



## Legislation Details (With Text)

**File #:** 0404-2012      **Version:** 1

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

**File created:** 2/15/2012      **In control:** Public Utilities Committee

**On agenda:** 4/2/2012      **Final action:** 4/4/2012

**Title:** To authorize the Director of Public Utilities to enter into a planned contract modification with Black and Veatch for professional construction management services for the OSIS Augmentation and Relief Sewer (OARS), Phase I and II Project for the Division of Sewerage and Drainage; to transfer within \$3,639,809.66 and expend up to \$4,721,643.06 from the Sanitary Sewer General Obligation Fund; plus transfer within and expend up to \$3,601,118.94 from the Sanitary Sewer Revenue Bond Fund; and to amend the 2011 Capital Improvements Budget. (\$8,322,762.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 0404-2012 Subcontractor Form 021712, 2. Ord 0404-2012 OARS CA Director's Legislation Information Sheet Mod 2

Date	Ver.	Action By	Action	Result
4/4/2012	1	CITY CLERK	Attest	
4/3/2012	1	MAYOR	Signed	
4/2/2012	1	COUNCIL PRESIDENT	Signed	
4/2/2012	1	Columbus City Council	Approved	Pass
3/26/2012	1	Columbus City Council	Read for the First Time	

**A. Need.** This legislation authorizes the Director of Public Utilities to modify the professional construction management services with Black and Veatch Corporation for the OSIS Augmentation and Relief Sewer (OARS), Phase I and II project. The Black and Veatch Corporation modification amount requested under this ordinance is \$8,322,762.00. The total contract amount including this modification is \$17,034,814. The proposed contract modification will provide construction administration and management services including construction inspection, construction and startup coordination, reporting, budgeting, scheduling, document tracking, and other related tasks to ensure the City receives a quality product in conformance with Contract Documents. This is modification number two to the original contract. This modification covers the time period from April 2012 through March 2013. The work under Modification No. 2 will require that the firm continue providing professional construction management services for the OARS Phase I and II projects.

This Modification is the second of the five originally planned yearly modifications. This Modification's time period covers April 2012 - March 2013. It is expected that future Modifications will cover years 2013, 2014 and 2015.

**Amount of additional funds to be expended: \$8,322,762.00**

2010 Original Contract	\$ 2,663,185.00
2011 Modification No. 1	\$ 6,048,867.00
2012 Modification No. 2 (Current)	\$ 8,322,762.00
2013 Modification No. 3 (future)	\$ 7,994,226.00
2014 Modification No. 4 (future)	\$ 6,185,975.00
<u>2015 Modification No. 5 (future)</u>	<u>\$ 249,423.00</u>
<b>CURRENT PROPOSED TOTAL</b>	<b>\$31,464,438.00</b>

**Reasons additional goods/services could not be foreseen:**

This modification is the second of the five originally planned yearly modifications. This modification's time period covers April 2012 - March 2013. It is expected that future modifications will cover years 2013, 2014 and 2015.

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

This modification is a yearly extension of the original contract, as originally planned. The city would incur additional cost and time delays by re-bidding this process.

**How cost of modification was determined:**

The cost was determined by the Construction Management Team using the best knowledge about anticipated work during the time period covered by this Modification, available at this time.

**B. Contract Compliance No.:** 43-1833073 | MAJ | Expires 10/31/2013

**C. Emergency Designation:** Emergency designation is not requested at this time.

**D. Economic Impact:** The cost of this contract modification was planned in the original contract legislation so the economic impact was minimized.

**2. FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities to transfer within \$3,639,809.80 and expend up to \$4,721,643.06 from the Sanitary Sewer General Obligation Fund, Fund 664, plus transfer within and expend up to \$3,601,118.94 from the Sanitary Sewer Revenue Bond Fund, Fund 665, and to amend the 2011 Capital Improvements Budget to establish sufficient budget authority for this expenditure for the Division of Sewerage and Drainage.

To authorize the Director of Public Utilities to enter into a planned contract modification with Black and Veatch for professional construction management services for the OSIS Augmentation and Relief Sewer (OARS), Phase I and II Project for the Division of Sewerage and Drainage; to transfer within \$3,639,809.66 and expend up to \$4,721,643.06 from the Sanitary Sewer General Obligation Fund; plus transfer within and expend up to \$3,601,118.94 from the Sanitary Sewer Revenue Bond Fund; and to amend the 2011 Capital Improvements Budget. (\$8,322,762.00)

**WHEREAS**, the Division of Sewerage and Drainage, Department of Public Utilities, hereby requests this City Council to authorize the Director of Public Utilities to enter into planned contract modification for professional engineering services with Black and Veatch in the amount of \$8,322,762.00 in order to continue to provide construction management services for the OSIS Augmentation and Relief Sewer (OARS), Phase I & II Project; and

