



Legislation Text

File #: 2107-2020, Version: 1

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Danbert, Inc. for the Blueprint Linden - Artane/Parkwood Project, CIP 650870-100704. This project consists of constructing bio-retention basins/rain gardens within the Right-of-Way and on City owned properties in the Linden area to store and treat stormwater runoff as part of the City of Columbus's Wet Weather Integrated Plan mandated by the Ohio Environmental Protection Agency. No future phases are planned.

Planning Area: 11 - North Linden

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). The loan award is expected in October 2020, an OWDA Loan Account number will be assigned. Federal Davis-Bacon Wage Rates and Requirements will apply.

Funds in the amount of \$2,000.00 will also be encumbered for prevailing wage services to the Department of Public Service.

2. THE PROJECT TIMELINE: Contract work is required to be completed in a manner acceptable to the City within 540 days from the date that a Notice to Proceed (NTP) is given by the City.

3. PROCUREMENT: In accordance with the procedures set forth in the overall provisions of Columbus City Code, Section 329, Invitation for Bids were received August 19, 2020. Four (7) competitive bids were received. The following bidders submitted bids:

NAME	TAX ID	Expiration DAX #	City/State	Status	
Sunesis Construction	72-1512625	1/29/2021	019505	Kenner, LA	MAJ
Fields Excavating	31-1451322	8/29/2020	005416	Kitts Hill, OH	MAJ
George J. Igel & Co	31-4214570	2/12/2021	006024	Columbus, OH	MAJ
Danbert, Inc.	31-1029004	3/10/2022	004618	Plain City, OH	MAJ

The selection process used the Bid Tab and Quality Factor Form evaluation process and the project was awarded to the lowest responsive, responsible and best bidder, Danbert, Inc.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Danbert, Inc.

4. ECONOMIC/ENVIRONMENTAL IMPACT: This project will capture and treat non-point source stormwater runoff using local contractors in order to improve water quality within the receiving streams. Several public meetings were conducted to incorporate stakeholder input into the project design.

5. FISCAL IMPACT: This Ordinance authorizes the City Auditor to appropriate and transfer funds from the Sanitary Sewer Reserve Fund 6102 to the Ohio Water Development (OWDA) Loan Fund 6111 in order to fund this proposed expenditure. This transaction is a temporary measure that is required until such time as the division is able to execute a loan with the OWDA Loan Fund and reimburse the Sanitary Sewer Reserve Fund. The loan is expected to be approved in September 2020.

Funding for Prevailing Wage Services (\$2,000.00) to the Department of Public Service will come from the Sanitary G.O. Voted Bonds Fund 6109.

To authorize the Director of Public Utilities to enter into a construction contract with Danbert, Inc. for the Blueprint Linden - Artane/Parkwood Project; to authorize the appropriation and transfer of \$3,325,471.35 from the Sanitary Sewer Reserve Fund to the Ohio Water Development (OWDA) Loan Fund; to authorize the appropriation and expenditure of \$3,325,471.35 from the Ohio Water Development (OWDA) Loan Fund; to authorize an expenditure up to \$2,000.00 for prevailing wage services to the Department of Public Services within the Sanitary General Obligations Voted Bonds Fund. (\$3,327,471.35)

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract with Danbert, Inc. and to encumber and expend funds to provide for payment of prevailing wage services for the Division of Sewerage and Drainage's Blueprint Linden - Artane/Parkwood Project, CIP 650870-100704; and

WHEREAS, it is necessary to both appropriate funds from the Sewer System Reserve Fund 6102 and to authorize the transfer of said funds to the OWDA Loan Fund 6111 in order to temporarily fund this expenditure until such time as the City receives loan proceeds for the above stated purpose and reimburses the Sewer System Reserve 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, it is necessary to authorize the expenditure of up to \$2,000.00 within the Sanitary G.O. Voted Bonds Fund 6109 for Prevailing Wage Services; 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 Danbert, Inc. for the Blueprint Linden - Artane/Parkwood Project, CIP 650870-100704 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 is hereby authorized to enter into a construction contract with Danbert, Inc., 8077 Memorial Drive, Plain City, Ohio 43064; for the Blueprint Linden - Artane/Parkwood Project, CIP 650870-100704 in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage; and to obtain the necessary prevailing wage services from the Department of Public Services up to a maximum amount of \$2,000.00.

SECTION 2. That from the unappropriated monies in the Sanitary Sewer Reserve Fund 6102 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, 2020, the sum of \$3,325,471.35 is appropriated in Fund 6102, per the account codes in the funding attachment to this ordinance.

SECTION 3. That the transfer of \$3,325,471.35 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 expenditure of \$3,327,471.35, inclusive of \$2,000.00 to the Department of Public Service for prevailing wage services, or so much thereof as may be needed, is hereby authorized per the accounting codes in the attachment to this ordinance.

SECTION 5. That the said company, Danbert, 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 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 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 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 \$3,325,471.35 (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.