



## Legislation Details (With Text)

**File #:** 2111-2023      **Version:** 1

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

**File created:** 7/6/2023      **In control:** Public Utilities Committee

**On agenda:** 7/24/2023      **Final action:** 7/26/2023

**Title:** To authorize the Director of the Department of Public Utilities to enter into a contract modification with DLZ Ohio for the Construction Administration/Construction Inspection Services 2023-2025 contract; to authorize an amendment to the 2023 Capital Improvement Budget; to expend up to \$1,191,867.05 from the Sanitary Bond Fund for the modification; and to declare an emergency. (\$1,191,867.05)

**Sponsors:**

**Indexes:** MBE Participation

**Code sections:**

**Attachments:** 1. ORD 2111-2023 Utilization, 2. ORD 2111-2023 Accounting Template

Date	Ver.	Action By	Action	Result
7/26/2023	1	CITY CLERK	Attest	
7/25/2023	1	ACTING MAYOR	Signed	
7/24/2023	1	COUNCIL PRESIDENT	Signed	
7/24/2023	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance authorizes the Director of Public Utilities to enter into a contract modification with DLZ Ohio, Inc., for construction administration/inspection services for Department of Public Utilities construction projects bid during the calendar years 2023 through 2025 as part of the Construction Administration/Construction Inspection Services 2023-2025 contracts.

The construction project to be administered by DLZ Ohio, Inc. under this contract modification is CIP #650870-109151 Blueprint 5<sup>th</sup> Avenue by Northwest - Northwest - Sunrise Glenn.

This work will primarily be performed in Community Planning Area - 42 (5th by Northwest).

#### 1.1. Amount of additional funds to be expended: \$1,917,002.74

Original Contract:	\$725,135.69 (ORD 1768-2023)
<u>Modification #1:</u>	<u>\$1,191,867.05</u>
Total:	\$1,917,002.74

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

This is a three-year agreement for fiscal years 2023 - 2025 and modifications were anticipated and explained in the original legislation under Ordinance 1768-2023.

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

This is a multi-year contract that will be modified as required to provide construction administration/inspection services for construction projects that bid during the three year (2023-2025) timeframe.

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

The cost of this modification was determined by negotiations between DLZ Ohio, Inc. and Department of Public Utilities

project staff based upon the existing contract labor titles, maximum labor rates, allowable contract expenses, and the time estimated to be needed to perform contract tasks.

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

This project will construct approximately 50 rain gardens and storm sewers within the Right-of-Way, including the relocation of waterlines, pavement and sidewalk restoration, and other such work as may be necessary to complete the contract.

**3. CONTRACT COMPLIANCE INFORMATION**

DLZ Ohio, Inc. contract compliance number is CC-004939 and expires 10/24/2024. DLZ’s certification was in good standing at the time of contract award.

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

This contract opportunity was submitted to the City’s Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding. ODI determined there was not an opportunity for MBE/WBE participation in this contract and did not assign a goal. This contract was not bid with a City of Columbus MBE/WBE Program goal and the requirements of the City’s MBE/WBE Program are not applicable to this contract. DLZ Ohio, Inc.is classified as an MBE owned company by ODI. DLZ has proposed using one subcontractor that is also classified as an MBE. The MBE/WBE percentage for this first task is 100.0%.

As part of their proposal, DLZ Ohio, Inc .has proposed the following subcontractor to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Dynotec MBE		Columbus

DLZ Ohio, Inc.’s and Dynotec’s certification are in good standing at the time of this contract modification.

**5. FISCAL IMPACT**

Funds are appropriated and available within the Sanitary Bond Fund, Fund 6109, for this expenditure. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project.

**6. EMERGENCY DESIGNATION**

Emergency designation is requested for this ordinance. This project will construct fifty rain gardens and storm sewers thus eliminating flooding within the Right-of-Ways that is currently causing motorist and pedestrian safety hazards along with property damage.

To authorize the Director of the Department of Public Utilities to enter into a contract modification with DLZ Ohio for the Construction Administration/Construction Inspection Services 2023-2025 contract; to authorize an amendment to the 2023 Capital Improvement Budget; to expend up to \$1,191,867.05 from the Sanitary Bond Fund for the modification; and to declare an emergency. (\$1,191,867.05)

**WHEREAS**, the Department of Public Utilities advertised a Request for Proposals for Construction Administration/Construction Inspection Services; and

**WHEREAS**, DLZ Ohio, Inc. was one of multiple firms selected by the evaluation committee to provide these services; and

**WHEREAS**, Ordinance 1768-2023 authorized the contract with DLZ Ohio, Inc. for these services and assigned the first task to be performed; and

**WHEREAS**, an additional construction inspection/administration task needs to be performed; and

**WHEREAS**, the contract with DLZ Ohio, Inc. will need to be modified to add this task to the contract and to add funding to pay for the task; and

**WHEREAS**, an amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project; and

**WHEREAS**, funds must be expended to pay for the construction administration and inspection services DLZ Ohio, Inc. provides under the Construction Administration/Construction Inspection Services 2023-2025 contract; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to construct fifty rain gardens and storm sewers thus eliminating flooding within the Right-of-Ways that is currently causing motorist and pedestrian safety hazards along with property damage, thereby preserving 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 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**  
6109 / 650870 - 109152 / Blueprint 5th Ave by Northwest - Edgehill / Meadow (Voted Sanitary Carryover) / \$1,565,000.00 / \$373,133.00 / (\$1,191,867.00)  
6109 / 650870 - 109151 / Blueprint 5th Ave by Northwest - Northwest - Sunrise Glenn (Voted Sanitary Carryover) / \$446,035.00 / \$1,637,902.00 / \$1,191,867.00

**SECTION 2.** That the Director of Public Utilities is authorized to enter into a contract with DLZ Ohio, Inc. 6121 Huntley Road, Columbus, OH 43219, for construction administration and inspection services, in accordance with the terms and conditions as shown in the contract on file with the Department of Public Utilities, in an amount not to exceed \$1,191,867.05.

**SECTION 3.** That an expenditure not to exceed \$1,191,867.05 is authorized per the accounting codes in the attachment to this Ordinance.

**SECTION 4.** Funds are 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 5.** 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 6.** That the City Auditor is 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 7.** That for the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.