



## Legislation Details (With Text)

**File #:** 1632-2009      **Version:** 1

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

**File created:** 11/20/2009      **In control:** Utilities Committee

**On agenda:** 12/7/2009      **Final action:** 12/9/2009

**Title:** To authorize the Director of Public Utilities to enter into a professional construction management services agreement with H.R. Gray & Associates Inc. for the Wastewater Treatment Facilities Professional Construction Management project; to authorize the expenditure of \$1,810,636.00 within the Sanitary B.A.B.s (Build America Bonds) Fund, for the Division of Sewerage and Drainage; and to declare an emergency (\$1,810,636.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Draft Award LEGISLATIONB 110309.pdf, 2. Draft Award LEGISLATIONC 110509.pdf, 3. Sub-Contractor WIF 650361.2 PCM HR Gray.pdf

Date	Ver.	Action By	Action	Result
12/9/2009	1	CITY CLERK	Attest	
12/8/2009	1	MAYOR	Signed	
12/7/2009	1	Columbus City Council	Approved	Pass
12/7/2009	1	COUNCIL PRESIDENT	Signed	
11/30/2009	1	ODI DIRECTOR	Reviewed and Approved	
11/30/2009	1	Utilities Drafter	Sent for Approval	
11/30/2009	1	CITY ATTORNEY	Reviewed and Approved	
11/30/2009	1	Utilities Drafter	Sent to Clerk's Office for Council	
11/27/2009	1	EBOCO Reviewer	Sent for Approval	
11/25/2009	1	UTILITIES DIRECTOR	Reviewed and Approved	
11/25/2009	1	Utilities Drafter	Sent for Approval	
11/25/2009	1	Finance Reviewer	Reviewed and Approved	
11/25/2009	1	FINANCE DIRECTOR	Reviewed and Approved	
11/25/2009	1	Utilities Drafter	Sent for Approval	
11/25/2009	1	Auditor Reviewer	Reviewed and Approved	
11/25/2009	1	CITY AUDITOR	Reviewed and Approved	
11/25/2009	1	Utilities Drafter	Sent for Approval	
11/23/2009	1	Utilities Reviewer	Reviewed and Approved	
11/23/2009	1	Utilities Reviewer	Sent for Approval	
11/20/2009	1	Utilities Drafter	Sent for Approval	
11/20/2009	1	Utilities Reviewer	Reviewed and Approved	

**1. BACKGROUND:**

- A. Need.** This legislation authorizes the Director of Public Utilities to enter into a professional services agreement with H.R. Gray & Associates Inc. for the Wastewater Treatment Facilities Professional Construction Management project, 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 six construction contracts to begin construction within the next two years. This contract will be a two year, approximately annually funded, agreement based on known or executed construction contracts. Adjustments to fees and scope to this contract will be made by Contract Modification based on annual (or semiannual) proposals as requested by the City. The duration of the contract may extend into subsequent years based on the complexity and progress of the assigned work. This initial funding will provide for services estimated to be needed for construction contracts beginning in 2010. The amount requested under this ordinance is \$1,810,636.00. The Division has determined that these services cannot be performed by City personnel at this time, and has planned for the procurement of these services on a routine basis.

**Future Contract Modifications.**

Original Contract	\$1,810,636.00
Proposed Modification No. 1 (estimated 2011 funding)	<u>\$1,386,000.00</u>
CURRENT PROPOSED TOTAL	\$3,196,636.00

- B. Procurement Information:** The basis for selection of the chosen professional construction management services firm: The Division advertised Request for Proposals (RFP's) for the subject services in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. The Division of Sewerage and Drainage received two technical proposals on September 21, 2009 from G. Stephens, Inc. and H.R. Gray & Associates Inc.. These proposals were reviewed and ranked by a Professional Construction Management Services Selection Committee in order to determine the offeror best qualified to provide the services for this project. The committee ranked the proposals on quality and feasibility. After careful consideration, the committee recommended that H.R. Gray & Associates Inc. be selected to provide the professional construction management services for this project, for which the Division Administrator has concurred.
- C. Contract Compliance No.:** H.R. Gray & Associates Inc. | 31-1050479 | (MAJ) | (Expires 01/17/2010)
- D. Emergency Designation:** The Division of Sewerage and Drainage is requesting City Council to designate this ordinance an emergency measure in order to allow for the immediate commencement of this work. These services are needed immediately and are required to begin simultaneously with the commencement of construction of the Southerly Wastewater Treatment Plant Support Facilities project, in order to provide professional services pursuant to the proper management and timely completion of the project.

**2. FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities to expend \$1,810,636.00 in funds from within the Sanitary B.A.B.s (Build America Bonds) Fund Wastewater Treatment Facilities Professional Construction Management project. There is sufficient authority in the 2009 Capital Improvements Budget for this expenditure.

To authorize the Director of Public Utilities to enter into a professional construction management services agreement with H.R. Gray & Associates Inc. for the Wastewater Treatment Facilities Professional Construction Management project; to authorize the expenditure of \$1,810,636.00 within the Sanitary B.A.B.s (Build America Bonds) Fund, for the Division of Sewerage and Drainage; and to declare an emergency (\$1,810,636.00)

**WHEREAS**, the procurement was conducted in accordance with the Request For Proposals (RFP) process set forth in Section 329.14, Columbus City Codes, 1959: two proposals were received and the Division's Evaluation Committee selected H.R. Gray & Associates Inc. between the two firms; and

**WHEREAS**, the Division of Sewerage and Drainage, Department of Public Utilities, hereby requests this City Council to authorize the Director of Public Utilities to enter into an agreement for professional construction management services with H.R. Gray &

Associates Inc., 3770 Ridge Mill Drive, Columbus, Ohio 43026, for an amount of \$1,810,636.00 in connection with the Wastewater Treatment Facilities Professional Construction Management project ; and

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

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into an agreement for professional construction management services with H.R. Gray & Associates Inc., for the purposes of funding these services required for the immediate commencement of the construction management services necessary to begin construction of the Southerly Wastewater Treatment Plant Support Facilities project, 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 & Associates Inc., 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 for the purpose of paying the cost of the professional construction management services contract, the expenditure of \$1,810,636.00 or as much thereof as may be needed, is hereby authorized from the Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668 | Division 60-05 | Project No. 650361-100002 | OCA Code 652361 | Object Level Three 6621 .

**Section 3.** 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 4.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**Section 5.** 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 6.** That the 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 7.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure which 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.