 within the Water G.O. Voted Bonds Fund - Fund No. 6006; and

WHEREAS, it is necessary to authorize an amendment to the 2020 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 Division of Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a professional engineering services agreement for the DOW Safety Improvements 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 professional engineering services agreement for the DOW Safety Improvements Project with Osborn Engineering (FID #34-0445030), 990 West Third Street, Suite 200, Columbus, Ohio 43212; for an expenditure up to \$219,300.00; in accordance with the terms and conditions of the contract on file in the Office of the Division of Water.

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 ending December 31, 2021, the sum of \$175,000.00 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 3. That the transfer of \$175,000.00 or so much thereof as may be needed, is hereby authorized from Fund 6003 - Water System Reserve Fund to Fund 6006 - Water G.O. Bonds Fund, per the account codes in the attachment to this ordinance.

SECTION 4. That the transfer of \$44,300.00 or so much thereof as may be needed, is hereby authorized within Fund 6006 - Water G.O. Bonds Fund, per the account codes in the attachment to this ordinance.

SECTION 5. That the appropriation and expenditure of \$219,300.00, 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 6. 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 3 above, and said funds are hereby deemed appropriated for such purpose.

SECTION 7. 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 \$175,000.00 (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 8. That the 2020 Capital Improvements Budget is hereby amended, in Fund 6006 - Water G.O. Bond Fund, as follows:

Project No. | Project Name | Current Authority | Revised Authority | (Change)

P690411-100000 (carryover) | Watershed Misc. Imp's | \$69,551 | \$25,251 | -\$44,300

P690576-100000 (carryover) | DOW Safety Imp's | \$0 | \$44,300 | +\$44,300

*Balance of expenditure to come from New Funding.

SECTION 9. That the expenditure of \$219,300.00 or so much thereof as may be needed, is hereby authorized in Fund 6006 - Water G.O. Bond Fund, per the accounting codes in the attachment to this ordinance.

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

SECTION 13. 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 14. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.