



Legislation Text

File #: 1729-2015, **Version:** 1

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Conie Construction Co. in the amount of \$335,006.10; to encumber funds with the Department of Public Service, Design and Construction Division for inspection, material testing, and related services in the amount of \$45,000.00; for the North Ohio Avenue Water Line Improvements Project; Division of Water Contract Number 2102.

The purpose of this project is to construct necessary improvements to the water distribution system in the North Ohio Avenue area. This project consists of installing approximately 1,100 linear feet of 8-inch water line, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents.

The planning area for this project is "Near East" and includes North Ohio Avenue north of E. Long Street and south of Mt. Vernon Avenue.

2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT: The goal of this project is to replace the existing 6-inch water line with an 8-inch water line. This replacement is needed to improve water flow in the area including improving water service to the new Columbus Metropolitan Housing Authority project. The Neighborhood Liaison(s) will be contacted and informed of this project. Further community outreach may result through the Neighborhood Liaison Program.

3.1 CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened two bids on June 17, 2015 from Conie Construction Co. - \$335,006.10 and Darby Creek Excavating - \$381,876.00.

Conie Construction Co.'s bid was deemed the lowest, best, most responsive and responsible bid in the amount of \$335,006.10. Their Contract Compliance Number is 31-0800904 (expires 10/22/16, Majority). Additional information regarding both 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 Conie Construction Co.

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

4. EMERGENCY DESIGNATION: It is requested that this Ordinance be handled in an emergency manner in order to provide water service to coincide with construction of the new Columbus Metropolitan Housing Authority building.

5. FISCAL IMPACT: This legislation requires a transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund as a temporary measure until such time as the proceeds from the 2015 summer bond sale can be made available.

To authorize the Director of Public Utilities to execute a construction contract with Conie Construction Co. for the North Ohio Avenue Water Line Improvements Project in the amount of \$335,006.10; to provide for payment of inspection,

material testing and related services to the Department of Public Service, Design and Construction Division in the amount of \$45,000.00; to authorize the appropriation and transfer of \$380,006.10 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize an expenditure up to \$380,006.10 within the Water Works Enlargement Voted Bonds Fund; for the Division of Water; and to declare an emergency. (\$380,006.10)

WHEREAS, two bids for the North Ohio Avenue Water Line Improvements Project were received and publicly opened in the offices of the Director of Public Utilities on June 17, 2015; and

WHEREAS, the lowest, best, most responsive and responsible bid was from Conie Construction Co. in the amount of \$335,006.10; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection and testing services costs associated with the North Ohio Avenue Water Line Improvements Project; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; 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, 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 to enter into a construction contract with Conie Construction Co. for the North Ohio Avenue Water Line Improvements Project, 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 construction contract for the North Ohio Avenue Water Line Improvements Project with Conie Construction Co., 1340 Windsor Avenue, Columbus, Ohio 43211; in an amount up to \$335,006.10; 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 inspection, testing and prevailing wage coordination services from the Design and Construction Division and to pay up to a maximum amount of \$45,000.00.

SECTION 2. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Water.

SECTION 3. That from the unappropriated monies in the Water System Reserve Fund, 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, 2015, the sum of \$380,006.10, is hereby appropriated to the Division of Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

SECTION 4. That the City Auditor is hereby authorized and directed to transfer \$380,006.10, from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the appropriate project account as specified within Section 5 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

SECTION 5. That the appropriation and expenditure of \$380,006.10 is hereby authorized for the North Ohio Avenue Water Line Improvements Project within the Division 60-09, Fund No. 606, Water Works Enlargement Voted Bonds Fund, Project No. 690236-100087 (New Funding), OCA 623687, as follows:

Object Level Three	Amount
6629 - Construction	\$335,006.10
6687 - CA-CI	<u>\$ 45,000.00</u>
	\$380,006.10

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 4 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 \$380,006.10 (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 603, which is the fund from which the advance for costs of the Project will be made.

SECTION 8. 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 9. 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 10. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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 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.