



Legislation Details (With Text)

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On agenda: 6/10/2024 **Final action:** 6/13/2024

Title: To authorize the Director of the Department of Public Utilities to enter into a professional services contract modification with Black & Veatch Corporation for the Waste Water Treatment Facilities-General Program #5 project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the transfer of cash and appropriation within the Sanitary Bond Fund; and to authorize an expenditure of \$1,200,000.00 from the Sanitary Bond Fund for the contract. (\$1,200,000.00)

Sponsors:

Indexes: MBE Participation, WBE Participation

Code sections:

Attachments: 1. ORD 1376-2024 Accounting Template, 2. ORD 1376-2024 Utilization

Date	Ver.	Action By	Action	Result
6/13/2024	1	CITY CLERK	Attest	
6/12/2024	1	MAYOR	Signed	
6/10/2024	1	COUNCIL PRESIDENT PRO-TEM	Signed	
6/10/2024	1	Columbus City Council	Approved	Pass
6/3/2024	1	Columbus City Council	Read for the First Time	

1. BACKGROUND

This ordinance authorizes the Director of Public Utilities to enter into a professional services contract modification to add funding for the current year with Black & Veatch Corporation for the Wastewater Treatment Facilities (WWTF)-General Program #5 project, CIP #650360-100003, in an amount up to \$1,200,000.00.

This ordinance is to replace ORD 0470-2024 which was written with an anticipated OWDA loan. The loan application was rejected as the type of work was task oriented and not specific to construction projects.

Overall Engineering Consultant Services (OEC) are necessary to provide technical and engineering assistance to the City and its design professionals in planning and coordination of the work. The OEC services are separated into several tasks, as follows:

- Task 1 - Planning Services
- Task 2 - Design Services
- Task 3 - Construction Related Services
- Task 4 - Commissioning and Start-up Services
- Task 5 - General and Additional Services
- Task 6 - Project Management

The City will request a task order from the consultant as necessary work is identified. The task order submitted will include a detailed scope of work, direct and indirect costs, task schedule, estimated hours, personnel categories required with labor rates, and reimbursable expenses. After negotiation and upon acceptance by the city, the consultant shall commence work. The Engineer shall provide such professional engineering services as may be necessary to accomplish

the work required to be performed and shall at the firm’s cost, furnish all necessary competent personnel, equipment, and materials to perform the work.

The Community Planning Area is “99 - Citywide”

1.1 Amount of additional funds to be expended: \$1,200,000.00

Original Contract Amount:	\$800,000.00 (Ord. 0601-2023 PO382045)
<u>Mod #1 Amount:</u>	<u>\$1,200,000.00 (Current)</u>
Total (Orig. + Renewal/Modification):	\$2,000,000.00

1.2. Reason other procurement processes are not used:

This contract was originally planned as a 3-year effort with annual funding modifications because it includes tasks which stretch across several funding years, and because the nature of the work requires the firm to develop a deep and detailed understanding of our plants and how we operate them. A new procurement effort is not required to add funding.

1.3. How cost of modification was determined:

The cost of this modification was determined by negotiations between Black & Veatch Corporation and the Division of Water based upon the contract rates and titles established in the original contract and an estimate of the number of hours needed for each title for the tasks to be assigned to the contract modification.

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

The project provides many metrics on various environmental factors that are noted in the work to be performed. The information provided assists and guides the City in decision making on environmental issues. These decisions have a direct impact on the capital improvement program budget amounts and scheduling to address the environmental needs. No community outreach is considered for this project

3. CONTRACT COMPLIANCE INFORMATION

Black & Veatch Corporation’s contract compliance number is CC008038 and expires 8/22/25.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Black & Veatch Corporation.

4. 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 23.0% as assigned by the City’s Office of Diversity and Inclusion (ODI). After review of the Utilization Plan and other related information the proposer submitted with their response, a goal of 23.0% has been established for this contract. Black & Veatch Corporation is classified as a majority company by the City’s Office of Diversity and Inclusion. Black & Veatch Corporation anticipates performing the work on this contract modification with the use of sub-consultants. The MBE/WBE percentage for this modification is expected to be 23%.

