



## Legislation Text

File #: 0954-2024, Version: 1

### 1. BACKGROUND

This ordinance authorizes the Director of Public Utilities (DPU) to enter into a planned contract modification for professional engineering services during construction with ms consultants, inc for the Overall Engineering Services (OES) Contract, CIP #690617-100000, in an amount up to \$1,000,000.00 for the Division of Water Contract No. 2133.

This contract provides a variety of task order-based professional services to meet the planning, operational, and capital improvement needs for the Division of Water's facilities, supplementing existing engineering personnel within the Division of Water (DOW) on an as-authorized, as-needed basis. Services performed to date include: groundwater modeling and alternatives evaluation of the Parsons Avenue Water Plant (PAWP) well field and recommendations for future water supply; constructability and technical review services for the Fourth Water Plant Electrical Substation; an evaluation and study on the future site needs for the 940/910 Dublin Road Utilities Complex and 3500 and 3568 Indianola Avenue Complexes; and constructability and technical review services for the Fourth Water Plant Site Preparation Package.

Future phasing tasks of the contract continue to be developed but anticipated services include: continuing with the previous study assessment of the DPU Facilities Future Site Needs recommending the combining of all facilities at one complex; assisting on addressing requirements for the Lead Service Line Inventory requirements of the Lead Copper Rule Revision; restoration of Land Stewardship Survey Markers; interim carbon studies including Powder Activated Carbon and filter media recharge; developing a long-term plan for watershed encroachments along with addressing erosion; evaluating ozone operation at the Dublin Road Water Plant (DRWP) and exploring increasing ozone demand; engineering services supporting DOW with planning, analysis, and investigations; assisting the City in regulatory and grants issues; assisting in negotiations with regulatory agencies concerned with permit requirements; support and enhancements of the Division's Master Plan; program planning, engineering coordination, design reviews and other general and additional services as directed by the City; and as required, provide services around the clock or at outdoor remote locations to address DOW needs.

The planning area = "99-Citywide"

#### 1.1 Amount of additional funds to be expended: \$1,000,000.00

The amount of the initial contract and the anticipated future contract renewals is listed below.

Cost summary (ms consultants, inc.):

Original Contract	\$1,000,000.00 (ORD 3204-2023; PO422877)
Modification #1	\$1,000,000.00 (Current)
<u>Future Modification #2</u>	<u>\$1,000,000.00</u>
CONTRACT TOTAL	\$3,000,000.00

#### 1.2. Reason other procurement processes are not used:

This contract was awarded under the City RFP process and expected to use two planned contract modifications to add funding as needed. This is the first of the two planned contract funding modifications.

#### 1.3. How cost of modification was determined:

The funding being added is an estimate of the amount needed over the upcoming year. Once tasks are assigned to this contract, the consultant is able to develop a work breakdown structure for each task. The fee for each task is then negotiated between ms consultants, inc. and DOW project managers based upon the existing contract job titles, hourly

rates of pay for each title, and allowable expenses.

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

This contract will assist the Division of Water with planning and evaluating various capital improvements that, if implemented, will have positive economic impacts on the central Ohio area. At this time no community outreach or input is anticipated.

The selected team has allocated sustainability-focused professionals, with expertise in energy efficiency, sustainability, and resiliency who can incorporate City's initiatives and opportunities to provide energy efficiency, sustainability, and resiliency elements to OES tasks as applicable.

## **3. CONTRACT COMPLIANCE INFORMATION**

ms consultants, Inc.'s contract compliance number is CC006998 and expires 12/1/2025.

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

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 15% as assigned by the City's Office of Diversity and Inclusion (ODI). ODI has approved an MBE/WBE Program goal of 15% for this contract, including any contract modifications. Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the terms and conditions that were part of the bid documents for this contract.

As part of their proposal, ms consultants, inc. anticipates the following subcontractors will perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Arcadis, U.S. Inc.	Columbus	MAJ
DHDC Engineering Consulting Services, Inc.	Columbus	MBE
Dynotec, Inc.	Columbus	MBE
Eagon & Associates, Inc.	Columbus	MAJ
Hazen and Sawyer	Columbus	MAJ
Jacobs Engineering Group, Inc.	Columbus	MAJ
Moody Nolan, Inc.	Columbus	MBE
Raftelis	Cincinnati	MAJ
Stone Environmental Engineering	Columbus	WBE

The certifications of ms consultants, inc., and the above subcontractors were in good standing at the time the bid was awarded.

## **5. FISCAL IMPACT**

Funds in the amount of \$1,000,000.00 are available and appropriated within the Water Bond Fund, Fund 6006. An amendment to the 2023 Capital Improvement Budget is necessary to align budget authority with the proper projects. A transfer of cash and appropriation within the Water Bond Fund is needed to align cash and appropriation with the proper projects.

To authorize the Director of Public Utilities to enter into a professional services contract modification for the Overall Engineering Services contract with ms consultants, inc., to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation between projects within the Water Bond Fund; and to authorize an expenditure of up to \$1,000,000.00 from the Water Bond Fund for the contract. (\$1,000,000.00)

**WHEREAS**, the Department of Public Utilities is engaged in the Overall Engineering Services (OES) Project; and

**WHEREAS**, Contract No. PO422877 was authorized by Ordinance 3204-2023, for the Overall Engineering Services

(OES) Project; and

**WHEREAS**, a planned contract modification is needed to add funding for tasks anticipated to be added to the contract over the next year; and

**WHEREAS**, it is necessary for Council to authorize the Director of Public Utilities to modify the professional engineering services contract with ms consultants, inc for Overall Engineering Services (OES); and

**WHEREAS**, the 2023 Capital Improvements Budget must be modified to align budget authority with the proper project; and

**WHEREAS**, it is necessary to transfer cash and appropriation between projects within the Water Bond Fund, Fund 6006, to align cash and appropriation with the proper project; and

**WHEREAS**, it is necessary to expend funds from the Water Bond Fund, Fund 6006, to pay for the contract modification;  
**NOW, THEREFORE,**

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

**SECTION 1.** That the 2023 Capital Improvement Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

**Fund / Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change**

6006 / 690527-100000 / Fire Hydrant Repairs (non R & R) (Voted Water Carryover) / \$932,869.00 / \$0.00 / (\$932,869.00)

6006 / 690006 - 100003 / Misc. Erosion Control - Hoover (Weiss Road) (Voted Water Carryover) / \$217,832.00 / \$150,700.00 / (\$67,132.00)

6006 / 690617-100000 / Overall Engineering Services (Voted Water Carryover) / \$1,000,000.00 / \$2,000,000.00 / \$1,000,000.00

**SECTION 2.** That the transfer of cash between projects within the Water Bond Fund, Fund 6006, is authorized per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Utilities is hereby authorized to enter into a contract modification with ms consultants, inc., 2221 Schrock Road, Columbus, OH 43229, for the Overall Engineering Services contract, in an amount up to \$1,000,000.00, in accordance with the terms and conditions as shown in the contract on file with the Department of Public Utilities.

**SECTION 4.** That the expenditure of up to \$1,000,000.00 is hereby authorized per the accounting codes in the attachment to this ordinance.

**SECTION 5.** Funds are hereby 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 6.** 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 7.** That the City Auditor is hereby 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 8.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.