



## Legislation Details (With Text)

**File #:** 1803-2023      **Version:** 1

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

**File created:** 6/9/2023      **In control:** Public Utilities Committee

**On agenda:** 7/24/2023      **Final action:** 7/26/2023

**Title:** To authorize an amendment to the 2023 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 of the 2023-2025 Construction Administration/Construction Inspection Services Agreement with Prime CMS for the 2017 General Construction Contract; and to expend up to \$72,154.14 from the Sanitary Bond Fund for the modification. (\$72,154.14)

**Sponsors:**

**Indexes:** MBE Participation

**Code sections:**

**Attachments:** 1. ORD 1803-2023 Utilization, 2. ORD 1803-2023 Accounting Template

Date	Ver.	Action By	Action	Result
7/26/2023	1	CITY CLERK	Attest	
7/25/2023	1	ACTING MAYOR	Signed	
7/24/2023	1	COUNCIL PRESIDENT	Signed	
7/24/2023	1	Columbus City Council	Approved	Pass
7/17/2023	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 Prime CMS, 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.

Prime CMS will be assigned construction projects as tasks on their contract and will ensure the work is performed to City of Columbus construction standards and specifications. As projects are added to the contract, the contract will be modified to authorize Prime CMS to perform the work and to add funding to pay for the work.

The construction project to be administered by Prime CMS under this contract modification is CIP #650745-100009 2017 General Construction Contract.

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

#### 1.1. Amount of additional funds to be expended: \$72,154.14

Original Contract:	\$201,851.31	(ORD 1727-2023; PO TBD)
Modification #1:	<u>\$72,154.14</u>	(This ordinance)
Total	\$274,005.45	

#### 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 0956-2023.

**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 Prime CMS 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**

Prime CMS contract compliance number is CC-000462 and expires 7/28/2023.

**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. PRIME CMS is classified as a majority owned company by ODI. No subcontractors are anticipated to be used for this first task on the contract. The MBE/WBE percentage for this first task is 0.0%.

As part of their proposal, PRIME CMS has proposed the following four subcontractors to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Dynotec MBE		Columbus
True Inspection Services Road to Finish MBE	Columbus	MBE Columbus
DLZ Ohio MBE		Columbus

**5. FISCAL IMPACT**

Funds are appropriated and available within the Sanitary Bond Fund, Fund 6109, for this expenditure. Amendments to the 2023 Capital Improvement Budget are contingent upon approval of the 2023 Capital Improvement Budget. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project.

To authorize an amendment to the 2023 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 of the 2023-2025 Construction Administration/Construction Inspection Services Agreement with Prime CMS for the 2017 General Construction Contract; and to expend up to \$72,154.14 from the Sanitary Bond Fund for the modification. (\$72,154.14)

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

**WHEREAS,** Prime CMS was one of six firms selected by the evaluation committee to provide these services; and

**WHEREAS**, Ordinance 0956-2023 authorized the contract with Prime CMS for these services and assigned the first task to be performed; and

**WHEREAS**, an additional construction inspection/administration task needs to be performed on the 2017 General Construction Contract; and

**WHEREAS**, the contract with Prime CMS 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 with Prime CMS under the Construction Administration/Construction Inspection Services 2023-2025 contract for the 2017 General Construction 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:

**Fund / Project Number / Project Name / Current / Change / Amended**

6109 / 650870 - 157192 / Thurston / Grimsby Integrated Solutions (Voted Sanitary Carryover) / \$290,529.00 / (\$72,155.00) / \$218,374.00

6109 / 650745-100009 / 2017 General Construction Contract (Voted Sanitary Carryover) / \$00.00 / \$72,155.00 / \$72,155.00

**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 PRIME CMS Inc., 8415 Pulsar Place, Suite 300 Columbus, OH 43240, 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 \$72,154.14.

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**SECTION 4.** That an expenditure not to exceed \$72,154.14 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.