



## Legislation Text

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**File #:** 0947-2008, **Version:** 1

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**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Affordable Choice Electric, Inc. in the amount of \$273,000.00 for the Columbus Upground Reservoir, Bellepoint Maintenance Facility Improvements Project, Division of Power and Water Contract Number 1032 - Part V.

**2. CONSTRUCTION CONTRACT INFO.:** The Director of Public Utilities publicly opened one bid, from Affordable Choice Electric, Inc., in the amount of \$313,425.00, on March 19, 2008. Their bid exceeded the engineer's estimate by \$128,913.75. The City met with Affordable Choice Electric and the engineering consultant (ms consultants) to review and discuss the bid. Upon negotiations, the contractor agreed to perform all work identified in the contract documents minus the electrical allowance item, at a revised contract amount of \$273,000.00.

Based on discussions with other planholders, they do not feel that re-bidding the project would necessarily provide the City more bidders or a more competitive bid, therefore, we are requesting the provisions of formal competitive bidding be waived, so the Division can enter into a contract with Affordable Choice Electric.

The Contract Compliance Number for Affordable Choice Electric, Inc. is 31-1461454 (expires 1/20/10, Majority). Additional information regarding this contract can be found on the attached Legislation Information Form.

**3. FISCAL IMPACT:** This legislation includes a transfer of funds within the Water Works Enlargement Voted Bonds Fund and an amendment to the 2008 Capital Improvements Budget.

To authorize the Director of Public Utilities to execute a construction contract with Affordable Choice Electric, Inc. for the Columbus Upground Reservoir, Bellepoint Maintenance Facility Improvements Project; for the Division of Power and Water; to waive the provisions of competitive bidding; to amend the 2008 Capital Improvements Budget; and to authorize a transfer and expenditure of \$273,000.00 from the Water Works Enlargement Voted Bonds Fund. (\$273,000.00)

**WHEREAS,** only one bid for the Columbus Upground Reservoir, Bellepoint Maintenance Facility Improvements Project was received and publicly opened in the offices of the Director of Public Utilities on March 19, 2008; and

**WHEREAS,** the sole bid from Affordable Choice Electric exceeded the engineer's estimate by \$128,913.75; and

**WHEREAS,** upon negotiations, the contractor agreed to perform all work identified in the contract documents minus an electrical allowance item, thereby reducing their bid by \$40,425.00; and

**WHEREAS,** planholders do not feel that re-bidding the project would necessarily provide the City more bidders or a more competitive bid; and

**WHEREAS,** the Division is requesting the provisions of competitive bidding be waived based on reasons mentioned above; and

**WHEREAS,** it is necessary to authorize an amendment to the 2008 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditures; and

**WHEREAS,** it is necessary for this Council to authorize the City Auditor to transfer funds within the Water Works Enlargement Voted Bonds Fund; and

**WHEREAS**, it has become necessary in the usual daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract with Affordable Choice Electric for the Columbus Upground Reservoir, Bellepoint Maintenance Facility 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 be and hereby is authorized to award and execute a construction contract for the Columbus Upground Reservoir, Bellepoint Maintenance Facility Improvements Project with Affordable Choice Electric, Inc., 2935 East 14<sup>th</sup> Ave., Ste. 100, Columbus, Ohio 43219; in the amount of \$273,000.00; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

**SECTION 2.** That it is in the best interest of the City of Columbus to waive the provisions of Section 329.06 of the Columbus City Code, 1959 and such provisions are hereby waived.

**SECTION 3.** That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.

**SECTION 4.** That the City Auditor is hereby authorized to transfer \$273,000.00 within the Division of Power and Water, Dept/Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Object Level One 06, Object Level Three 6621, as follows:

**Project No. | Project Name | OCA Code | change**

690236 | Water Main Rehab | 642900 | -\$273,000

690370 | Upground Reservoir | 642900 | +\$273,000

**SECTION 5.** That the 2008 Capital Improvements Budget is hereby amended as follows:

**Project No. | Project Name | Current Authority | Revised Authority | change**

690236 | Water Main Rehab | \$17,436,065 | \$17,163,065 | -\$273,000

690370 | Upground Reservoir | \$0 | \$273,000 | +\$273,000

**SECTION 6.** That to pay the cost of the aforesaid contract, the expenditure of \$273,000.00, or so much thereof as may be needed, is hereby authorized from the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division No. 60-09, Project 690370 OCA 642900, Object Level One 06, Object Level Three 6621.

**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 this Ordinance shall take effect and be in force from and after the earliest period allowed by law.