



## Legislation Details (With Text)

**File #:** 0163-2010      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/19/2010      **In control:** Utilities Committee  
**On agenda:** 3/1/2010      **Final action:** 3/4/2010  
**Title:** To authorize the Director of Public Utilities to enter into a general engineering services agreement with Pomeroy & Associates, Inc., to transfer within and to authorize the expenditure of \$337,775.43 from the Sanitary B.A.B.s (Build America Bonds) Fund for the Division of Sewerage and Drainage, and to amend the 2009 Capital Improvements Budget. (\$337,775.43)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. GES Mod Legislation Information Sheet 2009 (sanitary) Pomeroy.pdf

Date	Ver.	Action By	Action	Result
3/4/2010	1	CITY CLERK	Attest	
3/2/2010	1	MAYOR	Signed	
3/1/2010	2	Columbus City Council	Approved	Pass
3/1/2010	1	COUNCIL PRESIDENT	Signed	
2/22/2010	1	Columbus City Council	Read for the First Time	
2/1/2010	1	Utilities Drafter	Sent for Approval	
2/1/2010	1	EBOCO Reviewer	Sent for Approval	
2/1/2010	1	ODI DIRECTOR	Reviewed and Approved	
2/1/2010	1	Utilities Drafter	Sent for Approval	
2/1/2010	1	CITY ATTORNEY	Reviewed and Approved	
2/1/2010	1	Utilities Drafter	Sent to Clerk's Office for Council	
1/29/2010	1	Auditor Reviewer	Reviewed and Approved	
1/29/2010	1	CITY AUDITOR	Reviewed and Approved	
1/28/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
1/28/2010	1	Utilities Drafter	Sent for Approval	
1/27/2010	1	Finance Reviewer	Reviewed and Approved	
1/27/2010	1	Finance Reviewer	Reviewed and Approved	
1/26/2010	1	UTILITIES DIRECTOR	Reviewed and Approved	
1/26/2010	1	Utilities Drafter	Sent for Approval	
1/22/2010	1	Utilities Drafter	Sent for Approval	
1/22/2010	1	Utilities Reviewer	Reviewed and Approved	
1/20/2010	1	Utilities Drafter	Sent for Approval	

**1. BACKGROUND:**

This legislation authorizes the Director of Public Utilities to enter into a planned modification (#2) for a General Engineering Services (GES) contract with Pomeroy and Associates, Ltd. The Division of Sewerage and Drainage originally reviewed proposals from fourteen local firms for the original General Engineering Service agreement, and requested City Council to authorize the award of two contracts to the two highest ranking firms. These awards established two "blanket" type of service contracts to augment existing engineering personnel within the Sewer System Engineering Section (SSES) of the Division of Sewerage and Drainage on an authorized, as needed basis.

The original contract established fixed direct labor, overhead and fixed fee rates. This ordinance will authorize the expenditure of \$337,775.43 of capital improvements funds for the estimated needs of the Division's SSES during 2010. Under the terms of this contract, the City has the right to contract for additional services to fulfill emergency capital improvements related needs subject to the approval of a contract modification by City Council. The rates established within this contract will remain in force throughout the life of the contract.

**1.1 Amount of additional funds to be expended: \$337,775.43**

Original Contract Amount:	\$ 100,000.00 (EL006655)
Modification #1:	\$ 200,000.00 (EL008139-001 - \$100,000.00 for Sanitary CIP 650100 and EL008139-002 - \$100,000 for Stormwater CIP 610762)
Modification #2: (Final)	<u>\$ 337,775.43</u>
Total (Orig. + Mod #1, Mod #2)	\$ 637,775.43

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

This is a planned modification. This modification is necessitated by funding reasons, as the work required cannot be performed using the originally designed contract funds.

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

This modification provides competitive costs established in the original contract for consulting engineering of miscellaneous projects not included in the Capital Improvements Program - as needed by SSES, SMOC, and TES Sections of the Dept of Sewers and Drainage.

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

The cost basis for this award is based upon the cost summary documents contained in the original contract that set forth the direct labor, overhead, and fixed fee amounts for the term of this competitively procured contract.

