



## Legislation Details (With Text)

**File #:** 0761-2023      **Version:** 1

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

**File created:** 3/3/2023      **In control:** Public Utilities Committee

**On agenda:** 4/17/2023      **Final action:** 4/20/2023

**Title:** To authorize an amendment to the 2022 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Sanitary Bond Fund; to authorize the Director of Public Utilities to renew and increase a professional construction management services contract with Black & Veatch for the Lower Olentangy Tunnel project; and to authorize an expenditure of up to \$4,933,165.65 from the Sanitary Bond Fund to pay for the contract renewal. (\$4,933,165.65)

**Sponsors:**

**Indexes:** MBE Participation, WBE Participation

**Code sections:**

**Attachments:** 1. ORD 0761-2023 Accounting Template, 2. ORD 0761-2023 Utilization Plan

Date	Ver.	Action By	Action	Result
4/20/2023	1	CITY CLERK	Attest	
4/19/2023	1	MAYOR	Signed	
4/17/2023	1	COUNCIL PRESIDENT PRO-TEM	Signed	
4/17/2023	1	COUNCIL PRESIDENT PRO-TEM	Signed	
4/17/2023	1	Columbus City Council	Approved	Pass
4/3/2023	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

This Ordinance authorizes the Director of Public Utilities to renew and increase the Professional Construction Management services contract with Black & Veatch for the Lower Olentangy Tunnel project, CIP 650724-100000, in an amount up to \$4,933,165.65, to pay for services while construction on the project continues.

Professional Construction Management (PCM) services are needed to ensure the requirements and specifications of the project design are followed and that the City receives an end product capable of providing the intended function. Existing City staff is not adequate to devote multiple qualified personnel full-time to management of the project construction activities so this work is contracted. Work performed under this contract includes full-time construction inspection, project coordination, reporting, budgeting, scheduling, document tracking, startup coordination, and other related tasks to ensure the City receives a quality product in conformance with the contract documents and project objectives of the Lower Olentangy Tunnel project. This planned renewal will add funds to continue PCM work for portions of years three and four of the contract.

Much of the project alignment generally follows Olentangy River Road. The Community Area for this project is “99-Citywide” since the project spans more than one Community Area.

**1.1 Future Renewals/Modifications:** The original agreement anticipated a contract term of approximately seven years, Ordinance No. 0247-2021. Originally there were four planned renewals over the seven years. Additional construction work was added to the project after the PCM contract was awarded. A fifth renewal will be needed to fund the additional PCM work needed for the added construction.

**1.2 Amount of additional funds to be expended: \$4,933,165.65**

Original Contract PO221727)		\$4,174,157.47 (ORD 0247-2021;
Renewal No. 1 324143)		\$4,707,574.39 (ORD 0336-2022; PO
Renewal No. 2 (current)		\$4,933,165.65
Renewal No. 3 (estimated future request)	\$4,500,000.00	
Renewal No. 4 (estimated future request)	\$3,500,000.00rd	
<u>Renewal No. 5 (estimated future request)</u>	<u>\$1,500,000.00</u>	
TOTAL		\$23,314,897.51

**1.3 Reason other procurement processes are not used:** Substantial information and knowledge has been developed by the consultant through work performed during the first years of work. If the work to be performed under this renewal was to be bid out separately, tasks already completed would be performed repetitively causing significant delays and incurring additional cost. Delays would also put the City at risk of missing consent order deadlines.

**1.4 How the cost of renewal was determined:** Through negotiations between Black & Veatch and the Department of Public Utilities.

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

The project is part of the Division of Sewerage and Drainage’s 2015 Blueprint program which included significant community outreach. The project will improve water quality in the Olentangy River by substantially reducing wet weather overflows from seven CSO structures as well as three other sewer relief structures.

**3. CONTRACT COMPLIANCE INFORMATION**

Black & Veatch’s contract compliance number is CC-008038 and expires 09/02/23.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) are not required for this contract renewal as no Federal or State funds will be expended on the contract.

**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. Black & Veatch is classified as a majority company by the City’s Office of Diversity and Inclusion. Per the Utilization Plan submitted with this ordinance, Black & Veatch plans to use two City-certified MBE/WBE subconsultants on this project for a total spend of \$2,229,686.54, or about 45% of the work.

