



## Legislation Details (With Text)

**File #:** 1417-2024      **Version:** 1

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

**File created:** 5/9/2024      **In control:** Public Utilities & Sustainability Committee

**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 contract modification for the professional engineering services agreement with Burgess & Niple, Inc., for the Dublin Road Water Plant Caustic Feed Improvements Project; to authorize an amendment to the 2023 Capital Improvement Budget; to appropriate funds in the Water - 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 the expenditure of up to \$410,000.00 from the Water - Fresh Water Market Rate Fund to pay for the project. (\$410,000.00)

**Sponsors:**

**Indexes:** MBE Participation

**Code sections:**

**Attachments:** 1. ORD 1417-2024 DRWP Caustic 2A-1 Utilization.pdf, 2. ORD 1417-2024 690578 Accounting Template

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 modify and increase the professional engineering services agreement with Burgess & Niple, Inc. for the Dublin Road Water Plant (DRWP) Caustic Feed Improvements Project, Capital Improvements Project No. 690578-100000, Division of Water Contract No. 2208, in an amount up to \$410,000.00.

This is a contract for Professional Engineering Services (Design Professional or “DP” services) for the DRWP Caustic Feed Improvements project (CIP 690578-100000). The project includes evaluation and design for caustic feed improvements at the Dublin Road Water Plant located at 940 Dublin Road, Columbus, Ohio 43215.

The improvements will provide storage and feed capabilities to deliver liquid caustic soda (i.e., sodium hydroxide) to multiple post filtration application points for pH adjustment of the filtered water. Improvements will include, but not be limited to, bulk storage, day tank storage, flow metering, piping, valving, electrical, and instrumentation and controls.

Work performed to date includes preliminary design and detailed design services. This modification will provide for engineering services during construction. No additional modifications are anticipated.

The improvements are directly related to the DRWP treatment process, which services multiple community planning areas (Planning Area - 99 Citywide).

### TIMELINE & FUTURE MODIFICATION(S):

- Phase 1:** Preliminary Engineering began July 17, 2020 and ended March 24, 2022.
- Phase 2:** Detailed Design began in July 2022 and ended in April 2024.
- Phase 3:** Services During Construction is anticipated to start September 2024 and is estimated to be completed March 2026.

**ESTIMATED COST OF PROJECT:**

**Cost Summary:**

<b>1.1 Amount of additional funds to be expended:</b>	<b>\$410,000.00</b>
Original Agreement Amount:	\$233,659.00 (ORD 1230-2020; PO232980)
Modification No. 1 Amount:	\$442,220.00 (ORD 1183-2022; PO331875)
Modification No. 2 (current):	<u>\$410,000.00</u>
 Contract Total	 \$1,085,879.00

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

This modification was described and was anticipated in the original contract as a future modification.

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

This contract was bid using the City’s RFP process. This modification was described and was anticipated in the original contract as a future modification. Another procurement process is not required.

**1.4. How cost of modification was determined:**

The Consultant prepared an estimate based on the scope of work for the remainder of services during construction using job titles, rates of pay, and allowable expenses already defined in the contract. The City Project Manager and associated staff reviewed the estimate and negotiated the final cost.

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

This project will improve the Dublin Road Water Treatment Plant’s ability to adjust finished water pH prior to distribution. This project is part of the City’s ongoing efforts to maintain a safe and reliable supply of drinking water to its customers. There will be no anticipated public meetings held during this project. The Division of Water will be responsible for coordinating with stakeholders.

**3. CONTRACT COMPLIANCE INFORMATION:**

Burgess & Niple, Inc.’s contract compliance number is CC004425 and expires 1/10/26.

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

This contract was executed before the City of Columbus MBE/WBE Program was established. The contractor is not subject to following the “City’s Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual, nor is the contractor subject to the Penalties for Non-Compliance described in that documents. Burgess & Niple, Inc. plans to use Ribway Engineering Group, a City-certified MBE, to do 27.5% of the work for this contract modification.

Burgess & Niple, Inc. listed the following companies as subcontractors for this project:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
CDM Smith	Columbus, OH	MAJ
Ribway Engineering Group	Columbus, OH	MBE

The certification of Burgess & Niple, Inc. 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 June Board meeting. This ordinance is contingent upon the OWDA Board approving the loan application.

The 2023 Capital Improvement Budget will need to be amended to align budget authority with the proper project. Funds will need to be appropriated in the Water - Fresh Water Market Rate Fund, Fund 6014.

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

To authorize the Director of the Department of Public Utilities to enter into a contract modification for the professional engineering services agreement with Burgess & Niple, Inc., for the Dublin Road Water Plant Caustic Feed Improvements Project; to authorize an amendment to the 2023 Capital Improvement Budget; to appropriate funds in the Water - 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 the expenditure of up to \$410,000.00 from the Water - Fresh Water Market Rate Fund to pay for the project. (\$410,000.00)

**WHEREAS**, the Department of Public Utilities is engaged in the Dublin Road Water Plant (DRWP) Caustic Feed Improvements Project; and

**WHEREAS**, Contract No. PO232980 was authorized by Ordinance No. 1230-2020, passed June 15, 2020, for the Dublin Road Water Plant (DRWP) Caustic Feed Improvements Project; and

**WHEREAS**, Modification No. 1; (ORD 1183-2022; PO331875) was needed for detailed design and bidding services; and

**WHEREAS**, Modification No. 2 (current) is needed for engineering services during construction; 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**, the 2023 Capital Improvement Budget must be modified to align budget authority with the proper project; and

**WHEREAS**, funds will need to be appropriated in the Water - Fresh Water Market Rate Fund, Fund 6014; and

**WHEREAS**, it is necessary to authorize an expenditure of funds within the Water - Fresh Water Market Rate Fund, Fund 6014, to pay for services provided by this contract modification; **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 (Funding Source) / Current Authority / Revised Authority / Change**  
6014 / 690578-100000 / DRWP Caustic Feed Improvements (OWDA Direct Loan) / \$0.00 / \$410,000.00 / \$410,000.00  
(To match loan amount)

**SECTION 2.** That the appropriation of \$410,000.00, or so much thereof as may be needed, is hereby authorized in the Water - Fresh Water Market Rate Fund, Fund 6014, per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the Director of the Department of Public Utilities be and hereby is authorized to enter into a planned contract modification for professional engineering services for the DRWP Caustic Feed Improvements Project with Burgess & Niple, Inc., 300 Rush Alley, Suite 700, Columbus, Ohio 43215; in accordance with the terms and conditions of the contract modification on file in the Department of Public Utilities.

**SECTION 4.** That the expenditure of \$410,000.00, 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 this ordinance is contingent upon the Ohio Water Development Authority's Board approving the loan for this project.

**SECTION 6.** 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 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 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 9.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.