



Legislation Details (With Text)

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On agenda: 3/4/2024 **Final action:** 3/6/2024

Title: To authorize the Director of the Department of Public Utilities to enter into contract modifications for the General Engineering Services - Water Supply Group GES 2021A and 2021B contracts with Burgess & Niple, Inc., and Hatch Associates Consultants, Inc.; and to authorize an expenditure of up to \$800,000.00 from the Water Bond Fund for the contract modifications. (\$800,000.00)

Sponsors:

Indexes: MBE Participation, WBE Participation

Code sections:

Attachments: 1. ORD 0396-2024 Utilization Form B&N, 2. ORD 0396-2024 Utilization Form - HATCH, 3. ORD 0396-2024 Accounting Template

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 modify the professional engineering services contracts with Burgess & Niple, Inc. (Contract No. 2227) General Engineering Services - Water Supply Group GES 2021A, and Hatch Associates Consultant, Inc. (Contract No. 2228) for General Engineering Services - Water Supply Group 2021B, for the Division of Water’s Supply Group, each in the amount of \$400,000.00, for a total amount of \$800,000.00.

An RFP process established two task order based professional services contracts to augment existing engineering personnel within the Division of Water on an as-authorized, as-needed basis in order to accomplish a wide range of work that may include but is not limited to planning/ design/construction phase engineering services, surveying, property acquisition assistance, hazardous waste identification/remediation, materials testing, and other services required by the Division. One contract was established with Burgess & Niple Inc., and one contract was established with Hatch Associates Consultant, Inc.

This ordinance will authorize a contract modification in the amount of \$400,000.00 for each agreement for the estimated engineering needs of the Water Supply Group starting the first quarter of 2024 for approximately one year or until all tasks assigned under the contracts during that one year time are completed to the satisfaction of the City. One additional future modification to these contracts is anticipated.

Planning area = “99-Citywide”.

TIMELINE & FUTURE RENEWAL(S): The modifications are anticipated to be executed in the first quarter of 2024 to provide funds for approximately one year or until all tasks assigned under the contracts during that one year time are completed to the satisfaction of the City. The Division of Water anticipates executing one future modification to each contract, which will extend the term of each agreement for one year or until all tasks assigned under the contracts during

that one year time are completed to the satisfaction of the City.

1.1 Amount of additional funds to be expended: \$800,000.00

2021A Original Contract (PO350818, Ord. 2273-2022) -	\$400,000
2021B Original Contract (PO351858, Ord. 2273-2022) -	\$400,000
2021A Contract Modification #1 (current) -	\$400,000
2021B Contract Modification #1 (current) -	\$400,000
2021A Contract Modification #2 (future) -	\$400,000
<u>2021B Contract Modification #2 (future) -</u>	<u>\$400,000</u>

Estimated Contract Total: \$2,400,000

1.2. Reason other procurement processes are not used:

These contracts were awarded per the City’s RFP process and approved via Ordinance 2273-2022, passed by City Council on 9/19/22, with planned modifications to extend the contracts and add funding. Another procurement process is not required to do this.

1.3. How cost of the modification was determined:

The cost of the modification was determined by the estimated needs of the Division of Water over the next year, using titles, rates, and allowable expenses from the existing contracts..

1.4. Future Modification(s):

One additional modification to the engineering agreements is anticipated.

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

These modifications will provide general engineering services for various tasks which may involve the water treatment process, the equipment, the facilities and/or the resources managed by the Water Supply Group. The tasks performed will assist the Water Supply Group to provide an adequate and safe supply of drinking water which is essential to economic growth and development.

One requirement for the consultant awarded the General Engineering Services contract for the Water Supply Group is that the consultant must be able to provide environmental engineering services, if needed. Also, the consultant selected has indicated a corporate philosophy of environmental conservation and sustainable business practices. In addition, the selected team has committed to incorporate sustainability considerations into their projects.

At this time no community outreach or input is anticipated.

3. CONTRACT COMPLIANCE INFORMATION

Burgess & Niple, Inc.’s contract compliance is CC004425 and expires on 1/10/26. Hatch Associates Consultant, Inc.’s contract compliance is CC025646 and expires on 3/8/24.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Burgess & Niple, Inc. and Hatch Associates Consultant, 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>Contractor Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
CDM Smith MAJ		Columbus, Ohio
Dynotec MBE		Columbus, Ohio
MA Design MAJ		Columbus, Ohio

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

The subconsultants Hatch Associates Consultants, Inc. proposes to use for this contract modification are listed below:

<u>Contractor Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Jacobs MAJ		Columbus, Ohio
DLZ MBE		Columbus, Ohio
Resource International WBE		Columbus, Ohio
Advanced Engineering Consultants Regency WBE	Columbus, Ohio	MBE Columbus, Ohio

The certification of Hatch Associates Consultants, Inc. and all subcontractors was in good standing at the time of this contract modification.

5. FISCAL IMPACT: Funds are available within the Water Bond Fund - Fund No. 6006.

To authorize the Director of the Department of Public Utilities to enter into contract modifications for the General Engineering Services - Water Supply Group GES 2021A and 2021B contracts with Burgess & Niple, Inc., and Hatch Associates Consultants, Inc.; and to authorize an expenditure of up to \$800,000.00 from the Water Bond Fund for the contract modifications. (\$800,000.00)

WHEREAS, Contract No. PO350818, was authorized by Ordinance No. 2273-2022, approved by City Council on September 19, 2022, for the General Engineering Services - Water Supply Group GES 2021 A and 2021 B contracts; and

WHEREAS, the contracts were put into place with two planned modifications to add funding to extend the contracts; and

WHEREAS, the first planned modification is now needed to provide funds for the continuation of the contracts; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to modify and increase the professional engineering services agreement with Burgess & Niple, Inc. and Hatch Associates Consultants, Inc., for the General Engineering Services - Water Supply Group GES 2021 A and 2021 B contracts; 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 these contracts; **NOW, THEREFORE,**

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

SECTION 1. That the Director of the Department of Public Utilities be and hereby is authorized to enter into contract modifications for the General Engineering Services - Water Supply Group GES 2021A and 2021B contracts; one contract modification with Burgess & Niple, Inc., 330 Rush Alley, Suite 700, Columbus, Ohio 43215; and one contract modification with Hatch Associates Consultants, 88 Broad Street, Suite 1980, Columbus, Ohio 43215; each in the amount of up to \$400,000.00; in accordance with the terms and conditions of the agreements on file in the Department of Public Utilities.

SECTION 2. That an expenditure of \$800,000.00, 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 3. That 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 4. 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 5. 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 6. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.