Legislation Details (With Text)

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File created:	9/10/2025	**In control:**	Public Utilities & Sustainability Committee
On agenda:	11/3/2025	**Final action:**	11/5/2025
Title:	To authorize the Director of the Department of Public Utilities to enter into a contract modification with Prime Construction Management & Survey, Inc. for the Construction Administration/Construction Inspection Services 2023-2025 contract; to amend the 2025 Capital Improvement Budget; to authorize the appropriation and transfer of funds from the Water Reserve Fund to the WSRLA Loan Fund and to the Water Fresh Water Market Rate Fund; to appropriate funds in the WSRLA Loan Fund and in the Water Fresh Water Market Rate Fund; to authorize the application and acceptance of loan funding from the Ohio Water Development Authority Direct Loan Program; to authorize the expenditure of funds from the WSRLA Loan Fund and in the Water Fresh Water Market Rate Fund to pay for this contract modification; and to declare an emergency. ($1,560,653.95)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. ORD 2485-2025 C-2451 Schedule 2A-1 - Utilization Form, 2. ORD 2485-2025 C-2486 Schedule 2A-1 - Utilization Form, 3. ORD 2485-2025 Sec of State, 4. ORD 2485-2025 Accounting Template		

Date	Ver.	Action By	Action	Result
11/5/2025	1	CITY CLERK	Attest	
11/4/2025	1	MAYOR	Signed	
11/3/2025	1	COUNCIL PRESIDENT	Signed	
11/3/2025	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This ordinance authorizes the Director of Public Utilities to enter into a contract modification with Prime Construction Management & Survey, Inc., for construction administration/inspection services for Department of Public Utilities construction projects bid during the calendar years 2023 through 2025 as part of the Construction Administration/Construction Inspection Services 2023-2025 contracts.

Prime Construction Management & Survey, Inc. will be assigned construction projects as tasks on their contract and will ensure the work is performed to City of Columbus construction standards and specifications. As projects are added to the contract, the contract will be modified to authorize Prime Construction Management & Survey, Inc. to perform the work and to add funding to pay for the work.

The construction projects to be administered by Prime Construction Management & Survey, Inc. under this contract modification are the Lead Service Line Replacements - Pilot Program, CIP #690236-100178, in an amount not to exceed $298,967.91, and the Lead Service Line Replacements - Part 2, CIP #690236-110001, in an amount not to exceed $1,261,686.04. The Lead Service Line Replacements - Pilot Program project was previously bid, has been modified to add additional work, and needs to have additional construction administration/inspection services funding added for the additional work. The Lead Service Line Replacements - Part 2 project is currently going through the bid award process.

This work will primarily be performed in Community Planning Area “99- Citywide.”

1.1. Amount of additional funds to be expended: $1,560,653.95

Original Contract	$ 201,851.31 (ORD 1727-2023; PO411801)
Modification #1:	$ 72,154.14 (ORD 1803-2023; PO419003)
Modification#2:	$1,204,608.25 (ORD3237-2023; PO428570, PO42857, PO428580, PO428584, PO428589)
Modification #3:	$ 350,000.12 (ORD 1618-2024; PO461720)
Modification #4	$ 70,310.34 (ORD 1640-2024; PO469578)
Modification #5	$1,783,848.34 (ORD 3022-2024; PO503546)
Modification #6	$ 217,365.42 (ORD 0196-2025; PO505402)
Modification #7	$1,427,800.45 (ORD 1002-2025; PO518825)
Modification #8	$ 127,171.68 (ORD 1891-2025; PO527579)
Modification #9 (Current)	$1,560,653.95 (ORD 2485-2025)
Total:	$7,015,764.00

1.2. Reasons additional goods/services could not be foreseen:
This is a three-year agreement for fiscal years 2023 - 2025 for which modifications were anticipated pursuant to the original authorizing legislation under Ordinance 1727-2023 to account for future construction projects being assigned to Prime Construction Management & Survey, Inc.

1.3. Reason other procurement processes are not used:
This is a multi-year contract that will be modified as required to provide construction administration/inspection services for construction projects that bid during the three year (2023-2025) timeframe. Another procurement process is not required.

1.4. How cost of modification was determined:
The cost of this modification was determined by negotiations between Prime Construction Management & Survey, Inc. and Department of Public Utilities project staff based upon the existing contract labor titles, maximum labor rates, allowable contract expenses, and the time estimated to be needed to perform contract tasks.

2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT
Division of Water projects include replacement or rehabilitation of water lines that have a high break frequency and valves that are inoperable. Replacement of these water lines will improve water service, decrease burden on water maintenance operations, and reduce water loss.