**WHEREAS**, Contract No. EL010729 was authorized by Ordinance No. 0617-2010, as passed on May 24, 2010 for the purposes of authorizing the Director of Public Utilities to enter into a contract for professional engineering services with Black and Veatch in the amount of \$2,663,185.00 in order to provide engineering services for the OSIS Augmentation and Relief Sewer (OARS), Phase I Project; and

**WHEREAS**, Contract No. EL011929 was authorized by Ordinance No. 0658-2011, as passed on June 06, 2011 for the purposes of authorizing the Director of Public Utilities to enter into a contract for professional engineering services with Black and Veatch in the amount of \$6,048,867.00 in order to provide engineering services for the OSIS Augmentation and Relief Sewer (OARS), Phase I & II Project; and

**WHEREAS**, it is necessary to authorize the transfer within of \$3,639,809.80 from the Sanitary Sewer General Obligation Fund, Fund 664, for purposes of providing sufficient funding for the aforementioned project expenditure; and

**WHEREAS**, it is necessary to authorize the transfer within of \$3,601,118.94 from the Sanitary Sewer Revenue Bond Fund, Fund 665, for purposes of providing sufficient funding for the aforementioned project expenditure; and

**WHEREAS**, it is necessary for City Council to authorize the expenditure of funds from the Sanitary Sewer General Obligation Fund and the Sanitary Sewer Revenue Bond Fund; and

**WHEREAS**, it is necessary to amend the 2011 Capital Improvements Budget to provide sufficient authority for increasing a capital project account; and

**WHEREAS**, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to enter into planned contract modification for professional construction management services with Black and Veatch for the OSIS Augmentation and Relief Sewer (OARS), Phase I & II Project, at the earliest practical date 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 be, and hereby is, authorized to modify Contract EL010729 for professional engineering services with Black and Veatch, 4016 Townsfair Way, Suite 200, Columbus, Ohio 43219, in order to provide professional construction management services for the OSIS Augmentation and Relief Sewer (OARS), Phase I & II Project in accordance with the terms and conditions as shown in the contract modification on file in the office of the Division of Sewerage and Drainage.

**Section 2.** That the City Auditor is hereby authorized and directed to appropriate the following funds: Dept/Div 60-05, Sewerage and Drainage | Sanitary Sewer Revenue Bond Fund | Fund 665 | Obj Lvl 3 6676  
665999-100000 | Unallocated Balance | 665999 | \$450.69  
650491-100000 | Big Walnut/Rickenbacker San | 665491 | \$232.00

**Section 3.** That the City Auditor is hereby authorized to transfer \$3,601,118.94 within the Department of Public Utilities Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary Sewer Revenue Bond Fund, Fund 665 Object Level Three 6676, as follows:

**From:**

**Project No. | Project Name | OCA Code | change**

**Fund 665**

650245-100000	JPWWTP B Plant Final Clarifier	665245	-\$45,507.80
650245-100000	JPWWTP B Plant Final Clarifier	665245	-\$521,571.20
650247-100000	JPWWTP A-Plant Wet Weather Hydraul.	665247	-\$1,620,875.00
650250-100000	JPWWTP Biosolids Digester	665250	-\$342,809.00
650255-100000	JPWWTP Skimmings Concentrator	665255	-\$5,326.00
650350-100000	WWTP Contingencies	665350	-\$14,395.31
650364-100000	SWWTP, New Headworks, Part 2	665364	-\$70,718.95
650404-100000	Sanitary System Rehabilitation	665404	-\$305,118.72
650491-100000	Big Walnut/Rickenbacker San	665491	-\$232.00
650600-100000	Franklin/Main Interceptor	665600	-\$71,452.65
650618-100000	Chestnut St Comb Sewer	665618	-\$118,772.13
650625-100000	Beulah Road Trunk Sewer Rehab	665625	-\$13,925.20
650668-100000	Torrence/Colerain	665668	-\$1,732.54
650670-100000	Beechwood/Foster Area Imps	665670	-\$3,349.67
650675-100000	Clinton Heights Imps	665675	-\$4,636.87
650676-100000	Stanton Area Sanitary Imps	665676	-\$460,245.21
665999-100000	Unallocated Balance	665999	-\$450.69

**To:**

**Fund | Project No. | Project Name | OCA Code | change**

665 | 650704-100001 | OSIS Augmentation and Relief Sewer (OARS), Phase 1 | 657041 | (+\$3,079,547.74)  
665 | 650704-100002 | OSIS Augmentation and Relief Sewer (OARS), Phase 2 | 657042 | (+\$521,571.20)

**Section 4.** That the City Auditor is hereby authorized to transfer up to \$3,639,809.80 within the Department of Public Utilities Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary Sewer General Obligation Fund, Fund 664, | Object Level Three 6676, as follows:

**From:**

**Project No. | Project Name | OCA Code | change**

**Fund 664**

650100-100000	Sanitary Sewer Contingency	650100	-\$1,000,000.00
650360-100001	WWTP Upgrade General Program	653601	-\$1,746,449.00
650333-100000	WWTPs Ash Lagoons	664333	-\$675,688.00
650250-100004	JPWWTP Biosolids Utilization	662504	-\$217,672.80

