



## Legislation Details (With Text)

**File #:** 1677-2013      **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 execute a planned contract modification with H.R. Gray-A Haskell Co. for the Wastewater Treatment Facilities Professional Construction Management Contract; to transfer within and expend of up to \$1,868,465.00 from the Sanitary Sewer General Obligation Fund for the Division of Sewerage and Drainage; and to amend the 2013 Capital Improvements Budget. (\$1,868,465.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 1677-2013 Director's Legislation Information Sheet ver5, 2. Ord 1677-2013 PCM Project List 062613, 3. Ord 1677-2013 Sub-Contractor WIF 650261-101000 WWTF PCM

| 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 | Read for the First Time |        |
| 7/22/2013 | 1    | Columbus City Council | Waive the 2nd Reading   | Pass   |
| 7/22/2013 | 1    | Columbus City Council | Approved                | Pass   |

**1. Background:** This legislation authorizes the Director of Public Utilities to execute a contract modification, Mod #1, with H.R. Gray-A Haskell Co. (formerly H.R. Gray and Associations) for the Wastewater Treatment Facilities Professional Construction Management project for the Division of Sewerage and Drainage. The contract provides construction administration and management services including, construction inspection, construction and startup coordination, reporting, budgeting, scheduling, document tracking, and related tasks associated with a multi-project program for the following construction contracts.

This is a multi-project program which now includes eight new construction contracts included in this modified agreement with potential new projects added with subsequent annual contract modifications over the next 4 (four) years:

|   |               |
|---|---------------|
| CIP 650261-101000 WWTFs Professional Construction Management  |               |
| CIP 650261-101001 General Contingency   | \$170,000.00  |
| CIP 650261-101002 WWTFs Ash Lagoon Improvements   | \$200,353.00* |
| CIP 650261-101003 WWTPs CSO Reduction Improvements  | \$246,379.00* |
| CIP 650261-101004 JPWWTP Corrosion Prevention & Protective Coatings   | \$115,681.00* |
| CIP 650261-101005 SWWTP Support Facilities S77  | \$192,486.00  |
| CIP 650261-101006 SWWTP Sludge Thickening Impr. & Add. Renovations<br>And JPWWTP Polymer System Renovations | \$220,478.00  |
| CIP 650261-101007 SWWTP Headworks Decommissioning, Waste  | \$292,878.00  |

Digester Gas Utilization Improvements

|  |                       |
|--|-----------------------|
| CIP 650261-101008 SWWTP Corr. Prev. & Proc. Coatings Sys Ph2 S82 | \$170,574.00          |
| CIP 650261-101009 Fairwood Facilities Improvements, Phase1 F36   | \$109,636.00          |
| CIP 650261-101010 Small Capital Projects                         | <u>\$150,000.00</u>   |
| <b>Estimated Project Cost:</b>                                   | <b>\$1,868,465.00</b> |

\*: These three project amounts were part of the cancelled purchase order EL012903 and their funds are being utilized to fund this project series.

Note: Cancellation of purchase order number EL012903 (\$562,413.00) - the original CIP number for this project was 650361-100003. To better organize and track the Wastewater Treatment Facilities projects, new project series was created, 650261-101000. The contract for EL012903 was created, executed, and approved, but no invoices were submitted or paid. It was decided to cancel the purchase order, appropriate the funds, and use them in the new PCM Project Series. The cancellation number was OX146481.

**Project Modification Data:**

**1.1 Amount of additional funds to be expended:**

|  |                        |
|--|------------------------|
| Original Contract                                    | \$ 0                   |
| Current Modification No. 1                           | \$ 1,868,465.00        |
| Proposed Modification No. 2 (estimated 2014 funding) | \$ 2,945,000.00        |
| Proposed Modification No. 3 (estimated 2015 funding) | \$ 1,704,000.00        |
| Proposed Modification No. 4 (estimated 2016 funding) | <u>\$ 2,945,000.00</u> |
| CURRENT PROPOSED TOTAL                               | \$ 9,462,465.00        |

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

Contract Modification No. 1 was planned and anticipated, and so stated in the original contract’s legislation. It is a planned continuation of the services originally included within the existing contract’s scope of service.

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

The funding provided by this contract modification is for continuation of the existing work of the contract. It is not reasonable or cost effective to undertake a new procurement to acquire these services.

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

A cost proposal was provided by H.R. Gray-A Haskell Co. and reviewed by the Division of Sewerage and Drainage and was deemed acceptable. The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal.

**2. Project Timeline:** This contract modification is for 2013 services. The duration of the contract may extend into subsequent years based on the complexity and progress of the assigned work.

**3. Contract Compliance No.:** 31-1050479 | MAJ | Exp 10/31/2013

**4. Emergency Designation:** Emergency designation **is not** requested at this time.

**5. Economic or Environmental Impact:** The performance of this professional contract management services for the subject construction contracts will help to prevent or reduce number of construction claims, and minimize charge amount of the unavoidable claims.

**6. Fiscal Impact:**

This ordinance authorizes the transfer within and the expenditure of up to \$1,868,465.00 from the Sanitary Sewer General Obligation Bond Fund, Fund 664; and amends the 2013 Capital Improvements Budget.

