



## Legislation Details (With Text)

**File #:** 3526-2023      **Version:** 1

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

**File created:** 12/1/2023      **In control:** Public Service & Transportation Committee

**On agenda:** 1/8/2024      **Final action:** 1/10/2024

**Title:** To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of the Department of Public Service to enter into a contract modification with Environmental Design Group, LLC in connection with the Roadway - Utility Coordination and Utility Services 2020 project; to authorize the expenditure of \$100,000.00 from the Streets and Highways Bond Fund to pay for this modification; and to declare an emergency. (\$100,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 3526-2023 Accounting Template.pdf

Date	Ver.	Action By	Action	Result
1/10/2024	1	CITY CLERK	Attest	
1/9/2024	1	ACTING MAYOR	Signed	
1/8/2024	1	COUNCIL PRESIDENT	Signed	
1/8/2024	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance authorizes the Director of the Department of Public Service to modify a professional services contract with Environmental Design Group to add additional funds for design of the Roadway - Utility Coordination and Utility Services 2020 project.

Ordinance 2863-2020 authorized the Director of the Department of Public Service to enter into a professional services contract with Environmental Design Group, LLC ("Environmental Design Group") for the Roadway - Utility Coordination and Utility Services 2020 project in an amount of up to \$350,000.00. The intent of this project is to provide the City of Columbus, Department of Public Service, continuing, contractual access to additional staff and resources that are necessary to provide expertise for utility coordination with various private overhead and underground utilities including expertise reviewing permits related to signal infrastructure.

Ordinance 2394-2022 authorized the Director of the Department of Public Service to modify the contract in the amount of \$175,000.00 to continue services and Ordinance 1280-2023 authorized the Director of the Department of Public Service to modify the contract in the amount of \$175,000.00 to do the same. This ordinance is a continuation of utility coordination and permit services for the City of Columbus projects and authorizes the Director of the Department of Public Service to modify the contract in the amount of \$100,000.00.

#### 1.1 Amount of additional funds to be expended: \$100,000.00

The original contract amount:	\$350,000.00	(PO256303, Ord. 2863-2020)
The total of Modification No. 1:	\$175,000.00	(PO347315, Ord. 2394-2022)
The total of Modification No. 2:	\$175,000.00	(PO389589, Ord. 1280-2023)
<u>The total of Modification No. 3:</u>	<u>\$100,000.00</u>	<u>(This Ordinance)</u>

The contract amount including all modifications: \$800,000.00

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

This is a planned modification that is necessary for the continuation of utility coordination and permit services for the City of Columbus. Utility coordination and permit services are a vital part of roadway construction, currently we do not have the staff to keep up with the amount of permits received.

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

The consultant has received training and would be able to continue without additional training so that project reviews are delivered on time. It was deemed to be more cost efficient to modify the existing contract than to bid this part of the work.

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

The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal/contract.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Environmental Design Group.

**2. CONTRACT COMPLIANCE**

The contract compliance number for Environmental Design Group is CC003292 and expires 7/31/2025.

**3. FISCAL IMPACT**

Funding in the amount of \$100,000.00 is available within Fund 7704, the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2023 Capital Improvement Budget and a transfer of cash and appropriation is necessary to align spending with the proper project. Funds are appropriated.

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

This expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise program and as such is not a part of the program.

**5. EMERGENCY DESIGNATION**

Emergency action is requested to continue to process invoices within the 30 day payment requirement as contracted with Environmental Design Group.

To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of the Department of Public Service to enter into a contract modification with Environmental Design Group, LLC in connection with the Roadway - Utility Coordination and Utility Services 2020 project; to authorize the expenditure of \$100,000.00 from the Streets and Highways Bond Fund to pay for this modification; and to declare an emergency. (\$100,000.00)

**WHEREAS**, contract no. PO256303 with Environmental Design Group, LLC ("Environmental Design Group") in the amount of \$350,000.00, was authorized by ordinance no. 2863-2020; and

**WHEREAS**, modification no., 1 PO347315, with Environmental Design Group, in the amount of \$175,000.00, was authorized by ordinance no. 2394-2022; and

**WHEREAS**, modification no. 2, PO389589, with Environmental Design Group, in the amount of \$175,000.00, was authorized by ordinance no. 1280-2023; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$100,000.00 and provide additional

funds for the Roadway - Utility Coordination and Utility Services 2020 project; and

**WHEREAS**, it is necessary to amend the 2023 Capital Improvement Budget and transfer cash to provide funding for project expenditures; and

**WHEREAS**, it is necessary to expend funds relative to the project; and

**WHEREAS**, this expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise Program and as such is not a part of the program; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to enter into a contract modification with Environmental Design Group to prevent delays in the project schedule, to preserve the safety of the traveling public, all for the immediate preservation of the public health, peace, property, and safety; **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 to establish sufficient authority for this project:

**Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

7704 / P530161-100070 / Roadway Improvements - Utility Relocation Reimbursements (Voted Carryover) / \$100,000.00 / (\$100,000.00) / \$0.00

7704 / P531044-100000 / Roadway - Utility Coordination and Utility Services 2020 (Voted Carryover) / \$0.00 / \$100,000.00 / \$100,000.00

**SECTION 2.** That the transfer of \$100,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530161-100070 (Roadway Improvements - Utility Relocation Reimbursements), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P531044-100000 (Roadway - Utility Coordination and Utility Services 2020), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of the Department of Public Service be, and hereby is, authorized to enter into a contract modification with Environmental Design Group, 7965 North High Street, Suite 050, Columbus, Ohio 43235, for the Roadway - Utility Coordination and Utility Services 2020 project in the amount of \$100,000.00, or so much thereof as may be needed, in accordance with the plans and specifications on file in the Department of Public Service, which are hereby approved.

**SECTION 4.** That the expenditure of \$100,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction), Project P531044-100000 (Roadway - Utility Coordination and Utility Services 2020), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** 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 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 for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.