



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 5/31/2023 **In control:** Public Utilities Committee

On agenda: 7/17/2023 **Final action:** 7/21/2023

Title: To authorize an amendment to the 2022 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Sanitary Bond Fund; to authorize the Director of Public Utilities to enter into a contract modification with EMH&T Inc. for the Rickenbacker Intermodal Sanitary Sewer Extension Project; and to expend up to \$178,477.12 from the Sanitary Bond Fund for the modification. (\$178,477.12)

Sponsors:

Indexes: MBE Participation, WBE Participation

Code sections:

Attachments: 1. ORD 1676-2023 Accounting Template, 2. ORD 1676-2023 Utilization

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 7/21/2023 | 1 | CITY CLERK | Attest | |
| 7/20/2023 | 1 | ACTING MAYOR | Signed | |
| 7/17/2023 | 1 | Columbus City Council | Approved | Pass |
| 7/17/2023 | 1 | COUNCIL PRESIDENT | Signed | |
| 7/10/2023 | 1 | Columbus City Council | Read for the First Time | |

1. BACKGROUND

This ordinance authorizes the Director of Public Utilities to enter into a contract modification with Evans Mechwart Hambleton & Tilton Inc. (EMH&T Inc.), for construction administration/inspection services for Department of Public Utilities construction projects bid during the calendar years 2023 through 2025 as part of the Construction Administration/Construction Inspection Services 2023-2025 contracts.

The construction project to be administered by EMH&T Inc. under this contract modification is CIP #650491-100008 Rickenbacker Intermodal Sanitary Sewer Extension.

This work will primarily be performed in Community Planning Area “99 - Citywide”.

1.1. Amount of additional funds to be expended: \$178,477.12

| | |
|--------------------|--|
| Original Contract: | \$1,934,456.02 (ORD 0745-2023; PO386052) |
| Modification #1: | \$178,477.12 (This ordinance) |
| Total | \$2,112,933.14 |

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

This is a three-year agreement for fiscal years 2023 - 2025 and modifications were anticipated and explained in the original legislation under Ordinance 0745-2023.

1.3. Reason other procurement processes are not used:

This is a multi-year contract that will be modified as required to provide construction administration/inspection services for construction projects that bid during the three year (2023-2025) timeframe.

1.4. How cost of modification was determined:

The cost of this modification was determined by negotiations between EMH&T Inc. and Department of Public Utilities project staff.

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

This work will ensure the Department’s construction projects are performed correctly and will last the anticipated service life. No community outreach is planned at this time.

3. CONTRACT COMPLIANCE INFORMATION

EMH&T Inc. contract compliance number is CC-004214 and expires 11/16/2024.

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

This contract opportunity was submitted to the City’s Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding. ODI determined there was not an opportunity for MBE/WBE participation in this contract and did not assign a goal. This contract was not bid with a City of Columbus MBE/WBE Program goal and the requirements of the City’s MBE/WBE Program are not applicable to this contract. EMH&T is ODI certified as a majority company. As shown in the Utilization Plan attached to this ordinance, EMH&T plans to use three City-certified MBE/WBE sub-consultants on this task. The spend with the three sub-consultants is anticipated to be \$137,559.88, or 77.1% for the first contract task.

The subcontractors EMH&T Inc. proposes to use for this contract are listed below:

| <u>Company Name</u> | <u>City/State</u> | <u>ODI Certification Status</u> |
|----------------------------------|-------------------|---------------------------------|
| Resource International, Inc. | Columbus, Ohio | WBE |
| Ascension Construction Solutions | Columbus, Ohio | MBE |
| 2LMN Inc. | Columbus, Ohio | MBE |

EMH&T’s certification was in good standing at the time of this contract modification.

5. FISCAL IMPACT

Funds are appropriated and available within the Sanitary Bond Fund, Fund 6109, for this expenditure. 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 Sanitary Bond Fund is needed to align cash and appropriation with the proper project.

To authorize an amendment to the 2022 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Sanitary Bond Fund; to authorize the Director of Public Utilities to enter into a contract modification with EMH&T Inc. for the Rickenbacker Intermodal Sanitary Sewer Extension Project; and to expend up to \$178,477.12 from the Sanitary Bond Fund for the modification. (\$178,477.12)

WHEREAS, the Department of Public Utilities advertised a Request for Proposals for Construction Administration/Construction Inspection Services; and

WHEREAS, EMH&T Inc. was one of six firms selected by the evaluation committee to provide these services; and

WHEREAS, Ordinance 0745-2023 authorized the contract with EMH&T Inc. for these services and assigned the task to be performed; and

WHEREAS, an additional construction inspection/administration task needs to be performed; and

WHEREAS, the contract with EMH&T Inc. will need to be modified to add this task to the contract and to add funding

to pay for the task; and

WHEREAS, an amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project; and

WHEREAS, it is necessary to transfer cash and appropriation within the Sanitary Bond Fund to align cash and appropriation with the proper project; and

WHEREAS, funds must be expended to pay for the construction administration and inspection services EMH&T Inc. provides under the Construction Administration/Construction Inspection Services 2023-2025 contract; **now, therefore**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the 2023 Capital Improvement 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> |
|---|
| 6109 / 650260-102000 / JPWWTP Small Capital Projects (Voted Sanitary Carryover) / \$1,280,000.00 / \$1,101,523.00 / (\$178,477.00) |
| 6109 / 650491-100008 / Rickenbacker Intermodal Sanitary Sewer Extension (Voted Sanitary Carryover) / \$0.00 / \$178,477.00 / \$178,477.00 |

SECTION 2. That the transfer of funds and appropriation between projects within the Sanitary Bond Fund, Fund 6109, is authorized per the accounting codes in the attachment to this Ordinance.

SECTION 3. That the Director of Public Utilities is authorized to enter into a contract with EMH&T Inc., 5500 New Albany Rd, Columbus, Ohio 43054, for construction administration and inspection services, in accordance with the terms and conditions as shown in the contract on file with the Department of Public Utilities, in an amount not to exceed \$178,477.12.

SECTION 4. That an expenditure not to exceed \$178,477.12 is authorized per the accounting codes in the attachment to this Ordinance.

SECTION 5. Funds are 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 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.