



Legislation Text

File #: 0148-2017, Version: 1

1. **BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with George J. Igel & Co., Inc. for the Blueprint Weisheimer/Indian Springs Roadway Improvements Project, CIP 650870-100002. The work for this project consists of permeable pavement roadway improvements on Cooke Way Alley 2 from Cooke Way to Henderson Road, Dominion Boulevard (between Shield Place and Dominion School) Dixon Court, and parking stalls on Foster Street south of Cooke Road and other such work as may be necessary to complete the contract, in accordance with the Drawer Number (DR) E 3234 technical specifications, and City of Columbus Construction and Material Specifications as set forth in the Invitation For Bid (IFB). Blueprint Weisheimer/Indian Springs Roadway Improvements project is in the Clintonville Planning area.

This project has been approved for below market-rate loan financing through the Ohio Environmental Protection Agency's Water Pollution Control Loan Fund (WPCLF) which is administered by the Ohio Water Development Authority (OWDA). Ordinance 2241-2015, passed October 19, 2015, authorizes the Director of Public Utilities to enter into a WPCLF Loan for the project. The project's assigned WPCLF Number is CS390274-0219. Upon the loan award, which is expected on February 23, 2017, an OWDA Loan Account number will be assigned.

2. **PROJECT TIMELINE:** the work is to be completed within 540 calendar days after the effective date of the Notice to Proceed.
3. **PROCUREMENT INFORMATION:** The Division advertised for competitive bids for the subject project on the City's Vendor Services website, the City's Bulletin in accordance with the overall provisions of Section 329 of Columbus's City Codes, and the Bid Express website. The Division of Sewerage and Drainage received four (4) bids on December 21, 2016 from the following companies:

<u>Name</u>	<u>C.C. No</u>	<u>Vendor #</u>	<u>Exp. Date</u>	<u>City/State</u>	<u>Status</u>
George J. Igel & Co., Inc.	31-4214570	006024	02/03/17	Cols, Ohio	MAJ
Shelly & Sands Inc.	31-4351261	006043	12/23/17	Cols, Ohio	MAJ
Conie Construction Co.	31-0800904	004320	10/22/16	Cols, Ohio	MAJ
Facemyer Co.	31-1757841	005926	12/08/16	Galena, Ohio	FBE

These bids were reviewed and ranked utilizing the Bid Tab and Quality Factor Form process. After reviewing these bids and the QFF form, it was determined that George J. Igel & Co., Inc. was the lowest responsive, responsible, and best bid. The Engineer's Estimate was \$4,661,431.20.

5. **EMERGENCY DESIGNATION:** An emergency designation **is not requested** at this time.
6. **CONTRACT COMPLIANCE NO:** 31-4214570 | MAJ | 02/03/17 | Vendor #: 006024
7. **ECONOMIC IMPACT:** This project will construct stormwater facilities that will capture and treat runoff generated by infiltration and inflow remediation efforts as part of the City of Columbus' Blueprint initiative.
8. **FISCAL IMPACT:** This legislation authorizes the appropriation and transfer of \$3,589,110.66 from the Sanitary Sewer Reserve Fund 6102, to the Ohio Water Development (OWDA) Loan Fund, Fund 6111; and authorizes the expenditure of up to \$3,589,110.66 from the loan fund.

To authorize the Director of Public Utilities to enter into a construction contract with George J. Igel & Co., Inc. for the Blueprint Weisheimer/Indian Springs Roadway Improvements Project; to authorize the appropriation and transfer of \$3,589,110.66 from the Sanitary Sewer Reserve Fund to the Ohio Water Development Loan Fund; and to authorize the expenditure of up to \$3,589,110.66 from said loan fund for the Division of Sewerage and Drainage. (\$3,589,110.66).

WHEREAS, it is necessary to authorize the Director of Public Utilities to enter into a construction contract with the George J. Igel & Co., Inc. for the Blueprint Weisheimer / Indian Springs Roadway Improvements Project, CIP 650870-100002; and

WHEREAS, the Ohio Water Development Authority (OWDA) will approve an Ohio EPA WPCLF loan agreement with the City of Columbus on February 23, 2017, in the amount of \$3,589,110.66 to provide financing for the above listed project with eligible costs including the construction contract and contingency; and

WHEREAS, it is necessary to both appropriate funds from the Sewer System Reserve Fund and to authorize the transfer of said funds to the OWDA Loan Fund in order to temporarily fund this expenditure until such time as the City receives loan proceeds for the above stated purpose and reimburse the Sewer System Reserve Fund; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this project will not exceed \$3,589,110.66; and

WHEREAS, it is necessary to authorize the expenditure of up to \$3,589,110.66 from the Ohio Water Development (OWDA) Loan Fund, Fund 6111; 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 project described in this ordinance (the "Project"); and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Director to enter into a construction contract with the George J. Igel & Co., Inc. for the Blueprint Weisheimer / Indian Springs Roadway Improvements Project, CIP 650870-100002 at the earliest practical date for the preservation of the public health and safety; **now, therefore**

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

SECTION 1. That the Director of Public Utilities is hereby authorized to enter into a construction contract with George J. Igel & Co., Inc. 2040 Alum Creek Drive, Columbus, Ohio 43207 for the Blueprint Weisheimer/Indian Springs Roadway Improvements Project in accordance with the terms and conditions on file in the office of the Division of Sewerage and Drainage.

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 ended December 31, 2017, the sum of \$3,589,110.66 is appropriated in Fund 6102, per the account codes in the DAX Financial attachment to this ordinance.

SECTION 3. That the transfer of \$3,589,110.66 or so much thereof as may be needed, is hereby authorized between the Sanitary Sewer Reserve Fund 6102 and OWDA Loan Fund 6111 per the accounting codes in the attachment to this ordinance.

SECTION 4. That the appropriation and expenditure of \$3,589,110.66 or so much thereof as may be needed, is hereby authorized in the Ohio Water Development (OWDA) Loan Fund, Fund 6111 per the accounting codes in the attachment to this ordinance.

SECTION 5. That the said firm, George J. Igel & Co., Inc., shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

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 upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sanitary Sewer Reserve Fund the amount transferred above (Section 3), and said funds are hereby deemed appropriated for such purposes.

SECTION 11. 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 \$3,589,110.66 (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 Sanitary Sewer Reserve Fund 6102, which is the fund from which the advance for costs of the Project will be made.

SECTION 12. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.