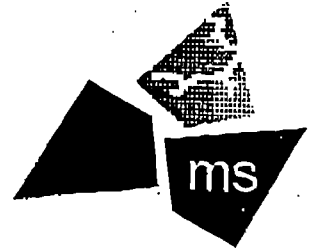


ms consultants, inc.
engineers, architects, planners

2221 Schrock Road
Columbus, Ohio 43229-1547
614-898-7100
FAX: 614-898-7570



FAX COVER PAGE

DATE: 6/15/00
SUBJECT: House Pl 36" JOB NO: 04391.404

TRANSMISSION TO:

NAME: George Jackson
COMPANY: City of GAHANNA
FAX #: 337 4381

RECEIVED FROM:

NAME: KC SAUER

If you did not receive 3 pages (including cover letter) please contact me at (614) 898-7100 as soon as possible.

MESSAGE:

Attached is Columbus legislation for reimbursement of construction costs for 36" to GAHANNA. This legislation was passed 6/5/00 as an emergency and has ~~been~~ ~~an~~ ~~ORDINANCE~~ # 1328-00. Signed copies of the legislation are not yet available to Columbus DAWD. John Dault is on vacation this week, so signatures to Mod #2 will not be available till next week. Hope this helps.

Thanks
KC

The information contained in this facsimile message is confidential information and intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone.

EXHIBIT A

Law

COMMITTEE

INTRODUCED BY

DATE OF FIRST READING

COMMISSIONERS COUNCIL	
Ordinance No. _____	
Resolution No. _____	
30 Day _____	Emergency _____

I Certify Compliance With Title 39

As Of (Date) _____

Authorized Signature _____

CITY ATTORNEY: This ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

By: _____ Date: _____

FLOOR ACTION
(Clerks Office Only)

AUDITOR'S CERTIFICATE

I hereby certify that there is in the Treasury, or anticipated to come into the Treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within ordinance.

Date: _____ No.: _____

Fd No.: _____ Div. No.: _____ Ch. _____

By: _____ Amt: _____

City Auditor or Deputy Auditor

EXPLANATION OF LEGISLATION

00-088-607

April 26, 2000

BACKGROUND: The City of Gahanna has contracted for the construction of the Morse Road/Reynoldsburg-New Albany Road Area 36" Water Transmission Main. The Division of Water has requested the addition of various water line improvements to this project. The City of Columbus has agreed to reimburse the City of Gahanna for Columbus' share of the construction costs associated with this water transmission main.

Emergency legislation is being requested to allow for an adequate construction period.

FISCAL IMPACT: This project is included in the 2000 C.I.B. and is contingent upon a companion piece of legislation transferring monies.

[Signature]
Contact: For Questions - Phone 912/22/00
on this Legislation

[Signature] 5/1/00
[Signature] Approved (Department Head) 5/1/00

TITLE (BRIEF DESCRIPTION)

To authorize the Director of Public Utilities to reimburse the City of Gahanna for the construction of various water line improvements in conjunction with the Morse Road/Reynoldsburg-New Albany Road Area 36" Water Transmission Main, to authorize the expenditure of \$1,974,463.92 from the Water Limited Fund for the Division of Water and to declare an emergency. (\$1,974,463.92)

MAYOR'S ACTION

COUNCIL ACTION

SIGNED _____ DATE _____

DATE PASSED/ADOPTED _____

PRESIDENT OF COUNCIL

VETO _____ DATE _____

CITY CLERK

Log. 8/04

WHEREAS, the City of Gahanna, is currently constructing the Morse Road/Reynoldsburg-New Albany Road Area 36" Water Transmission Main, and

WHEREAS, the Division of Water has requested the addition of various water line improvements to this project, and

WHEREAS, the City of Columbus did agree to reimburse the City of Gahanna for Columbus' share of the construction costs associated with this water transmission main, and

WHEREAS, an emergency exist 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 contract for the construction of various water line improvements on the Morse Road/Reynoldsburg-New Albany Road Area 36" Water Transmission Main for the preservation of public health, peace, property, safety and welfare; Now, Therefore.

