



## Legislation Details (With Text)

**File #:** 1705-2010      **Version:** 1

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

**File created:** 11/16/2010      **In control:** Utilities Committee

**On agenda:** 12/13/2010      **Final action:** 12/16/2010

**Title:** To authorize the Director of Public Utilities to modify and increase the engineering services agreement with ms consultants, inc. for engineering services during construction for the Division of Power and Water's Upground Reservoir Project; and to authorize an expenditure of \$2,000,000.00 from the Water Super Build America Bonds Fund. (\$2,000,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1705-2010 map.pdf, 2. ORD1705-2010 Information.pdf, 3. ORD1705-2010 Sub ID.pdf

Date	Ver.	Action By	Action	Result
12/16/2010	1	CITY CLERK	Attest	
12/14/2010	1	MAYOR	Signed	
12/13/2010	1	Columbus City Council	Read for the First Time	
12/13/2010	1	Columbus City Council	Approved	Pass
12/13/2010	1	Columbus City Council	Waive the 2nd Reading	Pass
12/13/2010	1	COUNCIL PRESIDENT	Signed	
12/13/2010	1	COUNCIL PRESIDENT PRO-TEM	Signed	
11/30/2010	1	EBOCO Reviewer	Sent for Approval	
11/30/2010	1	ODI DIRECTOR	Reviewed and Approved	
11/30/2010	1	Utilities Drafter	Sent for Approval	
11/30/2010	1	CITY ATTORNEY	Reviewed and Approved	
11/30/2010	1	Utilities Drafter	Sent to Clerk's Office for Council	
11/26/2010	1	Utilities Drafter	Sent for Approval	
11/26/2010	1	Auditor Reviewer	Reviewed and Approved	
11/26/2010	1	CITY AUDITOR	Reviewed and Approved	
11/26/2010	1	Utilities Drafter	Sent for Approval	
11/24/2010	1	Finance Reviewer	Reviewed and Approved	
11/24/2010	1	Finance Reviewer	Reviewed and Approved	
11/24/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
11/23/2010	1	UTILITIES DIRECTOR	Reviewed and Approved	
11/23/2010	1	Utilities Drafter	Sent for Approval	
11/22/2010	1	Utilities Reviewer	Sent for Approval	

11/18/2010	1	Utilities Reviewer	Reviewed and Approved
11/18/2010	1	Utilities Drafter	Sent for Approval
11/17/2010	1	Utilities Reviewer	Reviewed and Approved
11/17/2010	1	Utilities Drafter	Sent for Approval
11/16/2010	1	Utilities Drafter	Sent for Approval

**1. BACKGROUND:** This Ordinance authorizes the Director of Public Utilities to modify and increase an engineering services agreement with ms consultants, inc. for the Division of Power and Water. The original agreement provided for professional engineering services for the design and preparation of construction contract documents for a raw water collection, storage, and delivery system off the Scioto River north of O'Shaughnessy Dam, now known as the Upground Reservoir project. This legislation authorizes the expenditure for engineering services during construction, which was a planned modification stated in Ordinance No. 0825-2004.

Since this will be a multi-year construction project, it is the Division's intent to encumber funds to pay for a portion of the Engineering Services During Construction and to request a future contract modification to pay for the remainder of those services.

Work under Modification No. 1 consists of:

- Additional Engineering Services during the design phase
- Additional services associated with the Value Engineering (VE) study
- Additional services associated with the Peer Review study
- Additional services associated with the Constructability Review study
- Engineering services during the project bidding phase including plan and addendum distribution, attendance at pre-bid meeting and bid evaluation
- Engineering services during construction including:
  - o Management of open house public meetings for all three projects
  - o Attendance at pre-construction meeting
  - o Attendance at monthly construction progress meetings
  - o Review and response to Requests for Information (RFI's)
  - o Preparation of Requests for Proposals (RFP's)
  - o Assist in review and processing of Change Orders and Construction Contract Modifications
- Provide on-site Construction Engineering Services
- Attend In-Factory Inspections for critical materials and equipment
- Assist in review of claims and disputes
- Assist in Start-ups and Commissioning of Equipment and Systems
- Assist in training of City Staff on new equipment and systems
- Prepare Record Drawings
- Prepare Operation, Maintenance and Inspection (OM&I) Manual for Reservoir Site R-2
- Prepare and Emergency Action Plan (EPA) for Reservoir 2
- Prepare Post construction stream monitoring & reporting as required by OEPA 401 Water Quality Certification

**1.1 Amount of additional funds to be expended: \$2,000,000.00**

Original Contract Amount:	\$ 8,098,000.00
<u>Modification 1 (current)</u>	<u>\$ 2,000,000.00</u>
Total (Orig. + Mod. #1)	\$10,098,000.00

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

This was a planned modification as indicated in the original authorizing legislation, Ordinance No. 0825-2004.

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

This was a planned contract modification identified in the original contracting legislation. The Design Engineer will be involved providing engineering services during construction to ensure the design intent is met during the construction phase.

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

Costs were submitted by the Consultant and reviewed and verified by the City Project Manager.

**2. CONTRACT COMPLIANCE INFO:** 34-6546916, expires 5/27/12, Majority

**3. FISCAL IMPACT:** This expenditure is available within the Water Super Build America Bonds Fund.

To authorize the Director of Public Utilities to modify and increase the engineering services agreement with ms consultants, inc. for engineering services during construction for the Division of Power and Water's Upground Reservoir Project; and to authorize an expenditure of \$2,000,000.00 from the Water Super Build America Bonds Fund. (\$2,000,000.00)

**WHEREAS**, Contract No. EL005044 was authorized by Ordinance No. 0825-2004, passed June 21, 2004, was executed September 8, 2004, and approved by the City Attorney on September 22, 2004; and

**WHEREAS**, the Division of Power and Water would like to modify and increase the engineering services agreement with ms consultants, inc. for the Division of Power and Water's Upground Reservoir Project, in order to provide engineering services during construction; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power and Water, to authorize the Director of Public Utilities to modify and increase the engineering services agreement with ms consultants, inc. for the Upground Reservoir Project, 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 is hereby authorized and directed to modify and increase the engineering services agreement with ms consultants, inc., for the Division of Power and Water's Upground Reservoir Project, in the amount of \$2,000,000.00.

**SECTION 2.** That this contract modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

**SECTION 3.** That the expenditure of \$2,000,000.00 is hereby authorized for the Upground Reservoir engineering services agreement within the Water Super Build America Bonds Fund, Fund No. 610, Division 60-09, Project No. 690370-100000 (new funding), Object Level Three 6686, OCA Code 610370.

**SECTION 4.** 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 5.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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