



## Legislation Details (With Text)

**File #:** 1688-2013      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/26/2013      **In control:** Public Utilities Committee  
**On agenda:** 7/22/2013      **Final action:** 7/25/2013  
**Title:** To authorize the Director of Public Utilities to modify an agreement for professional engineering services with Pomeroy and Associates, Ltd. for the Fountain Square Stormwater System Improvements Project; for the Division of Sewerage and Drainage; and to authorize the expenditure of \$130,580.30 within the Storm Recovery Zone Super Build America Bonds Fund. (\$130,580.30).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1688-2013 Director's Legislation Information Sheet (5-23-11).pdf, 2. 1688-2013 Scope.pdf, 3. 1688-2013 Sub-Contractor Work Identification Form (610788).pdf

Date	Ver.	Action By	Action	Result
7/25/2013	1	ACTING CITY CLERK	Attest	
7/24/2013	1	ACTING MAYOR	Signed	
7/22/2013	1	COUNCIL PRESIDENT	Signed	
7/22/2013	1	Columbus City Council	Approved	Pass
7/15/2013	1	Columbus City Council	Read for the First Time	

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to modify and increase an engineering services agreement with Pomeroy and Associates, Ltd., for professional engineering services for Fountain Square Stormwater System Improvements Project.

Work performed to date includes the Business Case Evaluation process, during which it was discovered that there is additional stormwater entering the Fountain Square tributary area than originally anticipated. This contract modification will address the areas in which additional stormwater issues are occurring in the Fountain Square tributary.

**1.1 Amount of additional funds for Modification 1 to be expended: \$130,580.30**

Original Contract Amount Ord. 0816-2012	\$446,008.85
Modification #1- Current	<u>\$130,580.30</u>
Total (Original + Modification #1)	\$576,589.15

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

The additional stormwater that is entering the Fountain Square tributary area was not known during the original scope development and was only discovered during the detailed design.

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

Pomeroy and Associates, Ltd. is familiar with the area and the additional work came about as a result of an ongoing Business Case Evaluation that the Consultant is currently engaged in.

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

The additional stormwater tributary area was evaluated to determine the amount of hours required to investigate and develop plans to mitigate. The Department utilized its experience with previous projects to determine the amount of effort needed to complete the additional required work.

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

This project is being undertaken to mitigate severe street stormwater flooding that is occurring along the Morse Rd service road in front of the Fountain Square shopping center and ODNR entrance drive. The City has been in talks with ODNR in regards to the issues at hand and is coordinating its efforts with them. It is anticipated that green infrastructure will play a vital role in eliminating the flooding through the use of bio-swales and basins.

**3. CONTRACT COMPLIANCE INFO:** 61-1352158, expires 10/5/13, Majority

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Pomeroy and Associates, Ltd.

**4. FISCAL IMPACT:** There is sufficient funding for this project. No amendment to the Capital Improvements Budget is needed.

To authorize the Director of Public Utilities to modify an agreement for professional engineering services with Pomeroy and Associates, Ltd. for the Fountain Square Stormwater System Improvements Project; for the Division of Sewerage and Drainage; and to authorize the expenditure of \$130,580.30 within the Storm Recovery Zone Super Build America Bonds Fund. (\$130,580.30).

**WHEREAS**, Contract No. EL013100 was authorized by Ordinance No. 0816-2012, passed May 7, 2012, was executed July 9, 2012, and approved by the City Attorney on July 13, 2012; and

**WHEREAS**, the Division of Sewerage and Drainage would like to modify and increase the engineering services agreement with Pomeroy and Associates, Ltd. for the Fountain Square Stormwater System Improvements Project; and

**WHEREAS**, it is necessary for City Council to authorize the expenditure of funds from the Storm Recovery Zone Super Build America Bonds Fund to create Stormwater flood routing and eliminate structural and roadway flooding issues; 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 of Public Utilities to modify an agreement for professional engineering services, for the Fountain Square Stormwater System Improvements Project, for the preservation of the public health, peace, property, 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 and directed to modify and increase the professional engineering services agreement with Pomeroy and Associates, Ltd. for the Fountain Square Stormwater System Improvements Project, for the Division of Sewerage and Drainage, in the amount of \$130,580.30.

**SECTION 2.** That this contract modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

**SECTION 3.** That for the purpose of paying the cost of the professional engineering services contract, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows: Division 60-15, Fund 677, Project 610050-100000, Object Level One 06, Object Level Three 6682, OCA Code 677050, Amount \$130,580.30.

**SECTION 4.** That the said engineering firm shall conduct the work to the satisfaction of the Director of Public Utilities

and the Administrator of the Division of Sewerage and Drainage.

**SECTION 5.** 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 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 City Auditor is authorized to establish proper project accounting numbers as appropriate.

**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 date allowed by law.