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

Section 1. That the Director of Public Utilities is authorized to reimburse the City of Gahanna for the construction of various water line improvements in conjunction with the Morse Road/Reynoldsburg-New Albany Road Area 36" Water Transmission Main.

Section 2. That for paying the cost of the construction of these water line improvements, the expenditure of \$1,974,463.92 or as much thereof as may be needed by and the same is hereby authorized from the Water Limited Fund No. 607, Department 60, Division 09, OCA Code 642926, Object Level Three 6629, Object Level One 06, Project Number 690431, to pay the cost thereof.

Section 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account 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 so made from a project by monies from more than one source.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part thereof, 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.

**Modification No. 2
to the
Letter of Agreement
for the
Morse Road & Reynoldsburg-New Albany Road Area 36-Inch Transmission Main**

**City of Gahanna, Department of Public Service Improvement No. 699
City of Columbus, Department of Public Utilities CIP No. 431**

Whereas, the design of the initial segment of a large diameter transmission main along Morse Road from SR 62 to Reynoldsburg-New Albany Road, which has been undertaken pursuant to a Letter of Agreement between the two parties as authorized under City of Gahanna Ordinance No. 970357, adopted on December 16, 1997 and City of Columbus Ordinance No. 2940-97, adopted on December 15, 1997, respectively, has been completed, and

Whereas, the design of a second segment further extending this large diameter transmission main east of Reynoldsburg-New Albany Road and terminating at the intersection of Clark state Road and Waggoner Road, which has been undertaken pursuant to Modification Number 1 to the original Letter of Agreement between the two parties as authorized under City of Gahanna Ordinance No. _____, adopted on _____, 1999 and City of Columbus Ordinance No. _____, adopted on _____, 1999, respectively, is nearing completion, and

Whereas, Item Number 6 in the original Letter of Agreement outlines the need for amendments relative to the bidding and administering of the project, and

Whereas, the Director of Public Utilities has been authorized by the Council of the City of Columbus to reimburse the City of Gahanna up to a maximum amount of \$3,651,580.00 for the construction costs for the Morse Road & Reynoldsburg-New Albany Road Area 36-Inch Transmission Main, as outlined in Ordinance No. _____, adopted on _____, 2000,

It is mutually agreed that:

1. The overall project will be bid as two individual contracts, in accordance with the following schedule:
 - a. Bidding and construction of the initial segment of the transmission main, from SR 62 to Reynoldsburg-New Albany Road shall occur as soon as practicable, so as to complete construction within calendar year 2000.
 - B. Bidding and construction of the second segment of the transmission main, from Reynoldsburg-New Albany Road to Clark State Road and Waggoner Road, shall occur so as to complete construction within calendar year 2001.
2. The current budgeted construction cost estimate for the initial segment of the 36-inch transmission main from SR 62 to Reynoldsburg-New Albany Road is \$1,995,930.00, with Gahanna bidding and administering the construction contract. Gahanna will also be responsible for monthly payments to the contractor as construction progresses.

For this segment of the project, Columbus will reimburse Gahanna for the final adjusted construction cost amount less \$225,000.00 (which represents Gahanna's amount of participation with regard to the construction costs), in the following manner:

- a. Upon receipt of bids and identification of the apparent successful bidder, Gahanna will inform City of Columbus, Division of Water Administrator in writing of the anticipated contract amount and will request that an initial reimbursement, in the amount of 50% of the apparent successful bidder's contract amount. Reimbursement will be made to Gahanna within 30 days of receipt of this written request.
 - B. Partial payment requests received from the contractor will be processed by Gahanna using the initial reimbursement funds, until such time that they are exhausted. Gahanna shall provide Columbus with a copy of each accepted partial pay request.
 - C. Once a partial payment request exceeds the initial reimbursement funds, Columbus will then reimburse Gahanna on the basis of accepted partial pay request amounts not to exceed the successful bidder's original contract amount, less \$225,000. Reimbursement will be made within 30 days of Columbus's receipt of the accepted partial pay requests from Gahanna.
 - D. Upon receipt of the final contractor's pay request (inclusive of modification(s) to the original contract amount) and processing by Gahanna, Columbus will reimburse Gahanna on the basis of the accepted final pay requests amount, less \$225,000.
3. The current budgeted construction cost estimate for the extension of the 36-inch transmission main from Reynoldsburg-New Albany Road to Clark State Road and Waggoner Road is \$1,995,930.00, with Gahanna bidding and administering the construction contract. Gahanna will also be responsible for monthly payments to the contractor as construction progresses.