To:

**Fund | Project No. | Project Name | OCA Code | change**

664 | 650704-100002 | OSIS Augmentation and Relief Sewer (OARS), Phase 2 | 647042 | (+\$3,639,809.80)

**Section 5.** That the Director of Public Utilities be and hereby is authorized to expend up to \$3,601,118.94 from the Sanitary Sewer Revenue Bond Fund, Fund 665 and expend up to \$4,721,643.06 from the Sanitary Sewer General Obligation Fund, Fund 664 from Division 60-05; Object Level Three 6676:

664 | 650704-100001 | OSIS Augmentation and Relief Sewer (OARS), Phase 1 | 647041 | (+\$1,081,833.26)

665 | 650704-100001 | OSIS Augmentation and Relief Sewer (OARS), Phase 1 | 657041 | (+\$3,079,547.74)

664 | 650704-100002 | OSIS Augmentation and Relief Sewer (OARS), Phase 2 | 647042 | (+\$3,639,809.80)

665 | 650704-100002 | OSIS Augmentation and Relief Sewer (OARS), Phase 2 | 657042 | (+\$521,571.20)

**Section 6.** That the 2011 Capital Improvements Budget Ordinance 0266-2011 is hereby amended as follows, to provide sufficient budget for the award of the agreement stated herein:

**Fund # | Project No. | Project Name | Current Authority | Revised Authority | (Change)**

665	650245-100000	JPWWTP B Plant Final Clarifier	\$0	\$567,079	+\$567,079 (cancellation)
665	650245-100000	JPWWTP B Plant Final Clarifier	\$567,079	\$521,572	-\$45,508
665	650247-100000	JPWWTP A-Plant Wet Weather Hydraulic	\$80,000	\$1,620,875	+\$1,540,875.00 (cancellation)
665	650247-100000	JPWWTP A-Plant Wet Weather Hydraulic	\$1,620,875	\$0	-\$1,620,875
665	650250-100000	JPWWTP Biosolids Digester	\$0	\$342,809	+\$342,809 (cancellation)
665	650250-100000	JPWWTP Biosolids Digester	\$342,809	\$0	-\$342,809
665	650255-100000	JPWWTP Skimmings Concentrator	\$5,326	\$0	-\$5,326
665	650350-100000	WWTP Contingencies	\$14,396	\$0	-\$14,396
665	650364-100000	SWWTP, New Headworks, Part 2	\$70,719	\$0	-\$70,719
665	650404-100000	Sanitary System Rehabilitation	\$305,119	\$0	-\$305,119
665	650491-100000	Big Walnut/Rickenbacker San	\$0	\$232	+\$232.00 (refund)
665	650491-100000	Big Walnut/Rickenbacker San	\$232	\$0	-\$232.00
665	650600-100000	Franklin/Main Interceptor	\$71,453	\$0	-\$71,453
665	650618-100000	Chestnut St Comb Sewer	\$0	\$118,773	+\$118,773 (cancellation)
665	650618-100000	Chestnut St Comb Sewer	\$118,773	\$0	-\$118,773
665	650625-100000	Beulah Road Trunk Sewer Rehab	\$13,926	\$0	-\$13,926
665	650668-100000	Torrence/Colerain	\$1,733	\$0	-\$1,733
665	650670-100000	Beechwood/Foster Area Imps	\$3,350	\$0	-\$3,350
665	650675-100000	Clinton Heights Imps	\$4,637	\$0	-\$4,637
665	650676-100000	Stanton Area Sanitary Imps	\$460,246	\$0	-\$460,246
665	665999-100000	Unallocated Balance	\$19	\$451	-\$432 (cancellation)
665	665999-100000	Unallocated Balance	\$451	\$0	-\$451
665	650245-100000	JPWWTP B Plant Final Clarifier	\$521,572	\$0	-\$521,572
665	650704-100001	OSIS Augment & Relief Sewer (OARS), Ph1	\$0	\$3,079,547	+\$3,079,547
665	650704-100002	OSIS Augmentation and Relief Sewer (OARS), Phase 2	\$0	\$521,572	+\$521,572

Creation of Authority to Match Cash

**Fund # | Project No. | Project Name | Current Authority | Revised Authority | (Change)**

664	650100-100000	Sanitary Sewer Contingency	\$1,000,000	\$0	-\$1,000,000
664	650360-100001	WWTP Upgrade General Program	\$1,746,449	\$0	-\$1,746,449
664	650333-100000	WWTPs Ash Lagoons	\$1,120,000	\$444,312	-\$675,688
664	650250-100004	JPWWTP Biosolids Utilization	\$266,000	\$48,327	-\$217,673
664	650704-100002	OSIS Augment & Relief Sewer (OARS), Ph2	\$0	\$3,639,810	+\$3,639,810

**Section 7.** That the said firm, Black and Veatch, shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**Section 8.** That the City Auditor is hereby authorized 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 by monies from more than one source.

**Section 9.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**Section 10.** 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 11.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.