

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller

FROM: Jim Bowling

DATE: December 17, 2009

RE: Engineering Capital Projects

Engineering performed a cursory review of our database to determine the number of projects and initial construction cost for projects that were 100% City Funded or OPWC Funded and over \$100,000. This review was performed for construction managed by the Engineering Department and initiated from 2004 to 2008. This information is provided at the request of Council.

Year	Number of Projects over \$100,000 funded by Kent and/or OPWC	Construction Cost
2004	2	\$353,000
2005	2	\$854,000
2006	2	\$862,000
2007	0	\$0
2008	1	\$620,000
Total	7	\$2,689,000

During this timeframe the City bid or participated in 41 projects totaling over \$12,000,000 in improvements. Three of the 7 projects meeting the criteria were partially assessed to the property owners and another 3 projects were paving projects. The remaining project was a storm outfall project.

Lastly, we would point out that when Community Development Block Grant (CDBG) funds are used for construction of a City of Kent Project that is over \$100,000 the contractor is required to comply with Section 3 (24CFR Part 135). Section 3 attempts to ensure that employment generated by use of CDBG funds to the greatest extent feasibly and consistent with existing laws be directed to low and very low income persons within the City of Kent.

C: Gene Roberts, Service Director
Gary Locke, Community Development Director
file

As Introduced

128th General Assembly
Regular Session
2009-2010

H. B. No. 296

Representative Williams, S.

A BILL

To amend sections 153.013 and 5525.26 and to enact section 3318.101 of the Revised Code to require contractors for certain municipally-administered construction projects and for certain state-assisted classroom facilities projects to comply with certain municipal ordinances regarding the use of local residents and businesses to perform the work.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 153.013 and 5525.26 be amended and section 3318.101 of the Revised Code be enacted to read as follows:

Sec. 153.013. If a project for the construction, alteration, or other improvement of a building or structure is administered by the director of administrative services or, by another state agency, or by a municipal corporation authorized to administer a project under this chapter, if the project is located in a municipal corporation with ~~a population of at least four hundred thousand that is~~ the largest territorial area located in a county with a population of at least one million two hundred thousand, and if a political subdivision contributes at least one hundred thousand dollars to the project, then a contractor for the project shall comply with regulations or ordinances of the political subdivision that are in effect before July 1, 2009, and that specifically relate to the employment of residents and local businesses of the political subdivision in the performance of the work of the project, ~~and such.~~ Those ordinances or regulations shall be included by reference unambiguously in the contract between the administering state agency or municipal corporation and the contractor for the project.

Sec. 3318.101. (A) As used in this section:

(1) "Municipal school district" has the same meaning as in section 3311.71 of the Revised Code.

(2) "Qualifying project" means a project undertaken under this chapter for which the school district's share of the basic project cost is at least one hundred thousand dollars.

(B) When a municipal school district enters into a construction contract for a qualifying project under section 3318.10 of the Revised Code on or after the effective date of this section, the contract shall require the contractor to comply with any regulations or ordinances of the municipal corporation in which the major part of the district's territory is located that were in effect before July 1, 2009, and that specifically relate to the employment of residents and local businesses of the municipal corporation for projects involving the construction, alteration, or other improvement of a building or structure.

Those regulations or ordinances shall be included by reference unambiguously in the contract between the district and the contractor.

Sec. 5525.26. Except as provided in federal law, if a project for the construction, reconstruction, or other improvement to a road or highway is administered by the department of transportation or any local public authority authorized under division ~~(C)~~(D) of section 5501.03 of the Revised Code, if the project is located in a municipal corporation with a population of at least four hundred thousand that is the largest territorial area located in a county with a population of at least one million two hundred thousand, and if the project is funded with at least one hundred thousand dollars from a political subdivision, then a contractor for the project shall comply with regulations or ordinances of the political subdivision that are in effect before July 1, 2009, and that specifically relate to the employment of residents and local businesses of the political subdivision in the performance of the work of the project, ~~and such~~. Those ordinances or regulations shall be included by reference unambiguously in the contract between the department of transportation or public authority and the contractor for the project.

Section 2. That existing sections 153.013 and 5525.26 of the Revised Code are hereby repealed.

Glenwood Springs City Council works to update local preference code

Hopes updates are in place before rebidding wastewater treatment contract

JOHN GARDNER

POST INDEPENDENT STAFF

GLENWOOD SPRINGS, CO COLORADO,

GLENWOOD SPRINGS, Colorado – Glenwood Springs City Council is considering updating the city's current local preference code, and are also trying to simplify the way in which the code applies to construction bids like the Wastewater Treatment Facility project. However, that discussion has proven more involved than first thought.

Council held a work session on Dec. 17, to determine what changes were needed. After rejecting the bids for the Wastewater Treatment Facility project at its Dec. 17 City Council meeting, council decided that updating the ordinance should be complete before the project is rebid.