**5. FISCAL IMPACT**

Funds are available and appropriated within the Sanitary Bond Fund, Fund 6109. An amendment to the 2022 Capital Improvement Budget is needed to align budget authority with the proper project. A transfer of cash and appropriation within the Sanitary Bond Fund is also needed to align cash and appropriation with the proper project.

To authorize an amendment to the 2022 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Sanitary Bond Fund; to authorize the Director of Public Utilities to renew and increase a professional construction management services contract with Black & Veatch for the Lower Olentangy Tunnel project; and to authorize an expenditure of up to \$4,933,165.65 from the Sanitary Bond Fund to pay for the contract renewal. (\$4,933,165.65)

**WHEREAS,** there is an existing professional construction management services contract with Black & Veatch for the Lower Olentangy Tunnel project; and

**WHEREAS,** it is necessary to authorize a contract renewal and increase contract funding to pay for services for parts of year three and four of the contract; and

**WHEREAS**, the 2022 Capital Improvement Budget must be modified to align budget authority with the proper project; and

**WHEREAS**, it is necessary to authorize a transfer of cash and appropriation within the Sanitary Bond Fund, Fund 6109, to align cash and appropriation with the proper project; and

**WHEREAS**, funds must be expended from the Sanitary Bond Fund, Fund 6109, to pay for the contract renewal; **now, therefore,**

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

**SECTION 1.** That the 2022 Capital Improvement Budget authorized by Ordinance 1896-2022 be amended as follows to establish sufficient budget authority for this project:

<u>Fund / Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change</u>
6109 / 650790-122181 / Inflow Redirection - Markison (Voted Sanitary Carryover) / \$14,900.00 / \$0.00 / (\$14,900.00)
6109 / 650870-101202 / Blueprint Miller Kelton - Kelton/Fairwood (Voted Sanitary Carryover) / \$825,000.00 / \$0.00 / (\$825,000.00)
6109 / 650870-110161 / Blueprint Winthrop - Milton Area Integrated Solutions (Voted Sanitary Carryover) / \$586,866.00 / \$0.00 / (\$586,866.00)
6109 / 650870-110164 / Blueprint Tulane / Findley Area Integrated Solutions (Voted Sanitary Carryover) / \$1,000,000.00 / \$0.00 / (\$1,000,000.00)
6109 / 650870-110165 / Blueprint Milford / Summit Area Integrated Solutions (Voted Sanitary Carryover) / \$830,000.00 / \$0.00 / (\$830,000.00)
6109 / 650870-110166 / Blueprint Olde Beechwold Area - Integrated Solutions (Voted Sanitary Carryover) / \$200,000.00 / \$180,840.00 / (\$19,160.00)
6109 / 650870-153001 / Blueprint Hilltop 1 Palmetto / Westgate Permeable Pavers (Voted Sanitary Carryover) / \$607,500.00 / \$0.00 / (\$607,500.00)
6109 / 650870-153002 / Blueprint Hilltop 1 Eureka / Fremont Permeable Pavers (Voted Sanitary Carryover) / \$736,000.00 / \$0.00 / (\$736,000.00)
6109 / 650870-162002 / Blueprint Miller Kelton - Kent/Fairwood Permeable Pavers (Voted Sanitary Carryover) / \$155,261.00 / \$0.00 / (\$155,261.00)
6109 / 650871-141001 / Roof Redirection - Blueprint North Linden 1, Agler Berrell (Voted Sanitary Carryover) / \$525,942.00 / \$367,463.00 / (\$158,479.00)
6109 / 650724-100000 / Lower Olentangy Tunnel - Phase 1 (Voted Sanitary Carryover) / \$1,884,000.00 / \$6,817,166.00 / \$4,933,166.00

**SECTION 2.** That the transfer of \$4,933,165.65, or so much thereof as may be needed, is hereby authorized between projects within the Sanitary Bond Fund, Fund 6109, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Utilities is hereby authorized to renew and increase the professional construction management services contract with Black & Veatch, 4449 Easton Way, Suite 150, Columbus, Ohio, 43219, for the Lower Olentangy Tunnel project, in an amount up to \$4,933,165.65.

**SECTION 4.** That an expenditure of \$4,933,165.65, or so much thereof as may be needed, is hereby authorized from the Sanitary Bond Fund, Fund 6109, to pay for this contract renewal, 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 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.

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