3. CONTRACT COMPLIANCE INFORMATION
Prime Construction Management & Survey, Inc.'s contract compliance number is CC-024771 and expires 7/1/27.

As part of this contract Prime Construction Management & Survey, Inc. has not proposed the use of subcontractors for this project. The certification of Prime Construction Management & Survey, Inc. is in good standing at the time of this contract modification.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Prime Construction Management & Survey, Inc.

4. FISCAL IMPACT
Lead Service Line Replacements - Pilot Program, CIP #690236-100178
The construction administration/inspection services contract for the Lead Service Line Replacements - Pilot Program project is expected to be financed through the Ohio Water Development Authority (OWDA) Direct Loan Program. City Council authorized this loan application and acceptance of loan funding via Ordinance 0700-2025, passed by Council on 3/31/25. This Ordinance did not list this project as one of the projects expected to be financed with this loan program. Section 2 of Ordinance 0700-2025 does give City Council's approval for projects to be added to the list.

An amendment to the 2025 Capital Improvement Budget is needed to align budget authority with the proper project. A transfer of funds from the Water Reserve Fund, Fund 6003, to the Water Fresh Water Market Rate Fund, Fund 6014, in the amount of $298,967.91 is needed to fund this contract. This transaction is a temporary measure that is required until a loan is executed with OWDA to reimburse the Reserve Funds. The loan is expected to be approved in December, 2025. These funds will also need to be appropriated to be transferred and then appropriated after transfer to the new Fund.

The Ohio Water Development Authority (OWDA) Direct Loan Program is a reimbursement program. A purchase order will need to be established to Prime Construction Management & Survey, Inc., for these services. Public Utilities will need to pay invoices directly to Prime Construction Management & Survey, Inc., and then submit reimbursement requests based upon these paid invoices to OWDA for OWDA to reimburse Public Utilities.

Lead Service Line Replacements - Part 2, CIP #690236-110001
The construction administration/inspection services contract for the Lead Service Line Replacements - Part 2 project is expected to be financed with a loan from the Water Supply Revolving Loan Account (WSRLA) through the Ohio Environmental Protection Agency and administered by the Ohio Water Development Authority (OWDA). City Council authorized the application and acceptance of funding through this program via Ordinance 0348-2025, passed by Council on 4/28/25.

An amendment to the 2025 Capital Improvement Budget is needed to align budget authority with the proper project. A transfer of funds from the Water Reserve Fund, Fund 6003, to the WSRLA Loan Fund, Fund 6011, in the amount of $1,261,686.04 is needed to fund this contract. This transaction is a temporary measure that is required until a loan is executed with OWDA to reimburse the Reserve Funds. The loan is expected to be approved in December, 2025. These funds will also need to be appropriated to be transferred and then appropriated after transfer to the new Fund.

5. EMERGENCY DESIGNATION
Emergency designation is requested for this ordinance. The use of lead water lines is a public health hazard that must be eliminated as quickly as possible.

To authorize the Director of the Department of Public Utilities to enter into a contract modification with Prime Construction Management & Survey, Inc. for the Construction Administration/Construction Inspection Services 2023-2025 contract; to amend the 2025 Capital Improvement Budget; to authorize the appropriation and transfer of funds from the Water Reserve Fund to the WSRLA Loan Fund and to the Water Fresh Water Market Rate Fund; to appropriate funds in the WSRLA Loan Fund and in the Water Fresh Water Market Rate Fund; to authorize the application and acceptance of loan funding from the Ohio Water Development Authority Direct Loan Program; to authorize the expenditure of funds from the WSRLA Loan Fund and in the Water Fresh Water Market Rate Fund to pay for this contract modification; and to declare an emergency. ($1,560,653.95)

WHEREAS, the Department of Public Utilities is engaged in the Lead Service Line Replacements - Pilot Program project and the Lead Service Line Replacements - Part 2 project; and

WHEREAS, construction administration and inspection services need to be performed for these projects; and

WHEREAS, there is an existing contract with Prime Construction Management & Survey, Inc., to perform construction administration and inspection services; and

WHEREAS, the contract with Prime Construction Management & Survey, Inc. will need to be modified to add these projects to the contract and to add funding to pay for the projects; and

WHEREAS, this contract modification is anticipated to be funded with a loan from the Ohio Water Development Authority Direct Loan Program and from the WSRLA Loan Program; and

