



Legislation Details (With Text)

File #: 1255-2010 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 9/1/2010 **In control:** Utilities Committee
On agenda: 1/31/2011 **Final action:** 2/2/2011

Title: To authorize the Director of Public Utilities to execute a contract modification to the professional engineering services agreement with CH2M Hill, Inc. for the Southerly Wastewater Treatment Plant Sludge Thickening Improvements and Additional Renovations Project; transfer within and expend \$1,419,870.00 in funds from the B.A.B.s (Build America Bonds) Fund, to amend the 2010 Capital Improvements Budget to establish sufficient budget authority for this expenditure for the Division of Sewerage and Drainage. (\$1,419,870.00).

Sponsors:

Indexes:

Code sections:

Attachments: 1. CH2M Hill Mod 4 LEGISLATION B 0819101.pdf, 2. Sub-Contractor WIF 650359-100000 SWWTP Sludge Thickening.pdf

Date	Ver.	Action By	Action	Result
2/2/2011	1	CITY CLERK	Attest	
2/1/2011	1	MAYOR	Signed	
1/31/2011	1	Columbus City Council	Approved	Pass
1/31/2011	1	COUNCIL PRESIDENT	Signed	
1/24/2011	1	Columbus City Council	Read for the First Time	
12/6/2010	1	ODI DIRECTOR	Reviewed and Approved	
12/6/2010	1	Utilities Drafter	Sent for Approval	
12/6/2010	1	Utilities Drafter	Sent for Approval	
12/6/2010	1	CITY ATTORNEY	Reviewed and Approved	
12/6/2010	1	Utilities Drafter	Sent to Clerk's Office for Council	
12/3/2010	1	Auditor Reviewer	Reviewed and Approved	
12/3/2010	1	CITY AUDITOR	Reviewed and Approved	
12/3/2010	1	Utilities Drafter	Sent for Approval	
12/3/2010	1	EBOCO Reviewer	Sent for Approval	
12/2/2010	1	Finance Reviewer	Reviewed and Approved	
12/2/2010	1	Finance Reviewer	Reviewed and Approved	
12/2/2010	1	Finance Reviewer	Reviewed and Approved	
12/2/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
12/2/2010	1	Utilities Drafter	Sent for Approval	
12/1/2010	1	Utilities Reviewer	Reviewed and Approved	

12/1/2010	1	Utilities Drafter	Sent for Approval
12/1/2010	1	Utilities Reviewer	Sent for Approval
12/1/2010	1	UTILITIES DIRECTOR	Reviewed and Approved
12/1/2010	1	Utilities Drafter	Sent for Approval
9/21/2010	1	Utilities Drafter	Sent for Approval
9/9/2010	1	Utilities Reviewer	Reviewed and Approved
9/9/2010	1	Utilities Drafter	Sent for Approval
9/8/2010	1	Utilities Drafter	Sent for Approval

1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to modify the professional engineering services agreement with CH2M Hill, Inc., for the Southerly Wastewater Treatment Plant Sludge Thickening Improvements and Additional Renovations Project. The CH2MHill, Inc. modification amount requested under this ordinance is \$1,419,870.00. The contract total including this modification is \$10,330,197.00. The proposed contract modification provides funding for additional Services during Construction tasks for Contract S76. The potential need for this work was foreseen as construction progressed and is therefore a continuation of the services originally included within the existing contract's scope of service. It is not deemed either feasible or reasonable to suspend work with the entity currently under contract and undertake continuation of these services with another provider. The cost of the modification is a continuation of the vendor's current pricing structure, as verified by City staff. The Division has determined that these services cannot be performed by City personnel at this time.

Amount of additional funds to be expended: \$1,419,870.00

Original Contract	\$ 1,400,000.00
Modification No. 1	\$ 2,572,000.00
Modification No. 2	\$ 4,688,327.00
Modification No. 3	\$ 250,000.00
Proposed Modification No. 4	\$ 1,419,870.00
CURRENT PROPOSED TOTAL	\$10,330,197.00

Reasons additional goods/services could not be foreseen:

This Contract Modification No. 4 is a continuation of the services included within the existing contract's scope of service and was anticipated as construction progressed. The effort required for several construction-phase engineering services tasks were beyond the level originally estimated and included in the contract.

Reason other procurement processes are not used:

The funding provided by this contract modification is for completion of the existing services during construction for Contract S76. Due to the highly complex and technical nature of this wastewater treatment plant infrastructure, it is not reasonable or cost efficient to undertake a new procurement effort to acquire these services. The lengthy process for initiating a new procurement, and for a new entity to gain understanding of the project, would likely cause an unacceptable project delay and additional cost.

How cost of modification was determined:

A cost proposal was provided by CH2MHill, Inc. and reviewed by the Division of Sewerage and Drainage and its Professional Program Manager was deemed acceptable. The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal.

