



## Legislation Details (With Text)

**File #:** 3192-2018      **Version:** 1

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

**File created:** 11/8/2018      **In control:** Public Utilities Committee

**On agenda:** 12/10/2018      **Final action:** 12/13/2018

**Title:** To authorize the Director of Public Utilities to modify an existing professional engineering agreement with Burgess & Niple, Inc. for the Southerly Wastewater Treatment Plant Chemically Enhanced Primary Treatment - Disinfection Project; to authorize the transfer within and expenditure of up to \$825,177.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund; and to amend the 2018 Capital Improvements Budget. (\$825,177.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 3192-2018 17. S89 Director's Legislation Information Sheet Mod 4, 2. Ord 3192-2018 New Utilization Form 650367-4, 3. Ord 3192-2018 DAX Financial Form 650367-4

Date	Ver.	Action By	Action	Result
12/13/2018	1	ACTING CITY CLERK	Attest	
12/12/2018	1	MAYOR	Signed	
12/10/2018	1	COUNCIL PRESIDENT	Signed	
12/10/2018	1	Columbus City Council	Approved	Pass
12/3/2018	1	Columbus City Council	Read for the First Time	

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to modify an existing professional engineering agreement with Burgess & Niple, Inc. (Mod #4) for the Southerly Wastewater Treatment Plant (SWWTP) Chemically Enhanced Primary Treatment (CEPT) - Disinfection Project, CIP 650367-100004. This project is one of three (3) projects to provide Chemically Enhanced Primary Treatment (CEPT) at the Southerly Wastewater Treatment Plant (SWWTP), as approved by the Ohio Environmental Protection Agency. The CEPT facilities provide additional plant capacity to treat wet weather flows in excess of 330 Million Gallons Daily (MGD). This project will focus on upgrades and modifications to provide a new effluent conduit, disinfection chemical feed facilities, and all associated structures and site work to accommodate these facilities.

This project will focus on upgrades and modifications to provide a new effluent conduit, chemical feed facilities, and levee modifications. This is a contract for professional engineering design services and services during construction (Design Professional, or "DP" services) for the SWWTP CEPT, Disinfection.

It is estimated that the Construction portion of this project will require the need for these Engineering Services starting August 2017.

The overall contract duration, from initiation of Preliminary Design services, Detailed Design Phase and through completion of Services during Construction, is estimated to be 72 months. Burgess & Niple, Inc.'s services will continue beyond completion of construction to provide "as-built" record drawings of the constructed facilities.

The actual emplacement of the work will be by construction contract. This engineering contract provides detailed design and bidding assistance, along with construction-phase engineering, start-up and commissioning assistance, and

record documentation preparation. Construction Management services are being performed by others.

2. **PROJECT MODIFICATION:** Amount of additional funds: **\$825,177.00**

2.1 Original Contract	\$ 995,604.00
Modification # 1	\$2,245,142.00
Modification #2	\$ 365,454.00
Modification #3	\$1,880,000.00
Modification #4 (Current)	<u>\$ 825,177.00</u>
<b>TOTAL</b>	<b>\$6,311,377.00</b>

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

This was a planned contract modification as indicated in the first contract modification request. This modification will fund the Engineering Services during Construction for Contract S89, CEPT Disinfection.

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

The consultant team is very familiar with the details of the project and has performed a multitude of tests, prepared a series of reports and documentation detailing their findings and recommendations, and have compiled the Preliminary Design Report, Detailed Design documents and Bidding documents. This contract was anticipated to be funded in phases as indicated on the original authorized legislation. The process of selecting and contracting with a new consultant team at this time and having them start with data and reports prepared by another consultant would further delay the project and the design of major upgrades that will help the plant provide reliable service and preparedness for future regulatory changes or updates.

2.4 **How cost of modification was determined:**

The Consultant prepared an estimate of cost for the remaining scope of work based on a series of meetings and defined task list. City Project management staff reviewed, provided input into the scope and the fees, and approved this cost proposal.

3. **PROJECT TIMELINE:** The overall contract duration, from initiation of Preliminary Design services, Detailed Design Phases and through completion of all Services during Construction, is estimated to be 72 months. Burgess & Niple, Inc.'s services will continue beyond completion of construction to provide "as-built" record drawings of the constructed facilities.
4. This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings for Recovery Database.
5. **CONTRACT COMPLIANCE NO.:** 31-0885550 | MAJ | Exp. 02/06/2020 | Vendor #: 004425
6. **EMERGENCY DESIGNATION:** Emergency designation **is not requested** at this time.
7. **ECONOMIC IMPACT:** This project will capture and treat wet weather flows in excess of the current plant capacity. Without this improvement, these wastewater flows would be conveyed, untreated, to the river. The addition of this treatment will remove solids from and disinfect the wastewater, which will provide protection of and benefit to the receiving waters.  
  