In an attempt to resolve the issue before the end of the calendar year, council held a special meeting on Dec. 23 to further discuss what specifically should be changed in the current ordinance that would ultimately encourage contractors, local or otherwise, to use local subcontractors in any project associated with Glenwood Springs.

Mayor Bruce Christensen said, "We did give staff some advice with regard to what council would like to see in a revised ordinance."

Council wrestled with redefining the term "local" within the code at the Dec. 23 meeting. Christensen said that council ultimately agreed to change the current definition of "local" from any contractor working in the three-county area of Pitkin, Eagle and Garfield counties, to any business with a primary office within a 45-mile radius of Glenwood Springs, or any national contractor or subcontractor with a certain amount of employees who live and work within the same area, would be considered local.

Other code changes considered include raising the dollar amount credited to a contractor for using local subcontractors. The current credit is 5 percent up to \$10,000 on projects between \$25,000 and \$200,000. Christensen proposed changing the limits to 3 percent up to \$300,000 on all contracts regardless of overall price, at an earlier meeting. However, Councilwoman Shelley Kaup said that \$300,000 was too high. A specific limit amount will have to be determined before the new ordinance is adopted.

Council also discussed removing the purchasing prices of job-related materials that are currently included in the dollar amount credited for local contractors. The new change in code would include local labor only, and not materials purchased for the job.

Kaup said that the changes are needed because the current code does not apply to many contracts.

"We are trying to get an ordinance that actually works and we can apply," Kaup said.

According to the city's purchasing agent, Ricky Smith, the city has not awarded a bid based on the current local preference code in the five years that he's been employed with the city. He told councilors at the Dec. 17 meeting that the majority of city projects are done through a competitive bid process where the city looks at the lowest cost only.

The current code also gives Council the ability to award a contract to the second lowest bidder, if the contractor is within \$10,000 of the lowest bid but utilizes more local subcontractors. Most councilors agreed that \$10,000 seems unusually low, especially when considering contracts in the \$20 million range. The two low bidders for the wastewater project were separated by \$58,000. The low bidder came in at \$23.5 million.

"If you are going to award for something other than low bid, and want a list of local subs, and an award system

of points for the use of local subs, I think that when we talk about local preference, I want to be sure that Glenwood does not lose the ability to get back competitive bids,” Smith said.

City attorney Jan Shute is drafting new language to present to Council by Jan. 7. No changes have been adopted yet, and council plans to revisit the discussion at its Jan. 7 meeting. Two readings of the ordinance are required, including a vote to adopt the changes, before the new ordinance would take effect.

Council is working against a tight deadline as they hope to include the updated local preference in the upcoming bid for the wastewater contract. No date has been set as to when that contract will be rebid, but council is hoping to be able to award the contract by early March at the latest.

jgardner@postindependent.com

[http://www.postindependent.com/apps/pbcs.dll/article?
AID=/20091229/VALLEYNEWS/912299999/1083&parentprofile=1074&template=printart](http://www.postindependent.com/apps/pbcs.dll/article?AID=/20091229/VALLEYNEWS/912299999/1083&parentprofile=1074&template=printart)



CITY OF KENT, OHIO

DEPARTMENT OF BUDGET AND FINANCE

To: Dave Ruller, City Manager
From: David A. Coffee, Director of Budget and Finance
Date: December 30, 2009
Re: Appropriation Amendments

The following appropriation amendments are hereby requested:

Fund 128 – Fire & E.M.S.

Increase \$ 50,000 Reappropriate 2009 funds – Fire Department - Radio Repeater Upgrade

Fund 201 – Water

Increase \$ 5,000 Reappropriate 2009 funds – Water Treatment – Radio Upgrade
Increase \$ 20,000 Reappropriate 2009 funds – Water Treatment – Alarm Upgrade Phase I
Increase \$ 300,000 Reappropriate 2006 funds – High Service Area Construction
Increase \$ 11,000 Reappropriate 2008 funds – Middlebury Road Water Main Design
Increase \$ 75,000 Reappropriate 2009 funds – Water Treatment Plant – Facility Plan Update

Fund 202 – Sewer

Increase \$ 5,000 Reappropriate 2009 funds – Water Reclamation – Radio Upgrade

Fund 301 – Capital Projects

Increase \$ 10,000 Reappropriate 2009 funds – Service Administration - Radio Upgrade
Increase \$ 272,500 Reappropriate 2009 funds – Safety Building Plan/Design
Increase \$ 33,000 Reappropriate 2007 funds – Admore Drive
Increase \$ 35,000 Reappropriate 2009 funds – Fairchild Bridge Project
Increase \$ 14,383 Reappropriate 2009 funds – SR 59 Signalization Improvements
Increase \$ 224,300 Reappropriate 2008 funds – SR 59 Streetlight Repair/Replacement
Increase \$ 200,000 Reappropriate 2009 funds – SR 59 Streetlight Repair/Replacement
Increase \$ 30,000 Reappropriate 2009 funds – Summit Street Traffic Signal Coordination