B. **Contract Compliance No.:** 59-0918189 | MAJ | Expires 05/11/2012

C. **Emergency Designation:** Emergency designation is not requested.

2. **FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities to transfer within and expend \$1,419,870.00 in funds from the B.A.B.s (Build America Bonds) Fund for this expenditure and to amend the 2010 Capital Improvements Budget to establish sufficient budget authority for this expenditure for the Division of Sewerage and Drainage.

To authorize the Director of Public Utilities to execute a contract modification to the professional engineering services agreement with CH2M Hill, Inc. for the Southerly Wastewater Treatment Plant Sludge Thickening Improvements and Additional Renovations Project; transfer within and expend \$1,419,870.00 in funds from the B.A.B.s (Build America Bonds) Fund, to amend the 2010 Capital Improvements Budget to establish sufficient budget authority for this expenditure for the Division of Sewerage and Drainage. (\$1,419,870.00).

WHEREAS, Contract No. EL007225 was authorized by Ordinance No. 1676-2006, as passed by Columbus City Council on October 16, 2006 for purposes of authorizing the Director of Public Utilities to enter into a contract for professional engineering services with CH2M Hill, Inc. for the Southerly Wastewater Treatment Plant Sludge Thickening Improvements and Additional Renovations Project; and

WHEREAS, contract Modification No. 1, identified as Contract No. EL007423, was authorized by Ordinance No. 1333-2007 and passed by Columbus City Council on October 1, 2007, authorizing the Director of Public Utilities to enter into a planned modification for additional funding of the project; and

WHEREAS, contract Modification No. 2, identified as Contract No. EL008436, was authorized by Ordinance No. 1109-2008 and passed by Columbus City Council on July 7, 2008, authorizing the Director of Public Utilities to enter into a planned modification for additional funding of the project; and

WHEREAS, contract Modification No. 3, identified as Contract No. EL009396, was authorized by Ordinance No. 0118-2009 and passed by Columbus City Council on April 6, 2009, authorizing the Director of Public Utilities to enter into a planned modification for additional funding of the project; and

WHEREAS, it is necessary to modify the subject contract in order to provide funding for additional construction-phase engineering services now needed during construction of Contract S76 of the project construction; and

WHEREAS, it is necessary to authorize the transfer within funds from the Sanitary B.A.B. (Build America Bonds) Fund in the amount of \$1,419,870.00 for purposes of providing sufficient funding for the aforementioned project expenditure; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Sanitary B.A.B. (Build America Bonds) Fund; and

WHEREAS, it is necessary to authorize an amendment to the 2010 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditures and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to modify the professional engineering services agreement with CH2M Hill, Inc. for the Southerly Wastewater Treatment Plant Sludge Thickening Improvements and Additional Renovations Project, at the earliest practical date;
Now, Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be, and hereby is, authorized to modify Contract No. EL007225 with CH2M Hill, Inc., 1103 Schrock Road, Columbus, Ohio 43229, for professional engineering services for the Southerly Wastewater Treatment Plant Sludge Thickening Improvements and Additional Renovations project, in order to provide the professional engineering services in accordance with the terms and conditions as shown in the contract modification on file in the office of the Division of Sewerage and Drainage.

Section 2. That the City Auditor is hereby authorized to transfer of \$1,419,870.00 within the Department of Public Utilities, Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, Object Level Three 6676, as follows:

From:

Project No. | Project Name | OCA Code | Change

650696-100000 | Scioto Main/West Side Relief Rehab | 668696 | (-\$1,000,000.00)

650750-100000 | Livingston/Parsons Sewer Rehabilitation | 664750 | (-\$419,870.00)

To:

Project No. | Project Name | OCA Code | Change

650359-100000 | SWWTP Sludge Thickening Improv. & Addt. Renov. | 668359 | (+\$1,419,870.00)

Section 3. That the City Auditor be and hereby is authorized to expend a total of \$1,419,870.00 from the Sanitary B.A.B.s (Build America Bonds) Fund into the Southerly Wastewater Treatment Plant Sludge Thickening Improvements and Additional Renovations | Fund 668 | Div. 60-05 | Proj. 650359-100000 | OCA Code 668359 | Object Level Three 6676.

Section 4. That the 2010 Capital Improvements Budget Ordinance 0564-2010 is hereby amended as follows, to provide sufficient budget authority for the award of the agreement stated herein:

Project No. | Project Name | Current Authority | Revised Authority | (Change)

650696-100000 | Scioto Main/West Side Relief Rehab (carryover) | \$1,000,000 | \$0 | (-\$1,000,000)

650750-100000 | Livingston/Parsons Sewer Rehabilitation (carryover) | \$470,243 | \$50,373 | (-\$419,870)

650359-100000 | SWWTP Sludge Thickening Improv. & Addt. Renov. | \$0 | \$1,419,870 | (+\$1,419,870)

Section 5. That the City Auditor is hereby authorized 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 are no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

Section 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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 said firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

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