Public informational meetings are not anticipated for this project, all proposed work should be within the boundaries of the wastewater treatment facility. Regulatory agencies will be notified of the proposed work as appropriate.
8. **FISCAL IMPACT:** This ordinance authorizes the transfer within and expenditure of \$825,177.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund 6109 and amends the 2018 Capital Improvements Budget.

To authorize the Director of Public Utilities to modify an existing professional engineering agreement with Burgess &

Niple, Inc. for the Southerly Wastewater Treatment Plant Chemically Enhanced Primary Treatment - Disinfection Project; to authorize the transfer within and expenditure of up to \$825,177.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund; and to amend the 2018 Capital Improvements Budget. (\$825,177.00)

**WHEREAS**, the original Contract No. EL015880 with Burgess & Niple, Inc. was authorized by Ordinance No. 0968-2014, passed by the Columbus City Council on June 09, 2014; executed by the Director on July 11, 2014, approved by the City Attorney on July, 22, 2018; certified by the City Auditor July 23, 2014; and

**WHEREAS**, Modification #1, EL017592, with Burgess & Niple, Inc. was authorized by Ordinance No. 1766-2015, passed by the Columbus City Council on September 28, 2015; executed by the Director on October 29, 2015, approved by the City Attorney on November 06, 2015; certified by the City Auditor November 11, 2015; and

**WHEREAS**, Modification #2, PO032477, with Burgess & Niple, Inc. was authorized by Ordinance No. 2117-2016, passed by the Columbus City Council on September 19, 2016; executed by the Director on October 26, 2016, approved by the City Attorney on October 28, 2016; certified by the City Auditor October 31, 2016; and

**WHEREAS**, Modification #3, PO078246, with Burgess & Niple, Inc. was authorized by Ordinance No. 1936-2017, passed by the Columbus City Council on July 31, 2017; executed by the Director on August 29, 2017, approved by the City Attorney on August 29, 2017; certified by the City Auditor October 31, 2016; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to modify the SWWTP Chemically Enhanced Primary Treatment (CEPT) - Disinfection Project, CIP 650367-100004; and

**WHEREAS**, this CEPT project will focus on upgrades and modifications to provide a new effluent conduit, disinfection chemical feed facilities, and all associated structures and site work to accommodate these facilities; and

**WHEREAS**, it is necessary to authorize the transfer within and expenditure of \$825,177.00 from the Sanitary Sewer General Obligation (G.O.) Bond Fund 6109; and

**WHEREAS**, it is necessary to amend the 2018 Capital Improvements Budget to provide sufficient budget authority for this project; and

**WHEREAS**, it has become necessary in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, to authorize the Director to modify (Mod #4) an existing professional engineering agreement with Burgess & Niple, Inc. for the SWWTP CEPT - Disinfection Project, CIP 650367-100004 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 is hereby authorized to modify (Mod #4) an existing agreement with Burgess & Niple, Inc., 5085 Reed Road, Columbus, Ohio 43220 for the Southerly Wastewater Treatment Plant Chemically Enhanced Primary Treatment - Disinfection Project Mod #4 in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage.

**SECTION 2.** That the City Auditor is hereby authorized to transfer \$825,177.00 within the Sanitary Sewer General Obligation Bond Fund 6109, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the 2018 Capital Improvements Budget is hereby amended as follows:

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

6109 | 650871-110171 | Roof Redirection - Clintonville 1 Cooke / Glenmont | \$1,353,000 | \$527,823 | (-\$825,177)  
6109 | 650367-100004 | SWWTP CEPT - Disinfection Step 3 | \$0 | \$825,177 | (+\$825,177)

**SECTION 4.** That the Director of Public Utilities is hereby authorized to expend up to \$825,177.00 for the SWWTP CEPT - Disinfection Project per the accounting codes detailed in the attachment to this ordinance.

**SECTION 5.** That the said firm, Burgess & Niple, Inc., shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**SECTION 6.** That the funds necessary to carry out the purpose of this Ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 7.** 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 8.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 9.** 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 10.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.