



## Legislation Details (With Text)

**File #:** 3100-2023      **Version:** 1

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

**File created:** 10/31/2023      **In control:** Public Utilities Committee

**On agenda:** 12/4/2023      **Final action:** 12/7/2023

**Title:** To authorize the Director of Public Utilities to enter into a contract modification with Evans Mechwart Hambleton & Tilton Incorporated for the Construction Administration/Construction Inspection Services 2023-2025 contract; and to expend up to \$495,415.00 from the Water Bond Fund for the modification. (\$495,415.00)

**Sponsors:**

**Indexes:** MBE Participation

**Code sections:**

**Attachments:** 1. ORD 3100-2023 Accounting Template, 2. ORD 3100-2023 Utilization

Date	Ver.	Action By	Action	Result
12/7/2023	1	CITY CLERK	Attest	
12/6/2023	1	ACTING MAYOR	Signed	
12/4/2023	1	COUNCIL PRESIDENT	Signed	
12/4/2023	1	Columbus City Council	Approved	Pass
11/20/2023	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

This ordinance authorizes the Director of Public Utilities to enter into a contract modification with Evans Mechwart Hambleton & Tilton Inc. (EMH&T Inc.), for construction administration/inspection services for Department of Public Utilities construction projects bid during the calendar years 2023 through 2025 as part of the Construction Administration/Construction Inspection Services 2023-2025 contracts.

The construction projects to be administered by EMH&T Inc. under this contract modification are CIP #690236-100122 Miller Avenue Area Water Line Improvements and 690549-100012 CA-CI for General Water Construction Projects.

This work will primarily be performed in Community Planning Area 56 - Near East, 62 - Livingston Avenue Area, and 63 - South Side.

#### 1.1. Amount of additional funds to be expended: \$495,415.00

Original Contract:	\$1,934,456.02	(ORD 0745-2023; PO386052)
Modification #1:	\$178,477.12	(ORD 1676-2023; PO402261)
Modification #1:	<u>\$495,415.00</u>	(This ordinance)
Total	\$2,608,348.14	

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

This is a three-year agreement for fiscal years 2023 - 2025 for which modifications were anticipated pursuant to the original authorizing legislation under Ordinance 0745-2023 to account for future construction projects being assigned to EMH&T as additional tasks requiring contract modifications to authorize EMH&T to perform those tasks and to add funding to pay for the additional work to be performed.

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

This is a multi-year contract that will be modified as required to provide construction administration/inspection services for construction projects that bid during the three year (2023-2025) timeframe.

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

The cost of this modification was determined by negotiations between Stantec Consulting Services and Department of Public Utilities project staff based upon the existing contract labor titles, maximum labor rates, allowable contract expenses, and the time estimated to be needed to perform contract tasks.

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

This work will ensure the Department’s construction projects are performed correctly and will last the anticipated service life. No community outreach is planned at this time.

**3. CONTRACT COMPLIANCE INFORMATION**

EMH&T Inc. contract compliance number is CC-004214 and expires 11/16/2024.

**4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract opportunity was submitted to the City’s Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding. ODI determined there was not an opportunity for MBE/WBE participation in this contract and did not assign a goal. This contract was not bid with a City of Columbus MBE/WBE Program goal and the requirements of the City’s MBE/WBE Program are not applicable to this contract. EMH&T is ODI certified as a majority company. As shown in the Utilization Plan attached to this ordinance, EMH&T plans to use one City-certified MBE/WBE sub-consultant on this task. The spend with the one sub-consultant is anticipated to be \$44,297.00, or 9.95% for the contract task.

The subcontractor EMH&T Inc. proposes to use for this contract is listed below:

<b>Company Name</b>	<b>City/State</b>	<b>ODI Certification Status</b>
DHDC	Columbus, Ohio	MBE

EMH&T’s and all subcontractors’ certification were in good standing at the time of this contract modification.

**5. FISCAL IMPACT**

Funds are appropriated and available within the Water Bond Fund, Fund 6006, for this expenditure.

To authorize the Director of Public Utilities to enter into a contract modification with Evans Mechwart Hambleton & Tilton Incorporated for the Construction Administration/Construction Inspection Services 2023-2025 contract; and to expend up to \$495,415.00 from the Water Bond Fund for the modification. (\$495,415.00)

**WHEREAS**, the Department of Public Utilities advertised a Request for Proposals for Construction Administration/Construction Inspection Services; and

**WHEREAS**, EMH&T Inc. was one of six firms selected by the evaluation committee to provide these services; and

**WHEREAS**, Ordinance 0745-2023 authorized the contract with EMH&T Inc. for these services and assigned the task to be performed; and

**WHEREAS**, additional construction inspection/administration tasks needs to be performed; and

**WHEREAS**, the contract with EMH&T Inc. will need to be modified to add this task to the contract and to add funding to pay for the task; and

**WHEREAS**, funds must be expended to pay for the construction administration and inspection services EMH&T Inc. provides under the Construction Administration/Construction Inspection Services 2023-2025 contract; **now, therefore**

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

**SECTION 1.** That the Director of Public Utilities is authorized to enter into a contract with Evans Mechwart Hambleton & Tilton Inc., 5500 New Albany Rd, Columbus, Ohio 43054, for construction administration and inspection services, in accordance with the terms and conditions as shown in the contract on file with the Department of Public Utilities, in an amount not to exceed \$495,415.00.

**SECTION 2.** That an expenditure not to exceed \$495,415.00 is authorized per the accounting codes in the attachment to this Ordinance.

**SECTION 3.** Funds are deemed appropriated and expenditures and transfers authorized to carry out the purposes of this Ordinance and the City Auditor shall establish such accounting codes as necessary.

**SECTION 4.** 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 5.** That the City Auditor is authorized to transfer the unencumbered balance in a project account to the unallocated balance account 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.

**SECTION 6.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.