



## Legislation Details (With Text)

**File #:** 0179-2010      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/22/2010      **In control:** Utilities Committee  
**On agenda:** 4/5/2010      **Final action:** 4/6/2010

**Title:** To authorize the Director of Public Utilities to execute a contract modification to the professional engineering services agreement with Stantec Consulting Services, Inc. for the Southerly Wastewater Treatment Plant Digester Rehabilitation project; to transfer within and expend \$300,000.00 in funds from the B.A.B.s (Build America Bonds) Fund for this expenditure; and to amend the 2009 Capital Improvements Budget to establish sufficient budget authority to cover the expenditure upon passage of the ordinance, for the Division of Sewerage and Drainage. (\$300,000.00).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Stantec Mod #6 LEGISLATIONB 0106101.pdf, 2. Sub-Contractor WIF 650353-100000 SWWTP Digester Rehab.pdf

Date	Ver.	Action By	Action	Result
4/6/2010	1	MAYOR	Signed	
4/6/2010	1	CITY CLERK	Attest	
4/5/2010	2	Columbus City Council	Approved	Pass
4/5/2010	1	COUNCIL PRESIDENT	Signed	
3/29/2010	1	Columbus City Council	Read for the First Time	
3/12/2010	1	CITY ATTORNEY	Reviewed and Approved	
3/12/2010	1	Utilities Drafter	Sent to Clerk's Office for Council	
3/11/2010	1	EBOCO Reviewer	Sent for Approval	
3/11/2010	1	ODI DIRECTOR	Reviewed and Approved	
3/11/2010	1	Utilities Drafter	Sent for Approval	
3/10/2010	1	Utilities Drafter	Sent for Approval	
2/25/2010	1	Utilities Drafter	Sent for Approval	
2/25/2010	1	Auditor Reviewer	Reviewed and Approved	
2/25/2010	1	CITY AUDITOR	Reviewed and Approved	
2/11/2010	1	EBOCO Reviewer	Reviewed and Disapproved	
2/10/2010	1	Finance Reviewer	Reviewed and Approved	
2/10/2010	1	Finance Reviewer	Reviewed and Approved	
2/10/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
2/10/2010	1	Utilities Drafter	Sent for Approval	
2/9/2010	1	Utilities Reviewer	Sent for Approval	

2/9/2010	1	UTILITIES DIRECTOR	Reviewed and Approved
2/9/2010	1	Utilities Drafter	Sent for Approval
2/5/2010	1	Utilities Reviewer	Reviewed and Approved
2/3/2010	1	Utilities Drafter	Sent for Approval
1/29/2010	1	Utilities Drafter	Sent for Approval
1/29/2010	1	Utilities Reviewer	Reviewed and Approved

1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to modify the professional engineering services agreement with Stantec Consulting Services, Inc. (formerly R.D. Zande and Associates, Inc.), for the Southerly Wastewater Treatment Plant Digester Rehabilitation project. The Stantec Consulting Services, Inc. modification amount requested under this ordinance is \$300,000.00. The contract total including this modification is \$9,914,369.44. The proposed contract modification provides funding for investigation, data evaluation and determination of the contributing causes for the operational difficulties experienced by the sludge digestion process and the recommended remedies for optimum process performance. The Division has determined that these services cannot be performed by City personnel at this time.

**Amount of additional funds to be expended: \$300,000.00**

Original Contract	\$1,213,977.00
Modification No. 1	\$ 83,954.75
Modification No. 2	\$ 89,506.25
Cancellation of Mod. 2's Remaining Balance	(\$ 1,100.81)
Modification No. 3	\$1,494,934.00
Modification No. 4	\$5,760,122.25
Modification No. 5	\$ 972,976.00
Proposed Modification No. 6	\$ 300,000.00
Anticipated future needs	<u>\$ 0.00</u>
CURRENT PROPOSED TOTAL	\$9,914,369.44

**Reasons additional goods/services could not be foreseen:**

The new Acid Phase Digestion process has not performed as anticipated or as otherwise seen in the industry. This proposed modification will investigate and determine the contributing causes for the operational deficiencies and recommend remedies to achieve optimum process performance.

**Reason other procurement processes are not used:**

Investigation and resolution of the operational difficulties encountered is most efficiently addressed by those most familiar with the digestion process, the project design and construction. It is not deemed either feasible or reasonable to suspend work with the entity currently under contract, and undertake continuation of the work under a new procurement. The lengthy process for initiating a new procurement, and for a new entity to gain understanding of the project, would likely cause an unacceptable project delay and additional cost.

**How cost of modification was determined:**

The cost of this contract modification is within the direct labor, overhead, and profit rates established within the original proposal. The estimate of the quantity of labor required to provide the scope of services for this modification is consistent with the anticipated level of work required for these tasks.