WHEREAS, Ordinance 0700-2025, passed by Council on 3/31/25, authorized the use of the Ohio Water Development Authority Direct Loan Program to finance Department of Public Utilities projects and authorized projects not on the

initial list to be added to the list; and

WHEREAS, Ordinance 0348-2025, passed by Council on 4/28/25, authorized the use of the WSRLA Loan Program to finance Department of Public Utilities projects**;** and

WHEREAS, the 2025 Capital Improvement Budget must be modified to align budget authority with the proper projects; and

WHEREAS, it is necessary to both appropriate and transfer funds from the Water Reserve Fund, Fund 6003, to the Water Fresh Water Market Rate Fund, Fund 6014, and to the WSRLA Loan Fund, Fund 6011, 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 Reserve Fund; and

WHEREAS, it is necessary to appropriate funds in the Water Fresh Water Market Rate Fund, Fund 6014, and the WSRLA Loan Fund, Fund 6011; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to enter into a contract modification with Prime Construction Management & Survey, Inc. for the Construction Administration/Construction Inspection Services 2023-2025 contract; 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 services of the Project described in this Ordinance (collectively, the "Project"); and

WHEREAS, it is necessary to authorize an expenditure of funds from the Water Fresh Water Market Rate Fund, Fund 6014, and the WSRLA Loan Fund, Fund 6011, to pay for the for the construction administration and inspection services Prime Construction Management & Survey, Inc. provides under this modification to the Construction Administration/Construction Inspection Services 2023-2025 contract; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to authorize the Director of the Department of Public Utilities to execute this contract modification as quickly as possible as the use of lead water lines is a public health hazard that must be eliminated as quickly as possible, all for the immediate preservation of the public health, peace, property, safety and welfare; and **NOW, THEREFORE,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the 2025 Capital Improvement Budget authorized by Ordinance 1790-2025 be amended as follows to establish sufficient budget authority for this project:

Fund / Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change
6014 / 690236-100178 / Lead Line Replacement - Pilot Program (OWDA Direct Loan) / $0.00 / $298,968.00 / $298,968.00 (To match loan amount)
6011 / 690236-110001 / Lead Service Line Replacements - Part 2 (WSRLA Loan) / $0.00 / $1,261,687.00 / $1,261,687.00 (To match loan amount)

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, 2025, the sum of $1,560,653.95 is appropriated in the Water Reserve Fund, Fund 6003, per the account codes in the attachment to this ordinance.

SECTION 3. That the transfer of $1,560,653.95, or so much thereof as may be needed, is hereby authorized between the Water Reserve Fund, Fund 6003, to the Water Fresh Water Market Rate Fund, Fund 6014, and the WSRLA Loan Fund, Fund 6011, per the accounting codes in the attachment to this Ordinance.

SECTION 4. That the appropriation of $1,560,653.95, or so much thereof as may be needed, is hereby authorized in the Water Fresh Water Market Rate Fund, Fund 6014, and the WSRLA Loan Fund, Fund 6011, per the accounting codes in the attachment to this ordinance.

SECTION 5. That the Director of the Department of Public Utilities is authorized to enter into a contract modification with Prime Construction Management & Survey, Inc., 8415 Pulsar Place, Suite 300, Columbus, Ohio, 43240, for the Construction Administration/Construction Inspection Services 2023-2025 contract to perform additional construction administration and inspection services, in accordance with the terms and conditions as shown in the contract modification on file with the Department of Public Utilities, in an amount not to exceed $1,560,653.95.

SECTION 6. That the expenditure of $1,560,653.95, or so much thereof as may be needed, is hereby authorized to pay for this contract per the accounting codes in the attachment to this ordinance.

SECTION 7. 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 Reserve Fund, Fund 6003, the amount transferred above (Section 3), and said funds are hereby deemed appropriated for such purposes.

SECTION 8. 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 $1,560,653.95 (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 Reserve Fund, Fund 6003, which are the funds from which the advance for costs of the Project will be made.

SECTION 9. That City Council authorizes the Department of Public Utilities to apply for, and accept, a loan from the Ohio Water Development Authority Direct Loan Program to fund the cost of the construction administration and inspection contract modification with Prime Construction Management & Survey, Inc., for the Lead Service Line Replacements - Pilot Program, CIP #690236-100178.

SECTION 10. That funds are deemed appropriated and expenditures and transfers authorized to carry out the purposes of this Ordinance and the City Auditor shall establish such accounting codes as necessary.

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 the City Auditor is authorized to transfer the unencumbered balance in a project account to the unallocated balance account 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.

SECTION 13. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby 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.

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