



## Legislation Details (With Text)

**File #:** 1163-2016      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/20/2016      **In control:** Public Utilities Committee  
**On agenda:** 6/6/2016      **Final action:** 6/9/2016

**Title:** To authorize the Director of Public Utilities to modify the professional engineering services agreement with Hazen and Sawyer for the Jackson Pike Wastewater Treatment Plant Biosolids Land Application Improvements Project (Mod #3); to authorize the appropriation and transfer of \$178,700.00 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund; to authorize the expenditure of up to \$178,700.00 from the Sanitary Sewers General Obligation Bond Fund. (\$178,700.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 1163-2016 HS Mod. No. 3 Subcontractor Work Identification Form (4-14-16) (2), 2. Ord 1163-2016 H&S Mod. No. 3, Director's Information Legislation Sheet (4-14-16), 3. Ord 1163-2016 DAX Template JP Biosolids Land App Mod #3

Date	Ver.	Action By	Action	Result
6/9/2016	1	CITY CLERK	Attest	
6/8/2016	1	MAYOR	Signed	
6/6/2016	1	COUNCIL PRESIDENT	Signed	
6/6/2016	1	Columbus City Council	Approved	Pass
5/23/2016	1	Columbus City Council	Read for the First Time	

1. This legislation authorizes the Director of Public Utilities to modify an existing engineering agreement professional services contract with Hazen and Sawyer for Professional Engineering Services for modification number 3 (Mod #3) for the JPWWTP Biosolids Land Application Improvements project. Hazen and Sawyer will provide Preliminary Design Services (Step 1), Detailed Design and Bidding Services (Step 2), and Services During Construction (Step 3).

The scope of work for this project generally includes a new or modified liquid (10%TS) land application load-out facility and the assessment of the solids train to identify potential improvements, additional equipment requirements, and upgrades to meet the City's solids processing needs, e.g. the existing 14 biosolids tanks, pumping-mixing-piping systems, and other solids related ancillary equipment.

This modification (No. 3) will provide funding for previously unplanned, unanticipated, additional Step 2, Detailed Design Services. During this project's Detailed Design phase, DOSD ceased operation of the plant's incinerators in early 2016, reducing the emission of greenhouse gases from the plant. As a result, the space housing the incinerators' electrical gear could be used for this project's electrical gear, eliminating the need for a future planned building. This change in the electrical gear location saves over one million dollars (\$1,000,000.00) in future construction costs. Also, this modification will provide funding to extend the walls of sludge storage tanks SS2 and SS3, adding an additional 420,000 gallons of sludge storage, to better maximize and optimize the load out operations of the facility. Mod # 3 will provide additional detailed design funding to relocate this project's electrical gear from the previously planned electrical building to the incinerators' electrical

space and extend the walls of sludge storage tanks SS2 and SS3.

A future modification will be requested for Step 3, Engineering Services During Construction which will include technical project representation (TPR) duties, construction phase engineering, start-up and commissioning assistance, and record documentation.

Construction Management Services will be performed by others.

**Modification Information:**

**1.1 Amount of additional funds to be expended: \$178,700.00**

Original Contract	\$ 298,247.00
Modification No. 1	\$1,046,500.00
Modification No. 2	\$ 168,310.00
Modification No. 3 (Current)	<u>\$ 178,700.00</u>
CURRENT PROPOSED TOTAL	<b>\$1,691,757.00</b>
Modification No. 4 (Future*)	<u>\$1,160,000.00</u>
Estimate Future Cost (\$)	\$2,851,757.00

\* - Step 3- Engineering Services During Construction - this was a planned modification.

**1.2 Reasons additional goods/services could not be foreseen.**

This Contract Modification was not anticipated. During detailed design, DOSD decided to cease operation of the incinerators at the plant; so, space for this project’s electrical gear became available for use and, as a result, a previously planned electrical building could be eliminated from the project. This additional detailed design effort is a continuation of the services included within the existing contract’s scope of services. Also, this modification will provide funding to extend the walls of sludge storage tanks SS2 and SS3 to economically add 420,000 gallons of sludge storage. Though unplanned, this modification is anticipated to save the City approximately \$1,000,000.00 in construction costs while maximizing the use of existing infrastructure.

**1.3 Reason other procurement processes are not used:**

The funding provided by this contract modification is for the continuation of the existing work of the contract. Due to the highly complex and technical nature of this wastewater treatment plant infrastructure, it is not reasonable or cost effective to undertake a new procurement to acquire these services. The lengthy process for initiating a new procurement and for a new entity to gain understanding of the project would cause an unacceptable project delay and additional cost.

**1.4 How cost of modification was determined:**

A cost proposal was provided by Hazen & Sawyer and reviewed by the Division of Sewerage and Drainage and was deemed acceptable.

**2. PROJECT TIMELINE:** The Professional Engineering Services agreement was signed on October 17, 2013. It provided Step 1, Preliminary Design Services. The completion of Preliminary Design occurred in February, 2015. Modification No. 1 provided funding for Step 2, Detailed Design and it commenced after the Preliminary Design Report (PDR) was approved. Detailed Design will continue until advertisement for bids, then Bidding Services will commence. It is anticipated that plans and specs will be finalized and ready for advertisement during the third quarter of 2016. Bids will be received in the third quarter of 2016 and it is anticipated that the Notice to Proceed of the construction contract will occur in the fourth quarter of 2016. The anticipated end of the construction contract is late 2018. The Professional Engineering Services contract will continue beyond completion of construction to provide “as-built” record drawings of the constructed facilities.