CITY OF KENT, OHIO

DEPARTMENT OF BUDGET AND FINANCE

In order to maintain budgetary compliance, the following appropriation amendments are being temporarily deferred until Portage County can accept an update of the City of Kent's FY2009 ending unencumbered fund balances and other funding resources and subsequently issue an adjusted Official Certificate of Estimated Resources for FY2010:

Fund 208 – Storm Water Drainage

Increase \$ 200,000	Reappropriate 2007 funds – Harvey/Lake Street Storm Outfall
Increase \$ 14,000	Reappropriate 2009 funds – Plum Creek Stream Restoration
Increase \$ 75,000	Reappropriate 2009 funds – Fishcreek Watershed Study
Increase \$ 81,000	Reappropriate 2009 funds – Area Q – Phase V

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: David Coffee; Dave Ruller

FROM: Jim Bowling

DATE: December 21, 2009

RE: 2009 Capital Improvement Program Carry-overs into 2010

The following projects need to be carried over to FY 2010. These projects are critical to the infrastructure of the City and still have a defined need to be completed. If there are any questions on the following list of funds, please let me know.

Admore Drive – The construction of this project is 90% complete with the signal construction, bike path and final restoration to be completed. We anticipate the project to be completed in spring of 2010. Some minor clean-up issues will be required including final R/W staking. The following monies need carried over for this project.

Original CIP Year	Fund	Amount	Comment
2007	301 – Capital	\$33,000	n/a

Harvey/Lake Street Storm Outfall – The project design is completed and will be bid in January, 2010. The project was delayed in order to accelerate the design of the Plum Creek Stream Restoration project to receive Stimulus funds. The following monies need carried over for finalizing the design and construction of the project.

Original CIP Year	Fund	Amount	Comment
2007	208 – Storm Water	\$200,000	n/a

Plum Creek Stream Restoration – The project has been designed and bid. Currently we are waiting on the OEPA to award the Stimulus funds for the project in January, 2010. The following monies need carried over for this project.

Original CIP Year	Fund	Amount	Comment
2009	208 – Storm Water	\$14,000	n/a

High Service Area Construction – This project design is 80% complete and will be bid in 2010. The following monies need carried over for this project.

Original CIP Year	Fund	Amount	Comment
2006	201 – Water	\$300,000	n/a

Fairchild Bridge Project – This project is currently in construction and is anticipated to be completed by December, 2012. The following monies need carried over for this project to address any unexpected problems that are unable to be solved through ODOT’s contract.

Original CIP Year	Fund	Amount	Comment
2009	301 – Capital	\$35,000	n/a

SR 59 Signalization Improvements – The project design and right-of-way acquisition are 95% complete. The construction contract is anticipated to bid in early 2010. The following monies need carried over for this project.

Original CIP Year	Fund	Amount	Comment
2009	301 – Capital	\$14,383	n/a

SR 59 Street Light Repairs – The project design is near completion and the project will be bid in 2010. The project was delayed to evaluate the existing light levels on SR 59 and to determine if LED’s would be a viable, cost effective option. The following monies need carried over for this project.

Original CIP Year	Fund	Amount	Comment
2008	301 – Capital	\$224,300	n/a
2009	301 – Capital	\$200,000	n/a

Middlebury Road Water Main – Design – The project design is 80% complete and will be bid in July, 2010. The construction uses OPWC funds which will be available in July, 2010. The following monies need carried over for finalizing the design and construction of the project.

Original CIP Year	Fund	Amount	Comment
2008	201 – Water	\$11,000	n/a

Fishcreek Watershed Study – This project was delayed in order to accelerate the design of the Plum Creek Stream Restoration project to receive Stimulus find. The following monies need carried over for this project.

Original CIP Year	Fund	Amount	Comment
2009	208 – Storm Water	\$75,000	n/a

Area Q – Phase V – This project is currently being designed. Right-of-way acquisition and construction are scheduled to begin in 2010. The following monies need carried over for this project.

Original CIP Year	Fund	Amount	Comment
2009	208 – Storm Water	\$81,000	n/a

Summit Street Traffic Signal Coordination – The project planning and design process has just begun for this project. Planning and design is anticipated to last through 2012 with construction starting in 2013. The following monies need carried over for this project.

