



Legislation Details (With Text)

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Title: To authorize the Director of Public Utilities to modify and increase the professional engineering services contract with Burgess & Niple, Inc. for the Dam Engineering Services Project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Water Bond Fund; and to authorize an expenditure up to \$150,000.00 within the Water Bond Fund. (\$150,000.00)

Sponsors:

Indexes: MBE Participation

Code sections:

Attachments: 1. 3. 690555 Ren 2 2A-1 Utilization - (POxxxxx).pdf, 2. ORD 0332-2024 Accounting Template.pdf

Date	Ver.	Action By	Action	Result
3/6/2024	1	CITY CLERK	Attest	
3/5/2024	1	MAYOR	Signed	
3/4/2024	1	COUNCIL PRESIDENT	Signed	
3/4/2024	1	Columbus City Council	Approved	Pass
2/26/2024	1	Columbus City Council	Read for the First Time	

1. BACKGROUND

This Ordinance authorizes the Director of Public Utilities to execute a planned contract modification for the professional engineering services contract with Burgess & Niple, Inc. for the Dam Engineering Services Project, Capital Improvements Project No. 690555-100000, for Division of Water Contract No. 2136 in an amount up to \$150,000.00.

This contract is a “task order” type contract to augment existing engineering personnel within the Water Supply Group, Division of Water on an as-authorized, as needed basis for Dam Engineering Services. This modification is needed to add funding to pay for Dam Engineering Services as they are identified as needed.

To be proactive and practice responsible dam safety, the City will conduct recurring assessments and regulatory compliance activities for its multiple water supply dams. The assessments will examine the physical condition, safety, and operational aspects of the dams. Based on the nature of the findings and recommendations, tasks may also include design of recommended improvements and associated engineering services during construction (SDCs).

Tasks completed under the original contract include:

1. Creating new inundation maps for the O’Shaughnessy Dam Emergency Action Plan.
2. Annual alignment survey for the O’Shaughnessy Dam.
3. Update of the Emergency Action Plan for the O’Shaughnessy Dam following the Tabletop and Functional Exercises performed under a separate contract.
4. Inspection of the stop logs for Hoover Dam.

Tasks completed and identified to be completed under the contract renewal contract include:

1. Inspection of the concrete barrier plug at the mouth of McKinley Quarry. If needed and if authorized,

design improvements will be made based on the results of the inspection.

2. External Audit of the City’s Dam Safety Program.

Potential Tasks that may be performed under this contract modification include:

1. An alignment survey of Hoover & Griggs Dam.
2. Independent Consultant (IC) Inspection of Griggs Dam
3. Following the completion of the IC inspection of Griggs Dam, updating the Griggs Operation, Maintenance & Inspection (OM&I) manual to reflect items identified in the IC inspection.
4. Independent Consultant Inspection of Hoover Dam.
5. Following the completion of the IC inspection of Hoover Dam, updating the Hoover OM&I manual to reflect items identified in the IC inspection.

The Columbus Community Area is “99 - Citywide” as the work will be performed in several community areas.

1.1 Amount of additional funds to be expended: \$150,000.00

Original Contract Amount:	\$150,000.00 (ORD 1555-2021; PO285982)
Renewal 1:	\$150,000.00 (ORD 1802-2022; PO342085)
Modification 1 (current):	\$150,000.00
<u>Modification 2 (future):</u>	<u>\$150,000.00</u>
Total (Orig. + Renewal/Modification):	\$600,000.00

1.2. Reason other procurement processes are not used:

The work assigned under this modification will be in accordance with the original contract scope bid under the City’s RFP process. This modification does not change the contract scope, but is done to add funding for this year’s anticipated needs under the contract.

1.3. How cost of the modification was determined:

A cost has not been determined. The modification is needed to add funding to pay for tasks as needs are determined and work is authorized. When tasks are identified to be performed under this contract, a cost will be negotiated for each task based upon existing contract rates, job titles, and allowable expenses prior to the task being authorized.

1.4. Future Modification(s):

One additional modification to add funding is anticipated.