**3. EMERGENCY DESIGNATION:** An emergency designation **is not requested** at this time.

4. **CONTRACT COMPLIANCE No.:** 13-2904652 (000630) | MAJ | EXP: 03/18/2018

5. **ENVIRONMENTAL IMPACT:** With the planned increase in and expansion of beneficial re-use of biosolids facilitated by this project, the JPWWTP will have the necessary infrastructure to facilitate the beneficial agricultural use of the plant's biosolids by land application. With the completion of this project, the need to use the incineration process at JPWWTP will be eliminated; so, there will be a corresponding improvement in air quality due to the reduction of the incinerator emissions. Both of these items are beneficial environmental advantages of this project since the City of Columbus' Green Action Plan specifically calls for expanded reuse of biosolids and reduction of incineration. Land application uses are currently the lowest cost method for biosolids utilization. Expansion of these beneficial uses presents an economic advantage.

Public informational meetings are not anticipated for this project, because all proposed work should be within the boundaries of the wastewater treatment plant. Regulatory agencies will be notified of the proposed work as appropriate.

6. **FISCAL IMPACT:** This ordinance authorizes the appropriation and transfer of \$178,700.00 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund, Fund 6109; sufficient budget authority exist; to authorize the expenditure of up to \$178,700.00 from the G.O. Bond Fund, Fund 6109. Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from a future Bond Sale via the transfer detailed in this ordinance.

To authorize the Director of Public Utilities to modify the professional engineering services agreement with Hazen and Sawyer for the Jackson Pike Wastewater Treatment Plant Biosolids Land Application Improvements Project (Mod #3); to authorize the appropriation and transfer of \$178,700.00 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund; to authorize the expenditure of up to \$178,700.00 from the Sanitary Sewers General Obligation Bond Fund. (\$178,700.00)

**WHEREAS**, it is necessary to authorize a modification for professional engineering services with Hazen and Sawyer for the Division of Sewerage and Drainage for the Jackson Pike Wastewater Treatment Plant Biosolids Land Application Improvements; and

**WHEREAS**, Contract No. EL014712 was authorized by Ordinance No. 1033-2013, passed by the Columbus City Council on July 15, 2013, executed by the Director of Public Utilities October 22, 2013, approved by the City Attorney on October 28, 2013, and certified by the City Auditor on October 29, 2013; and

**WHEREAS**, Contract No. EL016205 was authorized by Ordinance No. 1379-2014, passed by the Columbus City Council on July 21, 2014, executed by the Director of Public Utilities September 10, 2014, approved by the City Attorney on September 15, 2014, and certified by the City Auditor on September 15, 2014; and

**WHEREAS**, Contract No. PO001168 was authorized by Ordinance No. 2895-2015, passed by the Columbus City Council on December 13, 2015, executed by the Director of Public Utilities on February 11, 2016, approved by the City Attorney on February 17, 2016, and certified by the City Auditor on February 17, 2016; and

**WHEREAS**, it is necessary to authorize the appropriation and transfer of \$178,700.00 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund; and

**WHEREAS**, it is necessary for City Council to authorize the expenditure of up to \$178,700.00 from the Sanitary Sewer System GO Bond Fund, Fund 6109; and

**WHEREAS**, sufficient budget authority exist for the aforementioned expenditures; and

**WHEREAS**, this transfer should be considered as a temporary funding method; and

**WHEREAS**, the expense associated with this modification and phase of the project will not exceed \$178,700.00; and

**WHEREAS**, the City will sell notes or bonds to fund this project and will reimburse the Sanitary Reserve Fund; and

**WHEREAS**, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the “Treasury Regulations”) promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the “Project”); 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 of Public Utilities to modify the professional engineering services agreement with Hazen and Sawyer for the JPWWTP Biosolids Land Application Improvements Project (Mod #3) at the earliest practical date; **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 modify the professional engineering services agreement with Hazen and Sawyer, 150 E. Campus View Boulevard, Columbus, Ohio 43235, in connection with the JPWWTP Biosolids Land Application Improvements Project (Mod #3), in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage.

**SECTION 2.** That from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 6102, Sub-fund 610201, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2016, the sum of \$178,700.00 is hereby appropriated to the Division of Sewerage and Drainage.

**SECTION 3.** That the City Auditor is hereby authorized to transfer and appropriate a total \$178,700.00 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer Bond Fund, Fund 6109, into the JPWWTP Biosolids Land Application Improvements Project (Mod #3), CIP 650243-100002, at such time as deemed necessary by the Auditor, or so much thereof as may be necessary in the following manner per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Director of Public Utilities be and hereby is authorized to expend up to \$178,700.00 from the Sanitary Sewer General Obligation Bond Fund, Fund 6109 | Div. 60-05 | per the account codes in the attachment to this ordinance.

**SECTION 5.** That the said firm, Hazen and Sawyer, shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**SECTION 6.** 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 7.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 8.** 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 9.** That upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sanitary Sewer Reserve Fund the amount transferred above in Section 2 and Section 3, and said funds are hereby deemed appropriated for such purposes.

**SECTION 10.** That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$178,700.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

**SECTION 11.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.