



## Legislation Details (With Text)

**File #:** 2220-2015      **Version:** 1

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

**File created:** 9/3/2015      **In control:** Public Utilities Committee

**On agenda:** 10/19/2015      **Final action:** 10/21/2015

**Title:** To authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Stantec Consulting Services, Inc. for the Skyline Drive Stormwater System Improvements Project; to authorize the transfer of \$97,539.75 within the Storm Build America Bonds (BABs) Fund; to amend the 2015 Capital Improvements Budget and to to authorize an expenditure up to \$97,539.75 within the Storm Sewer Bonds Fund. (\$97,539.75).

### Sponsors:

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### Code sections:

**Attachments:** 1. 2220-2015 Map, 2. 2220-2015 Director's Legislation Information Sheet (9-8-14), 3. 2220-2015 Sub-Contractor WIF

Date	Ver.	Action By	Action	Result
10/21/2015	1	CITY CLERK	Attest	
10/20/2015	1	MAYOR	Signed	
10/19/2015	1	COUNCIL PRESIDENT	Signed	
10/19/2015	1	Columbus City Council	Approved	Pass
10/5/2015	1	Columbus City Council	Read for the First Time	

**1. BACKGROUND:** The Department of Public Utilities, Division of Sewerage and Drainage, Stormwater Section entered into a professional engineering agreement with FMSM, Inc. (Stantec Consulting Services, Inc.) on February 12, 2002 for the Skyline Drive Stormwater System Improvements Project (EL002095). The contract has been modified four (4) times. The original contract was for the design of storm improvements along Skyline Drive initiated in response to resident complaints of poor drainage. Late in the design of the storm improvements it was determined that numerous Household Sewage Treatment Systems (HSTS) were discharging to the existing storm system. The effectiveness of some of these HSTSs was questionable and it was determined that the HSTSs would not be reconnected to the new storm sewer once constructed. It was decided that before any storm improvements would be made that a sanitary sewer would need to be designed, constructed, and adjacent houses connected to the sewer and HSTSs abandoned. The sanitary sewer was constructed in 2014. The Columbus Health Department sent orders to property owners to connect their houses to the sanitary sewer and abandon their HSTS. All but a few have completed connection and it is anticipated the remaining residents will have connected early 2016. The Division of Sewerage and Drainage would like to modify the agreement (EL002095) in order to update plans to reflect the newly adopted Columbus Construction and Material Specifications. Once completed the storm sewer project can be bid and constructed.

**2. ORIGINAL ENGINEERING CONTRACT AWARD:** FMSM, Inc. (Stantec's predecessor) was selected in accordance with the procedures set forth in Columbus City Code, Section 329. Three Requests for Proposals (RFP's) were received and opened from firms having the experience necessary to complete the project: Stantec Consulting Services, Inc. (Formerly FMSM, Inc.), EMH&T, Inc., and Bird & Bull. Stantec was selected as the highest-ranked bidder and chosen for this project.

The Contract Compliance Number for Stantec Consulting Services, Inc. is 11-2167170 (expires 11/6/15 MAJ). Additional information regarding each bidder, description of work, contract time frame and detailed amounts can be found on the attached Legislation Information Sheet.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Stantec Consulting Services, Inc.

**2.1 Amount of additional funds to be expended: \$97,539.75**

Original Contract Amount:	\$111,025.35 (EL002095)
Modification #1:	\$ 81,650.36 (EL002608)
Modification #2:	\$30,020.92 (EL005394)
Modification #3:	\$20,000.00 (EL008014)
Modification #4:	\$32,253.72 (EL013508)
Modification #5 (current):	<u>\$97,539.75</u>
Amount of original contract and Mods:	\$372,490.10

**2.2 Reasons additional goods/services could not be foreseen:**

Since the time when the storm construction plans were developed as part of the original contract the City of Columbus has adopted a new version of its Construction and Materials Specifications (CMS) and has also revised its Stormwater Drainage Manual. The requested modification is needed to compensate Stantec to revise the plans to reflect the current CMS and Stormwater Drainage Manual. Plans will also be modified to reflect changes made to the sanitary sewer during construction that impact the location of the proposed storm sewer.

**2.3 Reason other procurement processes are not used:**

The work to be performed as part of this contract modification is not new but is a progression of the initial work. Stantec (formerly FMSM, Inc.) designed, prepared and affixed their Professional Engineering seal to the existing storm plans that needs to be modified. Having another firm, via RFP, modify another firm's signed plans is neither feasible nor practical.

**2.4 How cost of modification was determined:**

The scope of services and costs were developed by the Engineer and reviewed by the Division of Sewerage and Drainage SSES Project Manager.

**3. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:** The storm project was initiated based on resident input about poor drainage in the project area. The sanitary sewer constructed as part of this project in 2014 mitigated HSTS's sewage that was entering the existing storm system.