To authorize the Director of Public Utilities to execute a planned contract modification with H.R. Gray-A Haskell Co. for the Wastewater Treatment Facilities Professional Construction Management Contract; to transfer within and expend of up to \$1,868,465.00 from the Sanitary Sewer General Obligation Fund for the Division of Sewerage and Drainage; and to amend the 2013 Capital Improvements Budget. (\$1,868,465.00)

**WHEREAS**, the original contract, EL012903 was authorized by Ordinance 0373-2013 which passed April 02/2012; executed by the Director of Public Utilities on June 15, 2012, approved the City attorney on June 18, 2012, and issued by the City Auditor's office June 25, 2012; and

**WHEREAS**, it is necessary to authorize the City Auditor to cancel EL012903 and transfer the funds and authority to the new PCM CIP project series, 650261-101000; and

**WHEREAS**, it is necessary to authorize the Director of Public Utilities to execute a contract modification with H.R. Gray -A Haskell Co. (formerly H.R. Gray and Associates) for the Wastewater Treatment Facilities (WWTF) Professional Construction Management (PCM) Contract; and

**WHEREAS**, it is necessary for City Council to authorize the transfer within and the expenditure of funds from the Sanitary Sewer General Obligation Fund, Fund 664; and

**WHEREAS**, this is a multi-year agreement with subsequent annual contract modifications; and

**WHEREAS**, it is necessary to amend the 2013 Capital Improvements Budget; and

**WHEREAS**, the Department of Public Utilities, Division of Sewerage and Drainage, is requesting that this Council authorize the Director of Public Utilities to enter into contract modification, Mod #1, with H.R. Gray-A Haskell Co. (formerly H.R. Gray and Associates) for the Wastewater Treatment Facilities Professional Construction Management project for 2012-2016, at the earliest practical date for the preservation of 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 Director of Public Utilities be, and hereby is, authorized to enter into an agreement for professional construction management services with H.R. Gray-A Haskell Co., 3770 Ridge Mill Drive, Columbus, OH 43026, in connection with Wastewater Treatment Facilities Professional Construction Management project, in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage.

**SECTION 2.** That the City Auditor be and hereby is authorized and directed to transfer up to \$1,868,465.00 from within the Sanitary Sewer General Obligation Bond Fund | Fund No. 664 | Division 60-05 | Object Level Three 6630:

**From: Fund 664**

**Proj. No. | Proj. Name | OCA | Amount**

650259-100001 | JPWWTP Corr. Prev. & Prot. Coatings Sys. Ph. 1 | 650259 | -\$115,681.00  
650333-100000 | Ash Lagoons Improvements | 664333 | -\$200,353.00  
650347-100001 | WWTP's CSO Reduction Improvements | 650347 | -\$246,379.00  
650361-100003 | WWTF Professional Construction Management | 643613 | -\$1,280,700.00  
650015-100000 | Long Street Sewer GMRA | 640015 | -\$25,352.00

**To:**

**Fund | Proj. No. | Proj. Name | OCA | Amount**

650261-101000 | WWTFs Professional Construction Management | 664261 | +\$1,868,465.00

**SECTION 4.** That the 2013 Capital Improvements Budget Ordinance No. 0645-2013 is hereby amended as follows, to create and provide sufficient budget authority for the award of the agreement stated herein:

| <u>Project No.</u> | <u>Project Name</u>                            | <u>Current Authority</u> | <u>Revised Authority</u> | <u>(Change)</u> |
|--------------------|--|--------------------------|--------------------------|-----------------|
| 650259-100001      | JPWWTP Corr. Prev. & Prot. Coatings Sys. Ph. 1 | \$450,000                | \$565,000                | (\$115,681)*    |
| 650259-100001      | JPWWTP Corr. Prev. & Prot. Coatings Sys. Ph. 1 | \$565,000                | \$450,000                | (\$115,681)     |
| 650333-100000      | Ash Lagoons Improvements                       | \$72,350                 | \$272,703                | (\$200,353)*    |
| 650333-100000      | Ash Lagoons Improvements                       | \$272,703                | \$72,350                 | (\$200,353)     |
| 650347-100001      | WWTP's CSO Reduction Improvements              | \$62,000                 | \$308,379                | (\$246,379)*    |
| 650347-100001      | WWTP's CSO Reduction Improvements              | \$308,379                | \$62,000                 | (\$246,379)     |
| 650361-100003      | WWTF Professional Construction Management      | \$1,280,700              | \$0                      | (\$1,280,700)   |
| 650015-100000      | Long Street Sewer GMRA                         | \$0                      | \$26,015                 | (\$26,015)*     |
| 650015-100000      | Long Street Sewer GMRA                         | \$26,015                 | \$663                    | (\$25,352)      |
| 650261-101000      | WWTFs Professional Construction Management     | \$0                      | \$1,868,465              | (\$1,868,465)   |

\*: from cancellation

**SECTION 5.** That the Director of Public Utilities is authorized to expend up to \$1,868,465.00 or as much thereof as may be needed, on the following: Sanitary Sewer General Obligation Bond Fund | Fund No. 664 | Division 60-05 | Object Level Three 6630:

| <u>Project No.</u> | <u>Project Name</u>                        | <u>Amount (\$)</u> | <u>OCA Code</u> | <u>Object Level Three</u> |
|--------------------|--|--------------------|-----------------|---------------------------|
| 650261-101000      | WWTFs Professional Construction Management | 664261             | +               | \$1,868,465.00            |

**SECTION 6.** That the said firm, H.R. Gray-A Haskell Co., shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**SECTION 7.** 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 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.