



## Legislation Details (With Text)

**File #:** 1080-2024      **Version:** 1

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

**File created:** 4/8/2024      **In control:** Public Utilities & Sustainability Committee

**On agenda:** 5/13/2024      **Final action:** 5/15/2024

**Title:** To authorize the Director of the Department of Public Utilities to enter into a professional engineering services contract with Burgess & Niple, Inc., for the Dam Engineering Services Project; to amend the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation between funds within the Water Bond Fund; and to authorize an expenditure up to \$200,000.00 from the Water Bond Fund. (\$200,000.00)

**Sponsors:**

**Indexes:** MBE Participation

**Code sections:**

**Attachments:** 1. ORD 1080-2024 Utilization.pdf, 2. ORD 1080-2024 Accounting Template.pdf

Date	Ver.	Action By	Action	Result
5/15/2024	1	ACTING CITY CLERK	Attest	
5/14/2024	1	MAYOR	Signed	
5/13/2024	1	COUNCIL PRESIDENT PRO-TEM	Signed	
5/13/2024	1	Columbus City Council	Approved	Pass
5/6/2024	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

This ordinance authorizes the Director of Public Utilities to enter into a professional engineering services contract awarded through the City’s Request for Proposal process with Burgess & Niple, Inc., for the Dam Engineering Services (DES) Project, CIP #690555-100002, in an amount up to \$200,000.00 for Division of Water Contract No. 2353.

This contract is a “task order” type contract to augment existing engineering personnel within the Division of Water’s (DOW) Water Supply Group on an as-authorized, as needed basis for Dam Engineering Services. A variety of services are required to meet planning, operational, capital improvement, and regulatory compliance needs of DOW’s dam portfolio. To meet these needs this contract will provide professional Dam Engineering Services (DES) to supplement existing engineering personnel within the Division of Water. Services may include, but are not limited to:

- Engineering services supporting DOW with planning, analysis, and investigations.
- Assisting DOW with regulatory compliance needs.
- Engineering design and construction phase services.
- Other services required by DOW.

The community area is “99 - City-Wide”.

### TIMELINE & FUTURE MODIFICATION(S):

The Notice to Proceed for the initial contract is anticipated to occur in the second quarter of 2024. Up to three contract modifications are anticipated to add funding. The contract will terminate when the last assigned task added under contract modification #3 has been completed and accepted by the City.

### ESTIMATED COST OF PROJECT:

The amount of the initial contract and anticipated future contract modifications is listed below

Cost summary:

Initial Contract	\$ 200,000.00
Future Modification #1 (future)	\$ 200,000.00
Future Modification #2 (future)	\$ 200,000.00
Future Modification #3 (future)	\$ 200,000.00
CONTRACT TOTAL	\$ 800,000.00

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

This contract will assist the Division of Water with planning, analyzing, regulatory compliance, and providing design services related to DOW’s dams. The dams are assets necessary for ongoing reliable drinking water supply for two of the City’s water plants. At this time no community outreach or input is anticipated.

**3. BID INFORMATION**

This project was formally advertised on the Vendor Services and Bonfire websites and opened 3/1/24. One proposal was received:

<u>Name</u>	<u>C.C. No.</u>	<u>Exp. Date</u>	<u>City/State</u>	<u>Status</u>
Burgess & Niple, Inc.	CC004425	2/12/26	Columbus, OH	MAJ

The proposal was deemed responsive. An evaluation committee reviewed the proposal and recommended that the Dam Engineering Services Project be awarded to Burgess & Niple, Inc.

Burgess & Niple, Inc’s certification was in good standing at the time of the contract award

**4. CONTRACT COMPLIANCE INFORMATION**

Burgess & Niple, Inc.’s contract compliance number is CC004425 and expires 2/12/2026.

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

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 15%. This contract provides a “task order” type contract to augment existing engineering personnel within the Water Supply Group, Division of Water on an as-authorized, as needed basis for Dam Engineering Services. The tasks are not specified but the consultant is required to meet the City of Columbus MBE/WBE Program goal of 15%. Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the terms and conditions of the bid documents.

As part of their proposal, Burgess & Niple, Inc. has proposed the following three subcontractors to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
HDR Engineering Inc.	Columbus, Ohio	MAJ
Barr Eng. Inc.	Columbus, Ohio	MBE
DLZ	Columbus, Ohio	MBE

The certification of the above listed companies was in good standing at the time the contract was awarded.

**5. FISCAL IMPACT**

Funding in the amount of \$200,000 is available and appropriated within the Water Bond Fund, Fund 6006. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project. A

transfer of cash and appropriation between projects within the Water Bond Fund is needed to align cash and appropriation with the proper project.

To authorize the Director of the Department of Public Utilities to enter into a professional engineering services contract with Burgess & Niple, Inc., for the Dam Engineering Services Project; to amend the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation between funds within the Water Bond Fund; and to authorize an expenditure up to \$200,000.00 from the Water Bond Fund. (\$200,000.00)

**WHEREAS**, the Department of Public Utilities is engaged in the Dam Engineering Services project; and

**WHEREAS**, a Request for Proposals (RFP) was formally advertised on the Vendor Services and Bonfire websites and opened 3/1/24; and

**WHEREAS**, one proposal for the Dam Engineering Services Project was received in response to the RFP; and

**WHEREAS**, the evaluation committee reviewed the proposal; and recommended the contract be awarded to Burgess & Niple, Inc.; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to enter into a professional services contract with Burgess & Niple, Inc. for the Dam Engineering Services project; and

**WHEREAS**, the 2023 Capital Improvements Budget must be modified to align budget authority with the proper project; and

**WHEREAS**, it is necessary to transfer cash and appropriation between projects within the Water Bond Fund, Fund 6006, to align cash and appropriation with the proper project; and

**WHEREAS**, it is necessary to authorize an expenditure of funds from the Water Bond Fund, Fund 6006, to pay for the contracted services for the project; **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 as follows to establish sufficient budget authority for this project:

<u>Fund / Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change</u>
6006 / 690236-100151 / Moler St Area WL Improvements (Voted Water Carryover) / \$200,000.00 / \$0.00 / (\$200,000.00)
6006 / 690555-100002 / Dam Engineering Services (DES) CT2 (Voted Water Carryover) / \$0.00 / \$200,000.00 / \$200,000.00

**SECTION 2.** That the transfer of \$200,000.00 or so much thereof as may be needed, is hereby authorized between projects within the Water Bond Fund, Fund 6006, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Utilities is hereby authorized to enter into a professional engineering services agreement for the Dam Engineering Services Project with Burgess & Niple, Inc., 330 Rush Alley, Suite 700, Columbus, OH 43215, for an expenditure up to \$200,000.00, in accordance with the terms and conditions of the contract on file in the Office of the Division of Water.

**SECTION 4.** That the expenditure of \$200,000.00, or so much thereof as may be needed, is hereby authorized in the Water Bond Fund, Fund 6006, per the accounting codes in the attachment to this ordinance.

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