**2. PROCUREMENT INFORMATION:**

The basis for selection of the chosen professional engineering services firm: The Division advertised a Request for Proposals (RFP's) for the subject services in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. Fourteen proposals were reviewed and ranked by a Professional Engineering Services Selection Committee in order to determine the consultant best qualified to provide the services for this project. The committee ranked the proposals on quality and feasibility. After careful consideration, the committee recommended that the Pomeroy & Associates, Ltd., and ME Companies, Inc. be selected to provide the general engineering services for the Sewer System Engineering Section, for which the Director of Public Utilities has concurred.

**3. FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities transfer within and to expend \$337,775.43 in funds from the Sanitary B.A.B.s (Build America Bonds) Fund for the General Engineering Services (GES) contract with Pomeroy and Associates, Ltd., and to amend the 2009 Capital Improvements Budget to establish sufficient budget authority to cover this expenditure upon passage of this ordinance.

**4. CONTRACT COMPLIANCE INFO:** 31-1568332 | MAJ | Expiration Date: 11/24/2011

**5. Emergency Designation:** No emergency designation is requested for this legislation

To authorize the Director of Public Utilities to enter into a general engineering services agreement with Pomeroy & Associates, Inc., to transfer within and to authorize the expenditure of \$337,775.43 from the Sanitary B.A.B.s (Build America Bonds) Fund for the Division of Sewerage and Drainage, and to amend the 2009 Capital Improvements Budget. (\$337,775.43)

**WHEREAS**, the Sewer System Engineering Section of the Division of Sewerage and Drainage have a consistent and immediate demand for professional engineering, survey and technical services in order to replace, rehabilitate or expand existing sanitary and combined sewer infrastructure; and

**WHEREAS**, the original contract number EL006609 for \$100,000.00 was authorized by Ordinance No. 1537-2006, passed October 23, 2006, was executed December 11, 2006, and approved by the City Attorney on December 12, 2006; and

**WHEREAS**, modification # 1 (SSES - General Engineering Services Modification (Pomeroy), contract number (EL008139-001: \$100,000.00 for Sanitary CIP 650100 and EL008139-002: \$100,000 for Stormwater CIP 610762) was authorized by Ordinance No. 0220-2008, passed March 3, 2008, was executed June 3, 2008, and approved by the City Attorney on June 28, 2008; and

**WHEREAS**, it is necessary to authorize the transfer within the Sanitary B.A.B. (Build America Bonds) Fund in the amount of \$337,775.43 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 B.A.B. (Build America Bonds) Fund; and

**WHEREAS**, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, it is necessary for this City Council to authorize the Director of Public Utilities to enter into contract for with Pomeroy & Associates, Ltd., for the general engineering services required for the proper maintenance and rehabilitation of its sanitary and combined sewer infrastructure, at the earliest practicable 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 enter into a professional engineering services contract with Pomeroy & Associates, Ltd., 599 Scherers Court, Worthington, Ohio 43085, in the amount of \$337,775.43.00; in accordance with the terms and conditions of the contract on file in the Offices of the Division of Sewerage and Drainage.

**SECTION 2.** That the City Auditor is hereby authorized to the transfer of \$337,775.43 within the Department of Public Utilities, Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, as follows:

**From:**

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

650348-100002 | WWTFs Instrumentation & Control System Upgrade | 652348 | (-\$337,775.43)

**To:**

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

650113-100000 | General Engineering Services (GES) Contract | 668113 | (+\$337,775.43)

**SECTION 3.** That the City Auditor be and hereby is authorized to expend a total of \$337,775.43 from the Sanitary B.A.B.s (Build America Bonds) Fund into the General Engineering Services (GES) Contract | Fund 668 | Div. 60-05 | Proj. 650113-100000 | OCA Code 668113 | Object Level Three 6686.

**SECTION 4.** That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows, to provide sufficient budget authority for the Capital Improvement Projects listed herein:

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

668 | 650348-100002 | WWTFs Instrumentation & Control System Upgrade | \$6,846,000 | \$6,508,224 | (-\$337,776)

668 | 650113-100000 | General Engineering Services (GES) Contract | \$0 | (\$337,776) | (+\$337,776)

**SECTION 5.** 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 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 this Ordinance shall take effect and be in force from and after the earliest period allowed by law.