



Legislation Text

File #: 0406-2024, Version: 1

1. BACKGROUND

This ordinance authorizes the Director of the Department of Public Utilities to enter into a contract modification for services with Evans, Mechwart, Hambleton & Tilton, Inc. (hereafter referred to as EMH&T) on the Blacklick Creek Interceptor contract, CIP #650034-100006, to add to the contract scope to for design work needed for the Blacklick Creek Sanitary Interceptor Sewer - Shaft 1 Control Gate project, CIP #650034-100010. This will be a zero dollar contract modification as enough funding remains on the existing contract to pay for the added design work.

Design Services for both the Blacklick Creek Sanitary Interceptor Sewer and the associated Air Quality Control Facility and have been completed. Construction of the interceptor sewer was completed in 2019, and the air quality control facility has recently begun construction. Given the rapidly developing areas within the Blacklick tributary area, and the proposed high water users that will generate additional significant sewage flows that could not have been anticipated when the original projects were designed, it was determined the design of a control gate to throttle flows during wet weather to prevent overflows in the downstream areas would need to be added to the sewer system.

The design work for the Blacklick Creek Sanitary Interceptor Sewer - Shaft 1 Control Gate project was bid through the City’s RFP process. The project was advertised on the Vendor Services site and the Bonfire site from March 10, 2023, through April 7, 2023. No proposals were received for the project. EMH&T designed the Blacklick Creek Sanitary Interceptor Sewer and the associated Air Quality Control Facility, has an open contract for those projects as they are still providing services during construction, the contract has sufficient funding remaining to perform the design services needed for the new work, and EMH&T has knowledge of the design work completed to this point that other firms would not have. For these reasons, it was decided it was better to modify the existing contract with EMH&T to perform the needed design services than it would be to rebid the project.

The Community Planning Area is “58 - Far East”.

1.1 Amount of additional funds to be expended: \$0.00

Original Contract Amount:	\$2,137,198.16 (Ord. 0663-2007 EL007221)
Modification #1 Amount:	\$5,706,025.31 (EL013173)
Modification #2 Amount:	\$1,714,133.90 (EL017423)
Modification #3 Amount:	\$ 553,841.01 (PO089635)
Modification #4 Amount:	\$ 756,649.13 (PO115132)
Modification #5 Amount:	\$ 1,122,657.07 (PO139162)
<u>Modification #6 Amount:</u>	<u>\$ 0.00 (Current)</u>
Total (Orig. + Modifications):	\$11,990,504.58

1.2. Reason other procurement processes are not used:

These services were intended to be performed via separate contract, however, when proposals were solicited for this work none were received. EMH&T performed the design work for the related projects, has an open contract for those projects as they are still providing services during construction, the contract has sufficient funding remaining to perform the design services needed for the new work, and EMH&T has knowledge of the design work completed to this point that other firms would not have. For these reasons, it was decided it was better to modify the existing contract with EMH&T to perform the needed design services than it would be to rebid the project.

1.3. How cost of modification was determined:

The existing contract has sufficient funds remaining to perform the additional work. The cost of the additional work was

determined using existing contract titles, hourly rates, and allowable expenses for the estimated number of hours needed to perform the work.

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

This project will allow for continued development in the Blacklick tributary area, which will generate additional customers and user fees. This project will also prevent downstream overflows from occurring during wet weather events.

3. CONTRACT COMPLIANCE INFORMATION

EMH&T’s contract compliance number is CC004214 and expires 11/8/25.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against EMH&T.

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

This contract was put in place prior to the implementation of the City of Columbus MBE/WBE Program and is not subject to the requirements of that program. EMH&T is classified as a majority company by the City’s Office of Diversity and Inclusion. EMH&T anticipates performing the work on this contract modification with the use of two sub-consultants, one of which is a City certified MBE. The MBE/WBE percentage for this modification is expected to be 2.55%.

As part of their proposal, EMH&T has proposed the following subcontractors to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
CDM Smith	Columbus, Ohio	MAJ
DLZ Ohio Inc.	Columbus, Ohio	MBE

The certification of EMH&T and the above companies were in good standing at the time of this contract modification.

5. FISCAL IMPACT

The funding remaining on the already established purchase order for this contract is thought to be sufficient for these additional tasks. No additional funding is needed at this time.

To authorize the Director of the Department of Public Utilities to enter into a modification of the Blacklick Creek Interceptor contract with Evans, Mechwart, Hambleton & Tilton, Inc. to expand the scope to include the design of a control gate to prevent overflows in the downstream areas during wet weather. (\$0.00)

WHEREAS, the Department of Public Utilities is engaged in the Blacklick Creek Interceptor project; and

WHEREAS, Ordinance 0663-2007 authorized a contract with Evans, Mechwart, Hambleton & Tilton, Inc. (EMH&T) for the Blacklick Creek Interceptor project; and

WHEREAS, growth in the area requires the addition of a control gate to prevent overflows in the downstream areas during wet weather; and

WHEREAS, the Department of Public Utilities issued an RFP for professional design services for the control gate and received no proposals; and

WHEREAS, EMH&T designed the other components of the Blacklick Creek Interceptor project, has an existing open contract for the design work, has knowledge of the design work completed to this point that other design firms do not; and the existing contract has sufficient remaining funds to complete the needed design work for the control gate; and

WHEREAS, it was deemed to be better to add the design work for the needed control gate to the existing EMH&T contract than it would be to rebid the work; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to enter into a contract modification with EMH&T for the Blacklick Creek Interceptor contract for additional design of the control gate; **NOW, THEREFORE**,

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

SECTION 1. That the Director of the Department of Public Utilities is authorized to enter into a zero dollar contract modification with EMH&T for the Blacklick Creek Interceptor contract to expand the contract scope to add the design of a control gate to prevent overflows in the downstream areas.

SECTION 2. That 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 3. 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 4. 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 5. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.