



## Legislation Details (With Text)

**File #:** 2818-2021      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/25/2021      **In control:** Public Utilities Committee

**On agenda:** 11/22/2021      **Final action:** 11/24/2021

**Title:** To authorize the Director of Public Utilities to renew an existing engineering agreement with Brown and Caldwell Ohio, LLC for the SWWTP Digestion Process Expansion Project; to authorize transfer, appropriation, and expenditure of up to \$2,875,701.86 from the Sanitary Sewer PayGo Fund 6116; and to amend the 2021 Capital Improvements Budget. (\$2,875,701.86)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Director's Legislation Information Sheet (1-23-2019), 2. 2818-2021 Funding Template, 3. 05. Schedule 2A-1 Subcontractor Utilization Form

Date	Ver.	Action By	Action	Result
11/24/2021	1	CITY CLERK	Attest	
11/23/2021	1	MAYOR	Signed	
11/22/2021	1	COUNCIL PRESIDENT	Signed	
11/22/2021	1	Columbus City Council	Approved	Pass
11/15/2021	1	Columbus City Council	Read for the First Time	

**1.0 BACKGROUND:** This contract renewal is for Step 3 - Services During Construction and will include technical project representation (TPR) duties, construction-phase engineering, start-up and commissioning assistance, and record documentation.

Planning Area: 99

1.1 Amount of additional funds to be expended: **\$2,875,701.86**

Original Contract (PO143499)	\$2,461,829.00
Modification 1 (PO189219)	\$ 397,198.00
Modification 2 (PO257821)	\$ 517,420.00
<u>Renewal 1 (Current)</u>	<u>\$2,875,701.86</u>
<b>ESTIMATED CONTRACT TOTAL</b>	<b>\$6,252,868.86</b>

1.2 Reasons additional goods/services could not be foreseen:  
This renewal was planned at contract origination.

1.3 Reasons other procurement processes are not used:  
Due to the highly complex and technical nature of this wastewater treatment plant infrastructure project, it is not reasonable or cost efficient to undertake a new procurement effort to acquire these services. The lengthy process for initiating a new procurement, and for a new entity to gain understanding of the project, would likely cause an unacceptable project delay and additional cost.

1.4 How cost of modification was determined:

The cost of this modification was determined through scope and fee negotiation with the design professional.

**2. Project Timeline:** The Professional Engineering Services Agreement was executed on June 20, 2016 and provided Step 1, Preliminary Design Services, and Step 2, Detailed Design and Bidding Services. The Step 1, Preliminary Design Services, was completed on January 12, 2017 and Step 2, Detailed Design and Bidding Services was completed on October 1, 2018. Modification No. 1 was executed on September 13, 2019 and the design was completed in April of 2020. Modification No. 2 was executed on November 30, 2020 with design completed on July 15, 2021. Construction bids were received on October 13, 2021 and it is anticipated that the Notice to Proceed for construction and for Step 3 - Engineering Services During Construction will be in the first quarter of 2022. The Professional Engineering Services Contract will continue 90 days beyond completion of construction to provide “as-built” record drawings of the constructed facilities.

**3. Contract Compliance No.:** 94-1446346 | MAJ | Exp. 10/12/2023 | Vendor # 010815

**4. Economic / Environment Impact:** SWWTP Digestion Process Expansion project will increase the beneficial re-use of biosolids in the liquid land application and deep row hybrid popular (DRHP) programs by providing more anaerobically-digested Class B biosolids. The primary goal of this project is to provide sufficient expanded anaerobic digestion facilities and all necessary associated piping and pumping capacity to successfully accommodate the additional solids produced by the Chemically Enhanced Primary Treatment (CEPT) process and the additional solids loadings to the SWWTP resulting from the anticipated growth of the City of Columbus.

**5. Fiscal Impact:** This legislation authorizes the transfer and appropriation within, and the expenditure of up to \$2,875,701.86 from the Sanitary Sewer PayGo Fund, Fund 6116.

To authorize the Director of Public Utilities to renew an existing engineering agreement with Brown and Caldwell Ohio, LLC for the SWWTP Digestion Process Expansion Project; to authorize transfer, appropriation, and expenditure of up to \$2,875,701.86 from the Sanitary Sewer PayGo Fund 6116; and to amend the 2021 Capital Improvements Budget. (\$2,875,701.86)

**WHEREAS,** it is necessary to authorize the renewal an existing engineering agreement with Brown and Caldwell, LLC for the SWWTP Digestion Process Expansion Project, CIP# 650353-100003; and

**WHEREAS,** the original contract number PO117777 was authorized by Ordinance No. 0846-2016; and

**WHEREAS,** the contract modification number one (1) PO188288 was authorized by Ordinance No. 1743-2019; and

**WHEREAS,** the contract modification number two (2) PO250599 was authorized by Ordinance No. 1883-2020; and

**WHEREAS,** it is necessary to authorize the transfer, appropriation, and expenditure of up to \$2,875,701.86 from the Sanitary Sewer PayGo Fund, Fund 6116; and

**WHEREAS,** it is necessary to amend the 2021 Capital Improvement Budget; and

**WHEREAS,** it has become necessary in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, to authorize the Director to renew an existing engineering agreement with Brown and Caldwell, LLC. for the SWWTP Digestion Process Expansion Project, CIP# 650353-100003 for the preservation of the 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 hereby authorized to renew an existing engineering agreement with Brown and Caldwell, LLC, 445 Hutchinson Avenue, Suite 540, Columbus, OH 43235 for the SWWTP Digestion Process Expansion Project, in accordance with the terms and conditions of the contract on file in the Office of the Division of Sewerage and Drainage.

**SECTION 2.** That the Director of Public Utilities has authorized the transfer, appropriation, and expenditure of up to \$2,875,701.86 from the Sanitary Sewer PayGo Fund 6116 per the account codes in the attachment to this ordinance.

**SECTION 3.** That the said firm, Brown and Caldwell, LLC., shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**SECTION 4.** 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 5.** That the 2021 Capital Improvements Budget is amended per the attachment to this ordinance.

**SECTION 6.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 7.** 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 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.