



## Legislation Details (With Text)

**File #:** 2829-2022      **Version:** 1

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

**File created:** 10/10/2022      **In control:** Public Utilities Committee

**On agenda:** 10/24/2022      **Final action:** 10/26/2022

**Title:** To authorize the Director of Public Utilities to enter into a construction contract with The Ruhlin Co. for the Lockbourne Road Quarry Embankment Improvements Project; to authorize a transfer and expenditure up to \$3,285,895.58 within the Water General Obligation Voted Bonds Fund; to provide for payment of prevailing wage services to the Department of Public Service; for the Division of Water; to authorize an amendment to the 2022 Capital Improvements Budget; and to declare an emergency. (\$3,285,895.58)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD 2829-2022 Bid Tab, 2. ORD 2829-2022 QFF Eval Bond Funded, 3. ORD 2829-2022 Information, 4. ORD 2829-2022 Utilization, 5. ORD 2829-2022 map, 6. ORD 2829-2022 Funding

Date	Ver.	Action By	Action	Result
10/26/2022	1	CITY CLERK	Attest	
10/25/2022	1	MAYOR	Signed	
10/24/2022	1	COUNCIL PRESIDENT	Signed	
10/24/2022	1	Columbus City Council	Approved	Pass

**1.0 BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with The Ruhlin Co. for the Lockbourne Road Quarry Embankment Improvements Project; in an amount up to \$3,283,895.58; for Division of Water Capital Improvements Project No. 690604-100000, Contract No. 2333.

Funds in the amount of \$2,000.00 will also be encumbered with the Department of Public Service for Prevailing Wage services.

Work consists of filling the eroded bank per the approved plans; installing sheet piling; installing rock channel protection along banks of the river and quarry; installing concrete erosion control surface material; landscaping of grasses and trees; and other such work as may be necessary to complete the contract, in accordance with the technical specifications, and City of Columbus Construction and Material Specifications as set forth in the Invitation For Bid (IFB).

Community Planning Area is “64 - Far South”.

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

This project will rebuild the eroded embankment that protects the Lockbourne Road Quarry property from the Big Walnut Creek. The quarry property will play an important role in handling the water treatment residuals from the Parsons Avenue Water Plant, which is an important part of the Columbus area water supply system. An adequate and safe supply of water is essential to economic growth and development. Public informational meetings are not anticipated for this project because all proposed work is within City property that is not accessible to the public.

**3.0 CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened four (4) bids on September 21, 2022:

- |    |                            |                |
|----|----------------------------|----------------|
| 1. | The Ruhlin Company         | \$3,283,895.58 |
| 2. | Miller Bros. Const., Inc.  | \$3,758,516.88 |
| 3. | Shelly & Sands, Inc.       | \$4,264,558.20 |
| 4. | George J. Igel & Co., Inc. | \$4,483,604.58 |

**3.1 PRE-QUALIFICATION STATUS:** The Ruhlin Co. and all proposed subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

Ruhlin Co.'s bid was deemed the lowest, best, most responsive and responsible bid in the amount of \$3,283,895.58. Their Contract Compliance Number is 34-0640780 (expires 9/3/24, Majority) and their DAX Vendor Account No. is 17759. 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 The Ruhlin Co.

#### **4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS**

**ENTERPRISE PROGRAM:** This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 27% as assigned by the City's Office of Diversity and Inclusion (ODI). After ODI's review of the Utilization Plan and other related information the contractor submitted with their bid response, ODI has approved an MBE/WBE Program goal of 27% for this contract. Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the "City's Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual" and in the "City of Columbus MBE/WBE Program Special Provision" that were part of the bid documents for this contract.

**5. EMERGENCY DESIGNATION:** Emergency designation is requested so that the embankment repair can be completed before the spring rains that cause high river levels which may interfere with the construction and cause additional erosion. This, in turn, would result in increased costs to the City.

**6. FISCAL IMPACT:** A transfer of funds within the Water G.O. Voted Bonds Fund - Fund No. 6006 will be necessary as well as an amendment to the 2022 Capital Improvements Budget.

To authorize the Director of Public Utilities to enter into a construction contract with The Ruhlin Co. for the Lockbourne Road Quarry Embankment Improvements Project; to authorize a transfer and expenditure up to \$3,285,895.58 within the Water General Obligation Voted Bonds Fund; to provide for payment of prevailing wage services to the Department of Public Service; for the Division of Water; to authorize an amendment to the 2022 Capital Improvements Budget; and to declare an emergency. (\$3,285,895.58)

**WHEREAS,** four (4) bids for the Lockbourne Road Quarry Embankment Improvements Project were received and publicly opened in the offices of the Director of Public Utilities on September 21, 2022; and

**WHEREAS,** the lowest, best, most responsive and responsible bid was from The Ruhlin Co. in the amount of \$3,283,895.58; and

**WHEREAS,** it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract for the Lockbourne Road Quarry Embankment Improvements Project; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to encumber and expend funds to provide for payment of prevailing wage services associated with said project; and

**WHEREAS**, it is necessary to authorize a transfer and expenditure of funds within the Water G.O. Voted Bonds Fund - Fund No. 6006, for the Division of Water; and

**WHEREAS**, it is necessary to authorize an amendment to the 2022 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 for the Lockbourne Road Quarry Embankment Improvements Project, with The Ruhlin Co., so that the embankment repair can be completed before the spring rains that cause high river levels which may interfere with the construction and cause additional erosion all 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 be and hereby is authorized to award and execute a contract for the Lockbourne Road Quarry Embankment Improvements Project with The Ruhlin Co. (FID #34-0640780), 6931 Ridge Rd., Sharon Center, OH 44274; in an amount up to \$3,283,895.58 ; 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 related services from the Department of Public Service and to pay up to a maximum amount of \$2,000.00.

**SECTION 2.** That said contractor 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 transfer of \$1,143,895.58, 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. (There is already \$2,142,000.00 in Fund 6006, CIP 690604.)

**SECTION 4.** That the 2022 Capital Improvements Budget is hereby amended, in Fund 6006 - Water G.O. Bonds Fund, per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That the expenditure of \$3,285,895.58 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 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 7.** 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 8.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 9.** 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 10.** 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.