2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT

This agreement is for dam engineering services. The economic impact is \$150,000 for professional services from the capital budget. This will allow the Division to perform miscellaneous engineering tasks related to the water supply dams on an as-needed basis. Outreach and environmental impact is unknown since the exact type and location of work is unknown at this time.

3. CONTRACT COMPLIANCE INFORMATION

Burgess & Niple’s Contract Compliance Number is CC004425 and expires on January 10, 2026.

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

4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM

This contract was put in place prior to the implementation of the City of Columbus MBE/WBE Program and is not subject to the requirements of that program. Burgess & Niple, Inc. is classified as a majority company by the City’s Office of Diversity and Inclusion. Per the attached Utilization Plan, there are four subconsultants planned to be used on this contract and two subconsultants are certified as a MBE by the City’s Office of Diversity and Inclusion. The MBE

percentage for this modification is unknown at this time due and shall be determined by the future tasks that are to be assigned. The subconsultants Burgess & Niple, Inc. proposes to use for this contract modification are listed below:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Barr Eng. Inc. dba National Engineering & Architectural Services Inc.	Columbus, Ohio	MBE
TetraTech Inc.		Gahanna, Ohio
MAJ		
CTL Engineering Inc.		Columbus, Ohio
MBE		
HDR		Columbus, Ohio
MAJ		

The certification of Burgess & Niple, Inc. and all subcontractors was in good standing at the time of this contract modification.

5. FISCAL IMPACT

Funds are available and appropriated within the Water Bond Fund, Fund 6006, for this expenditure. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project. A transfer of cash and appropriation between projects within the Water Bond Fund is needed to align cash and appropriation with the proper project.

To authorize the Director of Public Utilities to modify and increase the professional engineering services contract with Burgess & Niple, Inc. for the Dam Engineering Services Project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Water Bond Fund; and to authorize an expenditure up to \$150,000.00 within the Water Bond Fund. (\$150,000.00)

WHEREAS, Contract No. PO285982 was authorized by Ordinance No. 1555-2021 for the Dam Engineering Services Project; and

WHEREAS, Renewal No. 1 to the Dam Engineering Services contract was authorized by Ordinance No. 1802-2022; and

WHEREAS, Modification No. 1 (current) is needed to provide professional engineering services starting the first quarter of 2024 to provide funds for approximately one year or until all funds are expended; and

WHEREAS, Modification No. 2 (future) may be needed to continue to provide professional engineering services; and

WHEREAS, it is necessary to authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Burgess & Niple, Inc. for the Dam Engineering Services Project; and

WHEREAS, the 2023 Capital Improvements Budget must be modified to align budget authority with the proper project; and

WHEREAS, it is necessary to transfer cash and appropriation between projects within the Water Bond Fund, Fund 6006, to align cash and appropriation with the proper project; and

WHEREAS, it is necessary to authorize an expenditure of funds within the Water Bond Fund (Fund 6006) for the Division of Water to pay for additional services provided under the Dam Engineering Services contract; **NOW, THEREFORE,**

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

SECTION 1. That the 2023 Capital Improvements Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

Fund / Project Number / Project Name (Funding Source) / Current Authority/ Revised Authority / Change
6006 / 690411-100000 / Watershed Misc. Improv. Facilities (Voted Water Carryover) / \$502,275.00 / \$352,275.00 / (\$150,000.00)
6006 / 690555-100000 / Dam Engineering Services (Voted Water Carryover) / \$0.00 / \$150,000.00 / \$150,000.00

SECTION 2. That the transfer of \$150,000.00, or so much thereof as may be needed, is hereby authorized within the Water Bond Fund, Fund 6006, per the account codes in the attachment to this ordinance.

SECTION 3. That the Director of Public Utilities is hereby authorized to modify the professional engineering services contract with Burgess & Niple, Inc., 5085 Reed Road, Columbus, OH 43220, for the Dam Engineering Services Project, in an amount up to \$150,000.00.

SECTION 4. That an expenditure of \$150,000.00, or so much thereof as may be needed, is hereby authorized in Object Class 06 - Capital Outlay, per the accounting codes in the attachment to this ordinance.

SECTION 5. Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

SECTION 6. 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 7. 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.

SECTION 8. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.