For this segment of the project, Columbus will reimburse Gahanna for the entire final adjusted construction cost (as the City of Gahanna has no amount of participation with regard to the construction costs for this segment), in the following manner:

- a. Upon receipt of bids and identification of the apparent successful bidder, Gahanna will inform City of Columbus, Division of Water Administrator in writing of the anticipated contract amount and will request that an initial reimbursement, in the amount of 50% of the apparent successful bidder's contract amount. Reimbursement will be made to Gahanna within 30 days of receipt of this written request.
- B. Partial payment requests received from the contractor will be processed by Gahanna using the initial reimbursement funds, until such time that they are exhausted. Gahanna shall provide Columbus with a copy of each accepted partial pay request.
- C. Once a partial payment request exceeds the initial reimbursement funds, Columbus will then reimburse Gahanna on the basis of accepted partial pay request amounts not to exceed the successful bidder's original contract amount. Reimbursement will be made within 30 days of Columbus's receipt of the accepted partial pay requests from Gahanna.
- D. Upon receipt of the final contractor's pay request (inclusive of modification(s) to the original contract amount) and processing by Gahanna, Columbus will reimburse Gahanna

on the basis of the accepted final pay requests amount.

4. a summary of the total project costs, consisting of the currently budgeted construction costs plus engineering costs for design, bidding and construction services for this project, as well as the amounts of participation for Gahanna and Columbus, are presented in Exhibit 1.
5. Upon completion of the construction and final acceptance of the work performed under the individual construction contracts by both parties, the 36-inch diameter transmission main shall become the property of the City of Columbus. The City of Columbus shall also be responsible for the future operation and maintenance of these facilities.

No additions/modifications to this letter of agreement shall be made relative to responsibilities as to shared costs and methods of payments, or other matters, without expressed written consent of both parties.

City of Gahanna

City of Columbus

James F. McGregor, Mayor
City of Gahanna

John R. Douth, PE, Director
City of Columbus
Department of Public Utilities

Date: _____

Date: _____

Witness:

Witness:

City of Gahanna

G. Terry Jordan, Director of Public Service
City of Gahanna

Date: _____

Witness:

Exhibit 1

SUMMARY OF PROJECT COSTS AND PARTICIPATION AMOUNTS

	<u>Total Amount</u>	<u>Gahanna Share</u>	<u>Columbus Share</u>
<u>Design Services-Original Engineering Agreement</u>			
Morse Road-SR 62 to R-NA Rd.	\$ 24,976.00	\$ 12,488.00	\$ 12,488.00
R-NA Rd.-Morse to Clark State	<u>\$ 9,518.00</u>	<u>\$ 4,759.00</u>	<u>\$ 4,759.00</u>
Subtotal-Engineering	\$ 34,494.00	\$ 17,247.00	\$ 17,247.00
<u>Design Services-Modification #1 to Engineering Agreement</u>			
Design of 36-inch Main	\$ 53,037.00	\$ 0.00	\$ 53,037.00
Easements for 36-inch Main	<u>\$ 41,000.00</u>	<u>\$ 500.00</u>	<u>\$ 40,500.00</u>
Subtotal-Engineering(Mod #1)	\$ 94,037.00	\$ 500.00	\$ 93,537.00
Revised Contract Amount	\$128,531.00	\$ 17,747.00	\$110,784.00
<u>Design Services-Modification #2 to Engineering Agreement</u>			
Additional Design of 36-inch Main	\$ 32,141.00	\$ 0.00	\$ 32,141.00
Easements for 36-Inch Main(Mod#2)	\$18,000.00	\$ 0.00	\$ 18,000.00
Reduction in Easements (Mod #1)	<u>\$(21,000.00)</u>	<u>\$ 0.00</u>	<u>\$(21,000.00)</u>
Subtotal-Engineering(Mod #2)	\$ 29,141.00	\$ 0.00	\$ 29,141.00
Revised Contract Amount	\$157,672.00	\$ 17,747.00	\$139,925.00
<u>Construction Engineering Services(36-inch From SR 62 to Reynoldsburg-New Albany Road)-Modification #2 to Engineering Agreement</u>			
Bid Assistance	\$ 5,344.00	\$ 2,672.00	\$ 2,672.00
Construction Administration	\$ 40,972.00	\$ 6,000.00	\$34,972.00
Construction Inspection	<u>\$ 62,972.00</u>	<u>\$15,000.00</u>	<u>\$47,972.00</u>
Subtotal-Engineering Mod #3)	\$109,288.00	\$23,672.00	\$85,616.00
Revised Contract Amount	\$266,960.00	\$ 41,419.00	\$225,541.00

