



Legislation Details (With Text)

File #: 2440-2013 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/9/2013 **In control:** Public Utilities Committee

On agenda: 11/4/2013 **Final action:** 11/8/2013

Title: To authorize the City Attorney to enter into a contract modification for special legal counsel services for the Olentangy Augmentation Relief Sewer (OARS) project with Dinsmore and Shohl LLP; to authorize the expenditure of \$65,000.00 from the Sewerage System Operating Fund; to waive the provisions of competitive bidding; and to declare an emergency. (\$65,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 2440-2013 OARS Modification (Dinsmore) Waiver Form

Date	Ver.	Action By	Action	Result
11/8/2013	1	CITY CLERK	Attest	
11/7/2013	1	MAYOR	Signed	
11/4/2013	1	COUNCIL PRESIDENT	Signed	
11/4/2013	1	Columbus City Council	Approved	Pass

The purpose of this ordinance is to authorize the City Attorney to modify an existing contract with Dinsmore and Shohl LLP for special counsel legal services related to the Olentangy Augmentation Relief Sewer (OARS) project.

The City Attorney entered into contract ED-048783 to engage Dinsmore and Shohl LLP for the provision of legal assistance to the Department of Public Utilities relative to the OARS project. It has become necessary to modify the agreement to provide additional legal assistance in the matter. Dinsmore and Shohl LLP has provided preliminary legal services and is thus already fully familiar with the contract documents and the related issues in dispute. Further, the firm has specialized experience with these types of projects as they were the legal counsel for matters pertaining to the City's Big Walnut Augmentation Rickenbacker Interceptor Projects (BWARI). Therefore, the City Attorney's Office in consultation with the Department of Public Utilities feels it is in the best interest of the City to continue to utilize this firm as special counsel for this project and waive the relevant competitive bidding provisions of the Columbus City Code.

FISCAL IMPACT: This contract modification will be funded by the Department of Public Utilities. The amount of this contract modification is \$65,000.00.

COMPANY: Dinsmore and Shohl LLP (31-0263070) Expires 3-6-14

Emergency legislation is being requested so that there would be no delay in the legal services needed in this matter.

To authorize the City Attorney to enter into a contract modification for special legal counsel services for the Olentangy Augmentation Relief Sewer (OARS) project with Dinsmore and Shohl LLP; to authorize the expenditure of \$65,000.00 from the Sewerage System Operating Fund; to waive the provisions of competitive bidding; and to declare an emergency. (\$65,000.00)

WHEREAS, the City Attorney entered into contract ED-048783 to engage Dinsmore and Shohl LLP for preliminary legal assistance relative to the OARS project, and

WHEREAS, it has become necessary to modify the agreement to provide additional legal assistance in the matter; and

WHEREAS, Dinsmore and Shohl LLP has provided preliminary legal services and is in the best position to continue to provide special counsel for this project; and

WHEREAS, it is in the best interest of the City to waive the relevant competitive bidding provisions of the Columbus City Code in order to maintain continuity of service; and

WHEREAS, the City has determined that an additional \$65,000.00 should be sufficient to cover said services; and

WHEREAS, an emergency exists in the daily operation of the City in that it is necessary to authorize the City Attorney to enter a contract modification with Dinsmore and Shohl, LLP at the earliest time so that there are no interruptions in legal services in this matter for the preservation of public health, peace, property, safety, and welfare; Now, therefore,

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

Section 1. That the City Attorney is hereby authorized to modify the contract with Dinsmore and Shohl LLP for special legal counsel to provide legal advice and other legal services to the City Attorney and the Department of Public Utilities with regard to matters pertaining to the Olentangy Augmentation Relief Sewer (OARS) project.

Section 2. That the relevant competitive bidding provisions of the Columbus City Codes are hereby waived, such waiver being in the best interest of the City.

Section 3. 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 4. That the expenditure of \$65,000.00 or as much as may be needed, is hereby authorized as follows:

Fund: 650

OCA: 605006

Object Level 1: 03

Object Level 3: 3324

Section 5. That for the reasons stated in the preamble hereto, where is hereby made a part hereof, this Ordinance is hereby 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 days after passage if the Mayor neither approves nor vetoes the same.