



Legislation Details (With Text)

File #: 1905-2024 **Version:** 1

Type: Ordinance **Status:** Second Reading

File created: 6/24/2024 **In control:** Public Utilities & Sustainability Committee

On agenda: 7/15/2024 **Final action:**

Title: To authorize the Director of Public Utilities to modify and increase a professional construction management services contract with Smoot Construction Company of Ohio for the Big Walnut Trunk Extension Phase 2 Professional Construction Management project; to appropriate funds in the Sanitary - Fresh Water Market Rate Fund; to make this ordinance contingent upon the Ohio Water Development Authority approving a loan for this project; and to authorize an expenditure of \$4,729,581.18 from the Sanitary Fresh Water Market Rate Fund to pay for the contract modification. (\$4,729,581.18)

Sponsors:

Indexes: MBE Participation, WBE Participation

Code sections:

Attachments: 1. ORD 1905-2024 Accounting Template, 2. ORD 1905-2024 Utilization, 3. ORD 1905-2024 Map

Date	Ver.	Action By	Action	Result
7/15/2024	1	Columbus City Council		

1. BACKGROUND

This Ordinance authorizes the Director of Public Utilities to modify and increase the professional construction management services contract with Smoot Construction Company of Ohio, for the Big Walnut Trunk Extension Phase 2 Professional Construction Management project, CIP #650033-100002, in an amount up to \$4,729,581.18, to pay for the engineering services during construction.

This contract provides professional construction administration and management services that shall include full time construction inspection, project coordination, reporting, budgeting, scheduling, document tracking, startup coordination and other related tasks to ensure the City receives a quality product in conformance with the Contract Documents and project objectives of the Big Walnut Trunk Phase 2.

The Community Planning Area for this project is 99-Citywide

1.1 Future Renewals/Modifications: A future contract modification is planned to add funding for additional construction management services.

1.2 Amount of additional funds to be expended: \$4,729,581.18.

Cost summary:

Original Contract (ORD 2035-2020; PO0249185)	\$5,436,121.24
Current Modification #1	\$4,729,581.18
<u>Future Modification #2</u>	<u>\$2,500,000.00</u>
CONTRACT TOTAL	\$12,665,702.42

1.3. Reason other procurement processes are not used: This contract was awarded through the City's Request for Proposal process with planned modifications to add funding. This is one of the planned funding modifications so another procurement process is not required.

1.4. How the cost of renewal was determined: The cost proposal was provided by Smoot Construction Company of Ohio, reviewed by the Division of Sewerage, and Drainage and was deemed acceptable. The fees in the proposal are based upon contract pricing already established for job titles, tasks, and allowable expenses for the contract.

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

This project will provide sanitary sewer service for the rapidly developing area between Hoover Reservoir and the Village of New Albany, north of State Route 161. This will eliminate home septic tank systems in the area which will improve watershed runoff for the region. It will also create an expanded tax base and rate payers for City provided utilities.

3. CONTRACT COMPLIANCE INFORMATION

Smoot Construction Company of Ohio’s contract compliance number is CC-004871 and expires 3/6/26.

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

This contract was put in place prior to the implementation of the City of Columbus MBE/WBE Program and is not subject to the requirements of that program. Smoot Construction Company of Ohio is classified as an MBE company by the City’s Office of Diversity and Inclusion. Per the Utilization Plan submitted with this ordinance, Smoot Construction Company of Ohio plans to use two City-certified MBE/WBE sub-consultants on this project for a total spend of \$ 2,611,132.34, or about 49% of the work.

As part of their proposal, Smoot Construction Company of Ohio has proposed using the following sub-consultants to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Cert. Status</u>
Aldea Services Inc.	Franklin, Maryland	MAJ
Ascension Construction Services, LLC	Columbus, Ohio	MBE
GTSA Construction Consulting LLC	Columbus, Ohio	WBE
PRIME Construction Management & Survey, Inc.	Columbus, Ohio	MAJ
Ginger Cunningham & Associates, LLC	Columbus, Ohio	MBE
T&M Associates Foundation Inc.	Columbus, Ohio	MAJ
Brown and Caldwell	Columbus, Ohio	MAJ
GHD Services, Inc.	Columbus, Ohio	MAJ

The certification of Smoot Construction Company of Ohio and the above companies was in good standing at the time of the contract modification.

5. FISCAL IMPACT

Funding for this contract will be obtained through the Ohio Water Development Authority Direct Loan Program. City Council authorized this loan application and acceptance of loan funding via Ordinance 0652-2024, passed by Council on 3/25/24. This loan is expected to be approved at the August Board meeting. This ordinance is contingent upon the OWDA Board approving the loan application. Funds will need to be appropriated in the Sanitary - Fresh Water Market Rate Fund, Fund 6124.

The Ohio Water Development Authority (OWDA) Direct Loan Program is a reimbursement program. Purchase orders will need to be established to Smoot Construction Company of Ohio for these contracts. Public Utilities will need to pay invoices directly to Smoot Construction Company of Ohio and then submit reimbursement requests based upon these paid invoices to OWDA for OWDA to reimburse Public Utilities.

To authorize the Director of Public Utilities to modify and increase a professional construction management services contract with Smoot Construction Company of Ohio for the Big Walnut Trunk Extension Phase 2 Professional Construction Management project; to appropriate funds in the Sanitary - Fresh Water Market Rate Fund; to make this ordinance contingent upon the Ohio Water Development Authority approving a loan for this project; and to authorize an

expenditure of \$4,729,581.18 from the Sanitary Fresh Water Market Rate Fund to pay for the contract modification. (\$4,729,581.18)

WHEREAS, there is an existing professional construction management services contract with Smoot Construction Company of Ohio for the Big Walnut Trunk Extension Phase 2 Professional Construction Management project; and

WHEREAS, it is necessary to authorize a modification to the contract to increase the dollar amount of the contract to fund detailed design of the project; and

WHEREAS, Ordinance 0652-2024 authorized this modification to be funded by a loan to be obtained through the Ohio Water Development Authority (OWDA) Direct Loan Program; and

WHEREAS, this ordinance is contingent upon the loan being approved; and

WHEREAS, it is necessary to appropriate funds in the Sanitary Fresh Water Market Rate Fund; and

WHEREAS, funds must be expended to pay for services provided under this contract modification; **NOW, THEREFORE**,

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

SECTION 1. That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ended December 31, 2024, the sum of \$4,729,581.18 is appropriated in the Sanitary - Fresh Water Market Rate Fund, Fund 6124, per the account codes in the attachment to this ordinance.

SECTION 2. That the Director of the Department of Public Utilities is hereby authorized to modify and increase the professional construction management services contract with Smoot Construction Company of Ohio, 1907 Leonard Ave, Columbus, Ohio, 43219, for the Big Walnut Trunk Extension Phase 2 Professional Construction Management project, in an amount up to \$4,729,581.18.

SECTION 3. That the expenditure of \$4,729,581.18, or so much thereof as may be needed, is hereby authorized to pay for this contract modification per the accounting codes in the attachment to this ordinance.

SECTION 4. That this ordinance is contingent upon the Ohio Water Development Authority's Board approving the loan for this project.

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.