Exhibit 1 (Continued)

SUMMARY OF PROJECT COSTS AND PARTICIPATION AMOUNTS

<u>Construction Engineering Services(36-inch From Reynoldsburg-New Albany Road to</u>				<u>Clark State</u>
				<u>Road/Waggo</u>
				<u>ner Road</u>
				<u>Intersection)-</u>
				<u>Modification</u>
				<u>#2 to</u>
				<u>Engineering</u>
				<u>Agreement</u>
				Bid Assistance
				\$
				5,344.00
				\$
				0.00
				\$
				5,344.00
Construction Administration	\$ 40,972.00	\$ 0.00		\$ 40,972.00
Construction Inspection	<u>\$ 62,972.00</u>	<u>\$ 0.00</u>		<u>\$ 62,972.00</u>
Subtotal-Engineering Mod #2)	\$109,288.00	\$ 0.00		\$109,288.00
Revised Contract Amount	\$376,248.00	\$ 41,419.00		\$334,829.00
<u>Project Cost Subtotal-</u>				
<u>Engineering Services</u>	\$376,248.00	\$ 41,419.00		\$334,829.00

Construction Contract (36-inch From SR 62 to Reynoldsburg-New Albany Road)

Estimated Construction Cost	\$1,995,930.00	\$225,000.00	\$1,770,930.00
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Construction Contract (36-inch From Reynoldsburg-New Albany Road to Clark State Road/Waggoner Road Intersection)

Estimated Construction Cost	\$1,880,650.00	\$ 0.00	\$1,880,650.00
<u>Project Cost Subtotal- Construction Costs</u>	\$3,876,580.00	\$ 225,000.00	\$3,651,580.00
<u>Total Project Costs-</u>	<u>\$4,252,828.00</u>	<u>\$266,419.00</u>	<u>\$3,986,409.00</u>

**CITY OF GAHANNA, OHIO
REQUEST FOR COUNCIL ACTION**

Subject and Purpose: (Attach additional information)

TO MODIFY THE JOINT AGREEMENT BETWEEN THE CITY OF COLUMBUS AND GAHANNA (#970357) TO DESIGN HORSE ROAD WATERLINE FROM RT 62 TO REYNOLDSBURG/NEW ALBANY ROAD, AND TO APPROPRIATE \$138,429 FOR ENGINEERING SERVICES TO H.S. CONSULTANTS.

FROM COLUMBUS	\$ 39,141.00	} \$114,757 TOTAL
GAHANNA SHARE	85,616.00	
TOTAL	138,429.00	

Requested: GEORGE JACKSON Date: 2-1-00

Waiver? Emergency?

Funding: (Include Account No. and Name)

Amount: 138,429 From: UNAPPROPRIATED BALANCE OF WATER FUND

To: ACCT # 651,350.5596

From:

To:

If already appropriated:

To:

Approved:

Jerry Isher
Director of Finance

Date:

2/3/00

Clerk of Council is hereby requested to place the above on Council Agenda for First Reading, Consent/Agenda, next regular meeting; Second Reading, Consent/Agenda, following meeting:

Approved:

Committee Chairman

Date:
