



## Legislation Details (With Text)

**File #:** 1791-2015      **Version:** 1

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

**File created:** 6/26/2015      **In control:** Public Utilities Committee

**On agenda:** 7/27/2015      **Final action:** 7/30/2015

**Title:** To authorize the Director of Public Utilities to modify an existing professional engineering agreement with Arcadis, U.S. for the SWWTP CEPT - Clarification; to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund and to authorize the expenditure of \$3,118,000.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund; and to amend the 2015 Capital Improvements Budget. (\$3,118,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 1791-2015 Director's Legislation Information Sheet - SWWTP CEPT Clarification 650367-3, 2. Ord 1791-2015 Sub-Contractor Work Identification Form\_Clarification - Ammendment 1 Breakdown. 15-06-22xls

| Date      | Ver. | Action By             | Action                  | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 7/30/2015 | 1    | CITY CLERK            | Attest                  |        |
| 7/29/2015 | 1    | MAYOR                 | Signed                  |        |
| 7/27/2015 | 1    | COUNCIL PRESIDENT     | Signed                  |        |
| 7/27/2015 | 1    | Columbus City Council | Read for the First Time |        |
| 7/27/2015 | 1    | Columbus City Council | Waive the 2nd Reading   | Pass   |
| 7/27/2015 | 1    | Columbus City Council | Approved                | Pass   |

..Explanation

1. **BACKGROUND:** This legislation authorizes the Director of Public Utilities to modify (Mod #1) an existing professional engineering agreement with Arcadis, U.S. for the Southerly Wastewater Treatment Plant Chemically Enhanced Primary Treatment - Clarification, (SWWTP CEPT - Clarification) Project. This project is one of three projects to provide the Chemically Enhanced Primary Treatment (CEPT) at the Southerly Wastewater Treatment Plant (SWWTP), as approved by the Ohio EPA. The CEPT facilities provide additional plant capacity to treat wet weather flows in excess of 330 MGD. It will focus on upgrades and modifications to provide a new clarifiers, sludge handling facilities and chemical feed facilities.

This is a contract for professional engineering design services and services during construction (Design Professional, or "DP" services). This phase of this contract will consist of Detail Design Services for the SWWTP CEPT - Clarification. Preliminary Design has been completed.

(Note: for more information regarding the description of work, please Section 5 of the attached Director's Information Sheet.)

2. **PROJECT MODIFICATION:** Amount of additional funds to be expended: \$3,118,000.00

|                          |                       |
|--------------------------|-----------------------|
| 2.1 Original Contract    | \$1,857,000.00        |
| Current Modification # 1 | \$3,118,000.00        |
| <b>TOTAL \$</b>          | <b>\$4,975,000.00</b> |

|   |                |
|---|----------------|
| Estimated Future Modification No. 2 (Budgeted 2017) | \$3,018,000.00 |
| Proposed Future Cost                                | \$7,993,000.00 |

2.2 Reasons additional goods/services could not be foreseen:

The Contract modification was planned and anticipated.

The increase from the original estimated fee for Modification #1 is due to items determined during the Preliminary Design that will improve the overall implementation and effectiveness of the project, but will require additional effort during the Detailed Design. These items are:

- Results from the Archaeological Investigation necessitate a more detailed investigation per Ohio SHPO and Ohio EPA.
- Additional surveying is needed for the proposed construction access road.
- Increased anticipated Detailed Design effort due to changes in facility locations from those anticipated.
- Increased anticipated Detailed Design effort due to identified operational improvements to incorporate the CEPT facilities into the existing plant.

2.3 Reason other procurement processes are not used:

Given the highly technical nature of the project and the specialized knowledge of the project area required to complete the services, it would be more costly to solicit proposals for completions of the services by other parties.

2.4 How cost of modification was determined:

Estimates were provided by the consultant for the number of hours needed to complete the portions of the work assigned.

3. PROJECT TIMELINE: The DP will begin after the notice to proceed is given. It is estimated that the Detailed Design for the project can be completed in the third quarter of 2016. At the conclusion of the Detailed Design, the construction contract(s) will be bid and awarded in 2017.

4. This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings for Recovery Database.

5. CONTRACT COMPLIANCE NO.: 57-0373224 | MAJ | Exp. 07/10/2015

6. Emergency Designation: Emergency designation is not requested.

7. ECONOMIC IMPACT: This project will capture and treat wet weather flows in excess of the current plant capacity. Without this improvement, these wastewater flows would be conveyed, untreated, to the river. The addition of this treatment will remove solids from and disinfect the wastewater, which will provide protection of and benefit to the receiving waters.

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

8. FISCAL IMPACT: This ordinance authorizes the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund, Fund 664; to authorize the expenditure of \$3,118,000.00 from the G.O. Bond Fund, Fund 664 sufficient budget authority already exist for this ordinance. 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.

..Title

To authorize the Director of Public Utilities to modify an existing professional engineering agreement with Arcadis, U.S. for the SWWTP CEPT - Clarification; to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund and to authorize the expenditure of \$3,118,000.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund; and to amend the 2015 Capital Improvements Budget. (\$3,118,000.00)

..Body

WHEREAS, Contract No. EL015879 was authorized by Ordinance No. 0967-2014, passed by the Columbus City Council on June 09, 2014; executed by the Director on June 18, 2014; approved by the City Attorney on July 22, 2014; certified by the City Auditor on July 22, 2014; and

WHEREAS, the CEPT facilities provide additional plant capacity to treat wet weather flows in excess of 330 MGD; and

WHEREAS, this CEPT project will focus on upgrades and modifications to provide a new clarifiers, sludge handling facilities and chemical feed facilities; and

WHEREAS, it is necessary to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Sanitary Sewer System GO Bond Fund, Fund 664; and

WHEREAS, it is necessary to amend the 2015 Capital Improvements Budget; and

WHEREAS, it is necessary to transfer funds from the Sanitary Sewer Reserve Fund in the amount \$3,118,000.00 for this project; and

WHEREAS, this transfer should be considered as a temporary funding method; 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, this legislation authorizes the Director of Public Utilities to modify an existing (Mod #1) professional engineering agreement with the Arcadis, U.S. for the SWWTP CEPT - Clarification Project 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 be, and hereby is, authorized to modify (Mod #1) an existing engineering agreement with Arcadis, U.S., 100 E. Campus View Blvd., Columbus, Ohio 43235 for the SWWTP CEPT - Clarification project 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. 654, 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, 2015, the sum of \$3,118,000.00 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-05 | OCA Code 655225 | Object Level One 10 | Object Level Three 5502.

SECTION 3. That the City Auditor is hereby authorized to transfer and appropriate a total \$3,118,000.00 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer Bond Fund, Fund 664, into the SWWTP CEPT - Clarification project, 650367-100003, at such time as deemed necessary by the Auditor, or so much thereof as may be necessary in the following manner: Division 60-05 | 643673 | Object Level 06 | Object Level Three 6676

SECTION 4. That the 2015 Capital Improvements Budget is hereby amended as follows:

| Project No.   | Project Name                       | Current Authority | Revised Authority | (Change)     |
|---------------|------------------------------------|-------------------|-------------------|--------------|
| 650775-100000 | Rickenbacker Area Pump Station     | \$310,000         | \$118,000         | (-\$192,000) |
| 650367-100003 | SWWTP CEPT - Clarification Project | \$2,926,000       | \$3,118,000       | (\$192,000)  |

SECTION 5. That the Director of Public Utilities be and hereby is authorized to expend up to \$3,118,000.00 for the SWWTP CEPT - Clarification Project in the following manner for the Div. 60-05 | Obj. Lvl 3 6676:

650367-100003 | SWWTP CEPT - Clarification Project | 643673 | \$3,118,000.00

SECTION 6. That the said firm, Arcadis U.S., shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

SECTION 7. 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 are no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

SECTION 8. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 9. 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 10. 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 (Section 3), and said funds are hereby deemed appropriated for such purposes.

SECTION 11. 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 \$3,118,000.00(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 Sanitary/Sewer Reserve Fund 654, which is the fund from which the advance for costs of the Project will be made.

SECTION 12. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.