



## Legislation Details (With Text)

**File #:** 1752-2022      **Version:** 1

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

**File created:** 6/13/2022      **In control:** Public Utilities Committee

**On agenda:** 7/11/2022      **Final action:** 7/14/2022

**Title:** To authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Black & Veatch Corporation, for the Division of Sewerage & Drainage's Wastewater Treatment Facilities Upgrade, General Program #4 Project; to authorize a transfer and expenditure up to \$500,000.00 within the Sanitary Sewer General Obligation Bond Fund; and to amend the 2021 Capital Improvement Budget. (\$500,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 1752-2022 Information, 2. ORD 1752-2022 Utilization, 3. ORD 1752-2022 Funding

| Date      | Ver. | Action By             | Action                  | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 7/14/2022 | 1    | CITY CLERK            | Attest                  |        |
| 7/13/2022 | 1    | MAYOR                 | Signed                  |        |
| 7/11/2022 | 1    | COUNCIL PRESIDENT     | Signed                  |        |
| 7/11/2022 | 1    | Columbus City Council | Approved                | Pass   |
| 6/27/2022 | 1    | Columbus City Council | Read for the First Time |        |

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to modify and increase the existing professional engineering services agreement with Black & Veatch Corporation, for the Division of Sewerage & Drainage's Wastewater Treatment Facilities (WWTF) Upgrade, General Program #4 Project, CIP No. 650360-100002.

This agreement will provide Overall Engineering Consultant (OEC) Services for said project. OEC services include providing technical and engineering assistance to the City and its design professionals in planning and coordination of the work. Additional information relating to project tasks can be found on the attachment "ORD 1752-2022".

Modification No. 2 (current) is unplanned and needed to provide funding for two new projects: the newly announced Intel facility and the existing CEPT treatment system at Southerly. (The CEPT system at Southerly requires a detailed treatment effectiveness study as a part of the new Ohio EPA NPDES permit that became effective January 2022).

Community Planning Area: 99 - Citywide

**1.1 Amount of additional funds to be expended: \$500,000.00**

|                           |                      |
|---------------------------|----------------------|
| Original Contract         | \$1,000,000 PO034617 |
| Modification #1           | \$1,000,000 PO095735 |
| Renewal #1                | \$1,000,000 PO153882 |
| Renewal # 2               | \$1,609,900 PO209574 |
| Renewal # 3               | \$1,000,000 PO264043 |
| Renewal # 4               | \$1,000,000 PO308100 |
| Modification #2 (current) | \$500,000 (current)  |

CURRENT PROPOSED TOTAL        \$7,109,900

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

A modification of funds for the 6<sup>th</sup> year of the 6-year agreement was planned, however, work under this modification is unplanned due to two new projects mentioned above.

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

The original agreement was set up as a 6-year effort funded by annual renewals as it includes tasks that 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. Bidding out this work would risk funding this substantial startup effort again, and would require the multi-year work to start again at the beginning.

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

The cost proposal was provided by Black & Veatch Corporation, reviewed by the Division of Sewerage and Drainage, and was deemed acceptable.

**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 No.:** 43-1833073 | MAJ | Exp. 9/2/2023 | Vendor # 008038

Searches in the Excluded Party List System (Federal) produced no findings Black & Veatch Corporation.

**4. FUTURE RENEWAL/MODIFICATION(S):** This modification funds the 6th year of the 6 year agreement. The expiration date of this agreement is December 2022, however, work performed during 2022 may extend into 2023 (using previously authorized funds).

**5. FISCAL IMPACT:** A transfer of funds within the Sanitary Sewer General Obligation Bond Fund - Fund No. 6109 will be necessary as well as an amendment to the 2021 Capital Improvements Budget.

To authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Black & Veatch Corporation, for the Division of Sewerage & Drainage's Wastewater Treatment Facilities Upgrade, General Program #4 Project; to authorize a transfer and expenditure up to \$500,000.00 within the Sanitary Sewer General Obligation Bond Fund; and to amend the 2021 Capital Improvement Budget. (\$500,000.00)

**WHEREAS**, Contract No. PO034617 was authorized by Ordinance No. 2119-2016, passed September 19, 2016, was executed on November 1, 2016, and approved by the City Attorney on November 10, 2016; and

**WHEREAS**, Contract Modification No. 1 under PO095735, was authorized by Ordinance No. 2630-2017, passed October 23, 2017, was executed on November 29, 2017, and approved by the City Attorney on December 18, 2017; and

**WHEREAS**, Contract Renewal No. 1 under PO153882, was authorized by Ordinance No. 3058-2018, passed December 10, 2018, was executed on January 17, 2019, and approved by the City Attorney on January 18, 2019 for the Dublin Road Water Plant Misc. Improvements - Basin Clarifier Rehab. Project; and

**WHEREAS**, funding under this ordinance was changed from a Modification to a Renewal due to clarification from the City Attorney's Office; and

**WHEREAS**, Contract Renewal No. 2 under PO209574, was authorized by Ordinance No. 2931-2019, passed December 2, 2019, was executed on January 3, 2020, and approved by the City Attorney on January 21, 2021; and

**HEREAS**, Contract Renewal No. 3 under PO264043, was authorized by Ordinance No. 2716-2020, passed December 14, 2020, was executed on March 18, 2021, and approved by the City Attorney on March 22, 2021; and

**WHEREAS**, Contract Renewal No. 4 under PO308100, was authorized by Ordinance No. 2937-2021, passed December 13, 2021, was executed on January 13, 2022, and approved by the City Attorney on January 20, 2022; and

**WHEREAS**, Contract Modification No. 2 (current) is unplanned and is needed to provide funding for the newly announced Intel facility and the existing CEPT treatment system at Southerly Waste Water Treatment Plant; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to modify and increase the professional engineering services agreement with Black & Veatch Corporation for the Wastewater Treatment Facilities Upgrade, General Program #4 Project; and

**WHEREAS**, it is necessary to authorize a transfer and expenditure of funds within the Sanitary Sewer System GO Bond Fund - Fund No. 6109, for the Division of Sewerage & Drainage; and

**WHEREAS**, it is necessary to authorize an amendment to the 2021 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; 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 and increase the professional engineering services agreement with Black & Veatch Corporation for the Wastewater Treatment Facilities Upgrade, General Program #4 Project, for the preservation of the public health and safety; **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 and increase the professional engineering services agreement with Black & Veatch Corporation, 4016 Townsfair Way, Suite 210, Columbus, Ohio 43219, for the Wastewater Treatment Facilities Upgrade, General Program #4 Project, in accordance with the terms and conditions as shown in the contract on file in the office of the Division of Sewerage and Drainage.

**SECTION 2.** That this unplanned Modification is in compliance with Chapter 329 of Columbus City Codes. This is the last request for funding against this agreement.

**SECTION 3.** That the transfer of \$500,000.00 or so much thereof as may be needed, is hereby authorized between projects within the Sanitary Sewer System GO Bond Fund - Fund No. 6109, per the account codes in the attachment to this ordinance.

**SECTION 4.** That the 2021 Capital Improvements Budget is hereby amended, within the Sanitary Sewer System GO Bond Fund - Fund No. 6109, per the account codes in the attachment to this ordinance.

**SECTION 5.** That an expenditure up to \$500,000.00, or so much thereof as may be needed, is hereby authorized within the Sanitary Sewer System GO Bond Fund - Fund No. 6109, in Object Class 06 - Capital Outlay, per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That the City Auditor is hereby authorized and directed 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

**SECTION 7.** 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 8.** 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 9.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.