Original CIP Year	Fund	Amount	Comment
2009	301 – Capital	\$30,000	n/a

C: Gene Roberts
 John Mockler
 Rhonda Boyd
 Cori Finney
 Jon Giaquinto
 Pat Homan
 Robert Climes
 File



CITY OF KENT, OHIO

DEPARTMENT OF SAFETY

To: Dave Ruller, City Manager
David Coffee, B&F Director

From: William Lillich

Subject: Re-appropriation of capital funds

Date: December 22, 2009

Gentlemen,

As you are aware, \$300,000 had been appropriated in the 2008 budget for the purposes of planning and designing a new safety building. In 2009, these funds were re-appropriated while we were in the process of evaluating the practicality of revitalizing the current police building including a wide range of alternatives.

As we work through this process, the study group has recognized the need to substantially upgrade the facility, whether it is done through a new structure or modification and expansion of the existing building. Regardless of the outcome, it will be three years before final changes are completed.

Therefore, we will need additional funds for the study as well as necessary improvements to the existing building, even on a short term basis. Currently there is a balance of \$272,500 in the Capital project funds (301-510-24-xx). I am requesting that these funds be re-appropriated as a part of a carry-over ordinance in order to continue the analysis and repairs.

Please feel free to call if you have further questions.

Thanks,

William C. Lillich
Safety Director
2009091

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE

MEMO

December 23, 2009

To: Dave Ruller, City Manager

From: Gene Roberts, Service Director

RE: Carry Over Funding for Water Treatment Plant, Facility Plan Update

The 2008 Five Year Capital Improvement Program included for FY 2009 \$75,000 in water funds for the Water Treatment Plant Facility Plan. The most recent Facility Plan dates back to 1970's and needs updated to reflect current plant conditions, changes in equipment and processes implemented after 1970 and future facility needs to assure the appropriate spending of available funding.

The current status of the required Professional Service Agreement to complete a new Facility Plan is pending final review, selection, scoping and fee negotiation with the selected firm from the respondents to the City's advertised Request for Qualifications. It is anticipated that the Professional Service Agreement will be forwarded for Board of Control approval at the first council meeting in February.

Please accept this memo requesting the carry over of \$75,000 in water funds from FY 2009 into FY2010 to fund this needed Facility Plan.

Cc: David Coffee, Budget & Finance Director
James Bowling, P.E., City Engineer
Steve Hardesty, Water Treatment Manager
file

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE

MEMO

December 23, 2009

To: Dave Ruller, City Manager

From: Gene Roberts, Service Director

RE: Administrative Office Exterior Glazing Upgrades

The Service Department was requested by the Chair of the Civil Service Commission to investigate the entrance to the Civil Service Commission office relative to compliance with ADA requirements. The staff investigation was unable to determine an acceptable alternative to replacing the current entrance door and requested a quote from the Fred. J. Crisp company to replace the entrance door and associated windows. The reason for the total replacement of what is known as a store front (door and windows) was the desire to upgrade the current single pane glazing with insulated glazing which will decrease the utility costs associated with heating and air conditioning the office.

Recently the Service Department was requested to investigate the lack of heat in the Mayor's office. The City's heating maintenance Contractor, Wright Heating, met with the Service Department staff and determined that there are two problems with the current supply warm air system in the Mayor's office. First the lack of cold air returns in the office prevents air circulation thus decreasing the volume of heated air which can circulate from the furnace through the office. Second, it was the opinion of the HVAC technician that even with the installation of the required cold air return that the office area would not heat properly compared to the balance of the office areas due to the condition of the windows and door to the outside. During investigation of the condition of the of the store front it was determined that the current system is single pane glazing and that the majority of the aluminum in contact with the concrete sidewalk has oxidized to the point that in two locations the glazing is not closed to the outside and the door is inoperable.

Again the Service Department contacted the Fred. J. Crisp company to obtain a quote to repair or replace the glazing system. When meeting the Contractor's representative it was agreed that repair was not an option and the only logical and long term cost effective method to correct the glazing system was replacement.

On December 17, 2009 the Service Department received an updated quote for the required ADA compliance work at the Civil Service office and the needed glazing replacement for the Mayor's office as follows:

Civil Service door and window replacement with ADA Door Operator	\$ 7,000
Mayor's Office window replacement	\$ 5,000
Total Cost	\$ 12,000

Fred J. Crisp, Inc. has offered a \$1,500 discount if the City authorizes both projects to be completed at the same time. Staff recommends that the described work be completed and as such respectfully request authorization by Kent City Council to appropriate \$10,500 to Contract with Fred J. Crisp, Inc. to complete the described work on the attached Quotation dated December 17, 2009 and location sketches. The requested \$10,500 is not currently provided for in the 2010 budget and will require appropriation authority for funding.

Staff will complete the work not included in the Fred J. Crisp Quotation at both the Civil Service office and the Mayor's office.

Cc: David Coffee, Budget & Finance Director
Jack Hogue, Central Maintenance Manager
file