**4. FISCAL IMPACT:** An expenditure within the Storm Sewer Bonds Fund is necessary and available.

To authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Stantec Consulting Services, Inc. for the Skyline Drive Stormwater System Improvements Project; to authorize the transfer of \$97,539.75 within the Storm Build America Bonds (BABs) Fund; to amend the 2015 Capital Improvements Budget and to to authorize an expenditure up to \$97,539.75 within the Storm Sewer Bonds Fund. (\$97,539.75).

**WHEREAS**, the original contract EL002095 with FMSM, Inc. (Stantec's predecessor) was to provide detailed design services needed for stormwater improvements in connection with the Skyline Drive Area Assessment sewer Project, was authorized by Ordinance No. 1723-2001, and was executed February 12, 2002; and

**WHEREAS**, Modification No. 1, contract number EL002608 was authorized by Ord No. 0912-2002 ; executed on September 10, 2002; and signed by the Attorney on September 13, 2002; to provide funds for preparation of the construction plans, specifications and easement descriptions which were required to complete the sanitary sewer assessment project; and

**WHEREAS**, Modification No. 2, contract number EL005394 was authorized by Ord No. 0198-2005 passed by Columbus City Council on February 28, 2005; executed on June 24, 2005; and signed by the Attorney on June 29, 2005; to provide funds for plan preparation for existing water line relocation along Skyline Drive, to compensate FMSM for project delays associated with reconnections of county Home Septic Disposal Systems (HSDS) into the new storm sewer system, and to design additional storm sewers along both sides of Skyline Drive; and

**WHEREAS**, Modification No. 3, contract number EL008014 was authorized by Ord No. 0043-2008 passed by Columbus City Council on April 14, 2008; executed on May 5, 2008; and signed by the Attorney on May 9, 2008; to provide funds for coordination between the stormwater and sanitary sewer assessment projects resulted in a need to revise and update easements and construction plans, and also for dealing with the Home Septic Disposal System (HSDS) issues; and

**WHEREAS**, Modification No. 4, contract number EL013508 was authorized by Ord No. 1323-2012 passed by Columbus City Council on July 16, 2012; executed on August 24, 2012; and signed by the Attorney on September 7, 2012; to revise construction plans and easement descriptions to reflect easement negotiation results. The additional funds were also needed to reflect increased OEPA Permit To Install (PTI) fees and increased consultant labor costs due to hourly rates increases since the Mod. 1 initiated in 2002.; and

**WHEREAS**, Modification No. 5 is required to update the storm construction plans to include as built information from the sanitary improvements that were constructed in 2014, also to update plans to reflect current Columbus Construction and Material Specifications (CMS), and to reflect current City of Columbus Stormwater Drainage Manual requirements; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to execute a contract modification for the Skyline Drive Stormwater System Improvements Project with Stantec Consulting Services, Inc.; and

**WHEREAS**, it is necessary to transfer money within the Storm Build America Bonds (BABs) Fund for the Skyline Drive Stormwater System Improvements Project, Mod. 5; and

**WHEREAS**, it is necessary to authorize an amendment to the 2015 Capital Improvements Budget for purposes of providing sufficient funding and spending authority for the aforementioned project expenditure; and

**WHEREAS**, it is necessary for this Council to authorize the expenditure of funds within the Storm Build America Bonds (BABs) Fund; and 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 contract with Stantec Consulting Services Inc. for the Skyline Drive Stormwater System Improvements Project, Mod. 5, for the Division of Sewerage and Drainage, in the amount of \$97,539.75.

**SECTION 2.** That this contract modification is in compliance with Chapter 329 of Columbus City Codes.

**SECTION 3.** That the City Auditor is hereby authorized to transfer \$97,539.75 within the Storm Build America Bonds (BABs) Fund, Fund 676, Division of Sewerage and Drainage, Division 60-15, Object Level One 06, Object Level Three 6682, as follows:

**TRANSFER FROM:**

Project | OCA | Project Name | Amount

610786-100000 | 685786 | Clintonville Neighborhood SSI Phase 2 | \$97,539.75

**TRANSFER TO:**

Project | OCA | Project Name | Amount

610985-100000 | 676985 | Skyline Dr. SSI | \$97,539.75

**SECTION 4.** That the 2015 Capital Improvements Budget is hereby amended as follows, to provide sufficient budget authority for the execution of the engineering modification agreement stated herein:

Proj. No. | Proj. Name | Current Authority | Revised Authority | (Amount of Change)

610786-100000 | Clintonville Neighborhood SSI Phase 2 | \$100,000 | \$2,460 | -\$97,540

610985-100000 | Skyline Dr. SSI | \$0 | \$97,540 | +\$97,540

**SECTION 5.** 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 676, Project 610985-100000, Object Level One 06, Object Level Three 6682, OCA Code 676985, Amount \$97,539.75.

**SECTION 6.** 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 7.** 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 8.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 9.** 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 10.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.