



## Legislation Text

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**File #: 1126-2008, Version: 1**

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1. **BACKGROUND:**

- A. **Need.** This legislation authorizes the Director of Public Utilities to modify the construction contract with Kokosing Construction Company, Inc. for the Jackson Pike Wastewater Treatment Plant Skimmings Concentrator System Improvements Project. The Kokosing Construction Company, Inc. modification amount requested under this ordinance is \$350,000.00. The contract total including this modification is \$5,547,500.00. These additional monies will fund the cost of needed additions to the contract work, which includes the unforeseen delaminated condition of the Sludge Thickening Building floor and other associated costs for needed additions to the contract work that have become necessary to complete the Skimmings Concentrator System Improvements construction, the total of which would exceed the contract contingency amount. Due to the complex and comprehensive nature of this project, this additional work could not be foreseen, and it is not practical or feasible to undertake a new procurement to deliver these services.
- B. **Contract Compliance No.:** 311023518 (MAJ) (Expires 03/14/2010)
- C. **Emergency Designation:** The Division of Sewerage and Drainage is requesting City Council to designate this ordinance an emergency measure in order to allow for the immediate commencement of this work. This expediency is justified in order to assure that the construction contract work may continue uninterrupted and avoid possible delays and to assure minimum final costs to the City in establishing these vital plant facilities.

2. **FISCAL IMPACT:**

This ordinance authorizes the transfer of funds from within the Sanitary Sewer Revenue Bonds Fund for this expenditure. Also, the 2008 Capital Improvements Budget will be amended for this expenditure upon passage of this ordinance.

To authorize the Director of Public Utilities to modify a contract with Kokosing Construction Company, Inc. for the Jackson Pike Wastewater Treatment Plant Skimmings Concentrator System Improvements Project; to authorize the transfer and expenditure of \$350,000.00 from within the Sanitary Sewer Revenue Bonds Fund; and to amend the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$350,000.00)

**WHEREAS,** Contract No. EL007534 was authorized by Ordinance No.1582-2007, as passed by Columbus City Council on November 12, 2007, for purposes of authorizing the Director of Public Utilities to enter a construction contract with Kokosing Construction Company, Inc., for the Jackson Pike Wastewater Treatment Plant Skimmings Concentrator System Improvements Project; and

**WHEREAS,** it is necessary to modify this contract to provide additional monies to cover the cost of needed additions to the contract work which exceeds the available contingency amounts provided in the contract, pursuant to completion of the Skimmings Concentrator System Improvement construction ; and

**WHEREAS,** it is necessary to authorize the transfer of funds within the Sanitary Sewer Revenue Bonds Fund to provide sufficient funding for the aforementioned project expenditure; and

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

**WHEREAS**, it is necessary for City Council to authorize the expenditure of funds from the Sanitary Sewer Revenue Bonds Fund; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to modify the construction contract with Kokosing Construction Company, Inc. for the Jackson Pike Wastewater Treatment Plant Skimmings Concentrator System Improvements Project, in order to assure that the construction contract work may continue uninterrupted and avoid possible delays and to assure minimum final costs to the City in establishing these vital plant facilities; 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 modify Contract No. EL007534 with Kokosing Construction Company, Inc., 886 McKinley Avenue, Columbus, Ohio 43222 for construction of the Jackson Pike Wastewater Treatment Plant Skimmings Concentrator System Improvements Project, Construction Contract J209 in order to provide for needed additions to the contract work, in accordance with the terms and conditions as shown in the Modification on file in the office of the Division of Sewerage and Drainage.

**Section 2.** That the City Auditor is hereby authorized to transfer \$350,000.00 within the Sanitary Sewer Revenue Bonds Fund | Division of Sewerage and Drainage | Fund 665 | Obj. Lvl Three 6624 | Div. 60-05:

FROM:

**Proj. No. | Proj. Name | OCA | Amount**

650252 | JPWWTP Headworks | 665252 | \$350,000.00

TO:

**Proj. No. | Proj. Name | OCA | Amount**

650255 | JPWWTP Skimmings Concentrator System Improvements | 665255 | \$350,000.00

**Section 3.** That the 2008 Capital Improvements Budget Ordinance No.0690-2008 is hereby amended as follows, to provide sufficient budget authority for the award of the agreement stated herein.

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

650252-100000 | JPWWTP Headworks | \$1,373,883 | \$1,023,883 | (-\$350,000)

650255-100000 | JPWWTP Skimmings Concentrator System Improvements | \$0.00 | \$350,000 | (+\$350,000)

**Section 4.** That for the purpose of paying the cost of the construction contract modification, the expenditure of \$350,000.00, or as much thereof as may be needed, is hereby authorized from the Sanitary Sewer Revenue Bonds Fund | Fund No. 665 | Division 60-05 | Project No. 650255 | OCA Code 665255 | Object Level 6624.

**Section 5.** 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 6.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**Section 7.** 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 8.** 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 which 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.