As part of their proposal, Black & Veatch Corporation has proposed the following nine subcontractors to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Dynotec, Inc	Columbus, Ohio	MBE
Brown and Caldwell	Columbus, Ohio	MAJ
Burgess & Niple		Columbus, Ohio
MAJ		
DLZ		Columbus, Ohio
MBE		
MODIFI Design dba Hydrous	Columbus, Ohio	WBE
Geosyntec	Columbus, Ohio	MAJ

Advanced Engineering Consultants	Columbus, Ohio	MBE
Coldwater		Columbus, Ohio
WBE		
Stantec		Columbus, Ohio
MAJ		

The certification of Black & Veatch Corporation and the above companies was in good standing at the time the bid was awarded.

5. FISCAL IMPACT

Funding in the amount of \$1,200,000.00 is available and appropriated within the Sanitary Bond Fund, Fund 6109. 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 the Director of the Department of Public Utilities to enter into a professional services contract modification with Black & Veatch Corporation for the Waste Water Treatment Facilities-General Program #5 project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the transfer of cash and appropriation within the Sanitary Bond Fund; and to authorize an expenditure of \$1,200,000.00 from the Sanitary Bond Fund for the contract. (\$1,200,000.00)

WHEREAS, the Department of Public Utilities is engaged in the WWTF-General Program #5 project; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to enter into a modification of a professional services contract with Black & Veatch Corporation for the WWTF-General Program #5 project for the purpose of adding funding for the current year; and

WHEREAS, Ordinance 0997-2023, passed by Council on April 24, 2023, authorized the Department of Public Utilities to apply for and accept loans from the Ohio Water Development Authority (OWDA) to fund capital projects; and

WHEREAS, a loan application was submitted to OWDA to fund this project; and

WHEREAS, Ordinance 0470-2024 was passed by City Council on March 25, 2024, authorizing the contract modification for this project and for it to be funded via a loan from OWDA; and

WHEREAS, OWDA determined this project was not eligible to be funded through their loan program; and

WHEREAS, it is necessary to switch the funding source for this project from OWDA Direct loan funded to City bond funded; 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 Sanitary Bond Fund, Fund 6109, to align cash and appropriation with the proper project; and

WHEREAS, it is necessary to expend funds from the Sanitary Bond Fund, Fund 6109, to pay for work performed under this contract modification; **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:

Fund / Project Number / Project Name (Funding Source) / Current Authority/ Revised Authority / Change
6124 / 650360-100003 / WWTF-General program #5 Mod 1 (OWDA Direct) / \$1,200,000.00 / \$0.00 / (\$1,200,000.00)
(To reverse the budget amendment and expenditure authorized via Ordinance 0470-2024.)

6109 / 650375-100002 / Compost Facility Odor Control Improvements (Voted Sanitary Carryover) / \$2,449,549.00 / \$1,672,525.00 / (\$777,024.00)

6109 / 650277-100000 / Jackson Pike WWTP Stormwater and Floodplain Improvements (Voted Sanitary Carryover) / \$524,400.00 / \$101,424.00 / (\$422,976.00)

6109 / 650360-100003 / Compost Facility Odor Control Improvements (Voted Sanitary Carryover) / \$800,000.00 / \$2,000,000.00 / \$1,200,000.00

SECTION 2. That the transfer of \$1,200,000.00, or so much thereof as may be needed, is hereby authorized within the Sanitary Bond Fund, Fund 6109, per the account codes in the attachment to this ordinance.

SECTION 3. That the Director of the Department of Public Utilities is hereby authorized to enter into a contract modification to add funding for the current year for the WWTF-General Program #5 project with Black & Veatch Corporation, 445 Hutchinson Ave Ste. 540, Columbus, OH 43235, in an amount up to \$1,200,000.00, in accordance with the terms and conditions of the contract on file in the Department of Public Utilities.

SECTION 4. That the expenditure of \$1,200,000.00, or so much thereof as may be needed, is hereby authorized to pay for this contract per the accounting codes in the attachment to this ordinance.

SECTION 5. That 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.