BACKGROUND: The work for the Center Large Diameter Rehabilitation Project CIP #650725-100009 consists of rehabbing over 6,500 feet of large sewers in Downtown Columbus and other such work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, and City of Columbus Construction and Material Specifications.

Planning Area 99-Citywide

PROJECT TIMELINE: Contract work is required to be completed in a manner acceptable to the City within 365 days from the date that a Notice To Proceed (NTP) is given by the City.

PROCUREMENT INFORMATION: The Division advertised for competitive bids submission for the subject services on the City's Vendor Services website and in the City Bulletin in accordance with the overall provisions of Chapter 329 of the Columbus City Code. The Division of Sewerage and Drainage received five (5) bids on February 17, 2021 from the following companies:

NAME	TAX ID	DAX #	Status	Expiration
Municipal & Contractors Sealing	31-1692549	005805	MAJ	4/9/2021
Michels Company	39-0970311	007730	MAJ	9/16/2021
Coastal Gunite Construction	52-1301361	012380	MAJ	2/10/2023
Spiniello Companies	95-4698835	010981	MAJ	4/17/2022
Proshot Concrete Inc.	20-5269497	001421	MAJ	1/14/2022

ECONOMIC / ENVIRONMENTAL IMPACT: This project will rehabilitate over 6,500 feet of existing large sewers in Downtown Columbus to reduce inflow and infiltration to the City’s sanitary sewer system thus mitigate sanitary sewer overflows to basements and waterways.

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 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 April 2021. Additionally $2,000.00 is necessary for Prevailing Wage Services from the Department of Public Service. The expenditure of $2,000.00 is needed from the Sanitary Sewer General Obligation Bond Fund 6109. An amendment to the 2020 Capital Improvement Budget is also necessary to align the authority.

To authorize the Director of Public Utilities to enter into a construction contract with Municipal & Contractors Sealing Products for the Center Large Diameter Rehabilitation Project; to authorize the appropriation and transfer of $4,475,410.56 from the Sanitary Sewer Reserve Fund to the Ohio Water Development (OWDA) Loan Fund; to authorize the appropriation and expenditure of $4,475,410.56 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; and to amend the 2020 Capital Improvement Budget. ($4,477,410.56)

WHEREAS, the Division of Sewerage and Drainage advertised for competitive bids for the Center Large Diameter Rehabilitation Project CIP #650725-100009, and five (5) bids were received on February 17, 2021; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to execute a construction contract with Municipal & Contractors Sealing Products and to encumber and expend funds to provide for prevailing wage services for the Division of Sewerage and Drainage's Center Large Diameter Rehabilitation Project CIP #650725-100009; 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 to the Department of Public Service; and

WHEREAS, it is necessary to authorize an amendment to the 2020 Capital Improvement Budget; and

WHEREAS, it has become necessary in the usual daily operation the Division of Sewerage and Drainage, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract with Municipal & Contractors Sealing Products 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 Municipal & Contractors Sealing Products, 7740 Reinhold Drive, Cincinnati, OH 45237; for the Division of Sewerage and Drainage'sCenter Large Diameter Rehabilitation Project CIP #650725-100009, 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 $4,475,410.56 is appropriated in Fund 6102, per the account codes in the funding attachment to this ordinance.

SECTION 3. That the transfer of $4,475,410.56 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 $4,477,410.56, 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 2020 Capital Improvement Budget is amended per the accounting codes in the attachment to this ordinance.

SECTION 6. That the said company, Municipal & Contractors Sealing Products, shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

SECTION 7. 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 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 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 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 12. 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 $4,475,410.56 (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 13. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.