B. **Contract Compliance No.:** 11-2167170 | (Expires 12/17/2011 | MAJ

C. **Emergency Designation:** Emergency designation is not requested.

2. **FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities to transfer within and expend \$300,000.00 in funds from the B.A.B.s (Build America Bonds) Fund for this expenditure; and to amend to the 2009 Capital Improvements Budget to establish sufficient

budget authority to cover the expenditure upon passage of the ordinance.

To authorize the Director of Public Utilities to execute a contract modification to the professional engineering services agreement with Stantec Consulting Services, Inc. for the Southerly Wastewater Treatment Plant Digester Rehabilitation project; to transfer within and expend \$300,000.00 in funds from the B.A.B.s (Build America Bonds) Fund for this expenditure; and to amend the 2009 Capital Improvements Budget to establish sufficient budget authority to cover the expenditure upon passage of the ordinance, for the Division of Sewerage and Drainage. (\$300,000.00).

**WHEREAS**, the original contract No. EL900074 was authorized by Ordinance No. 2853-1998 as passed by Columbus City Council on November 16, 1998, for purposes of authorizing the Director of Public Utilities to enter into a contract for professional engineering services with R. D. Zande & Associates, Inc., now acquired by Stantec Consulting Services, Inc., and so referred to hereafter, for the Southerly Wastewater Treatment Plant Digester Rehabilitation project; and

**WHEREAS**, modification #1, EL000789 for \$83,954.75 was authorized by Ordinance 2195-2000, passed October 2, 2000, was executed October 30, 2000, and was approved November 3, 2000, and

**WHEREAS**, modification #2, EL001739 for \$89,506.25 was authorized by Ordinance 1830-2001, passed November 5, 2001, was executed November 28, 2001, and was approved December 4, 2001, and

**WHEREAS**, modification #3, EL002068 for \$1,494,934.00 was authorized by Ordinance 2151-2001, passed December 10, 2001 was executed January 24, 2002, and was approved January 25, 2002 and

**WHEREAS**, modification #4, EL005899 for \$5,760,122.25 was authorized by Ordinance 2181-2005, passed February 6, 2006 was executed March 8, 2006, and was approved March 23, 2006, and

**WHEREAS**, modification #5, EL009034 for \$972,976.00 was authorized by Ordinance 1886-2008, passed December 15, 2008, was executed January 21, 2009, and was approved January 22, 2009, and

**WHEREAS**, it is necessary to modify the subject contract in order to provide funding for investigation, data evaluation and determination of the contributing causes for the operational difficulties experienced by the sludge digestion process and the recommended remedies for optimum process performance, now needed for the project's Construction Contract S66; and

**WHEREAS**, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to modify the professional engineering services agreement with Stantec Consulting Services, Inc., for the Southerly Wastewater Treatment Plant Digester Rehabilitation project at the earliest practical date for the preservation of the public health, peace, property, safety and welfare; **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 Contract No. EL900074 with Stantec Consulting Services, Inc., 1500 Lake Shore Drive, Columbus, Ohio 43204, for professional engineering services for the Southerly Wastewater Treatment Plant Digester Rehabilitation project, in accordance with the terms and conditions as shown in the contract modification on file in the office of the Division of Sewerage and Drainage.

**Section 2.** That the City Auditor is hereby authorized to transfer \$300,000.00 within the Department of Public Utilities, Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, Object Level Three 6676, as follows:

**From:**

**Project No. | Project Name | OCA Code | Change**

650348-100002 | WWTS Instrumentation & Control System Upgrade | 652348 | (-\$300,000.00)

**To:**

**Project No. | Project Name | OCA Code | Change**

650353-100000 | Southerly Wastewater Treatment Plant Digester Rehabilitation | 668353 | (+\$300,000.00)

**Section 3.** That the City Auditor be and hereby is authorized to expend a total of \$300,000.00 from the Sanitary B.A.B.s (Build America Bonds) Fund into the Southerly Waste Water Treatment Plant (SWWTP) Digester Rehabilitation | Fund 668 | Div. 60-05 | Proj. 650353-100000 | OCA Code 668353 | Object Level Three 6676.

**Section 4.** That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows, to provide sufficient budget authority for the award of the agreement stated herein.

**Project No. | Project Name | Current Authority | Revised Authority | (Change)**

650348-100002 | WWTS Instrumentation & Control System Upgrade | \$6,368,982 | \$6,068,982 | (\$-300,000)

650353-100000 | SWWTP Digester Rehabilitation | \$0 | \$300,000 | (+\$300,000)

**Section 5.** 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 6.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**Section 7.** 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 8.** That the said firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**Section 9.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.