



## Legislation Text

**File #:** 2457-2018, **Version:** 1

**1.0 BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Kokosing Industrial, Inc. for the O'Shaughnessy Dam - 2018 Spillway Erosion Rehabilitation Project, in an amount up to \$3,809,600.00, for Division of Water Capital Improvements Project No. 690472-100002, Contract No. 2182.

Funds in the amount of \$2,000.00 will also be encumbered with the Department of Public Service for Prevailing Wage services.

This project will provide for repairs to the O'Shaughnessy Dam spillway to correct erosion and other rehabilitation as identified in the 2015 O'Shaughnessy Hydro FERC independent consultant inspection (Project 690251-100000).

Work consists of replacing the existing wood flashboard system with a similar design including nappe vents; repair of leaking vertical construction joints between concrete spillway monoliths; installing grouted stone erosion protection downstream of the dam; installation of a debris boom upstream of the dam, and other such work as may be necessary to complete the contract in accordance with the drawings and specifications.

Community Planning Area: 99 - N/A; the O'Shaughnessy Dam provides service to several central Ohio communities.

### **2.0 ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:**

This project will address improvement needs for long term maintenance and safe operation of O'Shaughnessy Dam. The O'Shaughnessy Dam is part of a system of dams that provides water for the City of Columbus Dublin Road Water Plant, which serves more than 400,000 customers. Management of the City's reservoirs and dams is crucial for reliability of the water supply, long-term water supply planning, and economic development of the central Ohio area. Completion of this project will implement improvements identified during a Federal Energy Management Assc. (FERC) mandated review of the infrastructure.

There will be no public meetings held regarding this project. O'Shaughnessy Dam is critical infrastructure and the project will be managed accordingly. The Division of Water will be responsible for coordinating with stakeholders.

**3.0 CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened three bids on August 22, 2018 from:

- |    |                            |  |
|----|----------------------------|--|
| 1. | Kokosing Industrial, Inc.  | \$3,807,600.00                             |
| 2. | George J. Igel & Co., Inc. | \$4,902,636.00                             |
| 3. | Sunesis Construction Co.   | \$5,428,223.33 (corrected \$0.01 rounding) |

**3.1 PRE-QUALIFICATION STATUS:** Kokosing Industrial, Inc. and all proposed subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

Kokosing Industrial's bid was deemed the lowest, best, most responsive and responsible bid in the amount of \$3,807,600.00. Their Contract Compliance Number is 47-2946608 (expires 3/10/19, Majority) and their DAX Vendor No. is 12309. Additional information regarding all 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 Kokosing Industrial, Inc.

**4.0. EMERGENCY DESIGNATION:** It is requested that this Ordinance be handled in an emergency manner as his project is being performed to address deficiencies identified during a Federal Energy Management Association (FERC) mandated assessment. The Division of Water has committed to FERC that implementation of these improvements will begin in 2018. Water levels in the Scioto River at O'Shaughnessy Dam are historically lowest in the fall. It is critical for legislation to pass by emergency measure to allow for an October notice to proceed allowing the contractor to begin work in 2018. The first task the contractor will perform is to remove flashboards allowing them to control the flow of water on their work area. If this work is not performed in October 2018 the next opportunity to begin the work will likely be October 2019.

**5.0 FISCAL IMPACT:** A transfer of funds within the Water G.O. Bonds Fund will be necessary as well as an amendment to the 2018 Capital Improvements Budget.

To authorize the Director of Public Utilities to enter into a construction contract with Kokosing Industrial, Inc. for the O'Shaughnessy Dam - 2018 Spillway Erosion Rehabilitation Project, in an amount up to \$3,807,600.00; to provide for payment of prevailing wage services to the Department of Public Service in an amount up to \$2,000.00; to authorize a transfer and expenditure up to \$3,809,600.00 within the Water General Obligation Bonds Fund; for the Division of Water; to authorize an amendment of the 2018 Capital Improvements Budget; and to declare an emergency. (\$3,809,600.00)

**WHEREAS**, three bids for the O'Shaughnessy Dam - 2018 Spillway Erosion Rehabilitation Project were received and publicly opened in the offices of the Director of Public Utilities on August 22, 2018; and

**WHEREAS**, the lowest, best, most responsive and responsible bid was from Kokosing Industrial, Inc. in the amount of \$3,807,600.00; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract for the O'Shaughnessy Dam - 2018 Spillway Erosion Rehabilitation Project; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to encumber and expend funds in an amount up to \$2,000.00 to provide for payment of prevailing wage services associated with said project; and

**WHEREAS**, it is necessary for this Council to authorize a transfer and expenditure of funds within the Water G.O. Bonds Fund, for the Division of Water; and

**WHEREAS**, it is necessary to authorize an amendment to the 2018 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditures; 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 of Public Utilities to enter into a construction contract for the O'Shaughnessy Dam - 2018 Spillway Erosion Rehabilitation Project with Kokosing Industrial, Inc., in an emergency manner in order for partial work to be completed in October 2018 or the next available time would be October 2019, 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 is hereby authorized to award and execute a contract for the

O'Shaughnessy Dam - 2018 Spillway Erosion Rehabilitation Project with Kokosing Industrial, Inc. (FID# 47-2946608), 6235 Westerville Rd., Ste. 200, Westerville, OH 43081; in an amount up to \$3,807,600.00; 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 prevailing wage related services from the Department of Public Service and to pay up to a maximum amount of \$2,000.00.

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

**SECTION 3.** That the transfer of \$3,809,600.00 or so much thereof as may be needed, is hereby authorized between projects within Fund 6006 - Water G.O. Bonds Fund, per the account codes in the attachment to this ordinance.

**SECTION 4.** That the 2018 Capital Improvements Budget is hereby authorized between projects within Fund 6006 - Water G.O. Bonds Fund, per the account codes in the attachment to this ordinance.

**SECTION 5.** That the expenditure of \$3,807,600.00 or so much thereof as may be needed, is hereby authorized in Fund 6006 - Water G.O. Bonds Fund, in Object Class 06 - Capital Outlay, for construction, per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That the expenditure of \$2,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6006 - Water G.O. Bonds Fund, in Object Class 06 - Capital Outlay, for prevailing wage services, per the accounting codes in the attachment to this ordinance.

**SECTION 7.** 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 8.** 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 9.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 10.** 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 11.** 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.