



## Legislation Text

**File #: 2008-2012, Version: 1**

**1. BACKGROUND:** This Ordinance authorizes the Director of Public Utilities to modify and increase the professional engineering services agreement with Burgess and Niple, Inc. for the Hap Cremean Water Plant (HCWP) Treatment Improvements - Detailed Design Project, for the Division of Power and Water Contract No. 1151.

Work under the original agreement and Modification No. 1 (EL010296, Contract No. 1151, CIP No. 690430-100001) included engineering services for preliminary and detailed design of additional treatment processes that were results of pilot studies conducted prior to design under Auditor's Contract EL006582 (Contract No. 1078, CIP No. 690430-100000).

Under the original agreement, the design team encountered numerous issues with the existing plant that affected the implementation of the new treatment process requiring additional design services that were not anticipated in the original scope of services.

This current agreement modification (No. 2) is to perform these additional design services, as well as engineering services during construction. Upgrades to the Hap Cremean Water Plant are to comply with new Ohio EPA regulations.

**1.1 Amount of additional funds to be expended: \$7,163,346.00**

Original Agreement Amount:	\$ 4,259,792.00	(EL010296)
Modification 1	\$ 452,000.00	(EL012665)
Modification 2 (current)	\$ 7,163,346.00	
Modification 3 (future)	<u>\$ 300,000.00</u>	(estimated)
Total (Orig. + Mods.1-3)	\$12,175,138.00	

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

As indicated in the original agreement legislation (Ord. #0403-2010), as well as Modification No. 1 (Ord# 0525-2012), it was the City's intent to have the selected Consulting/Engineering firm perform engineering services during construction as a modification to Contract No. EL010296 (Contract No. 1151, CIP No. 690430-100001).

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

Burgess & Niple, Inc. has been performing the development of this highly technical plant modification for over two years and is intimately involved in the preparation of the plant improvement. It would take another Consulting/Engineering firm a considerable amount of time and cost to become familiarized with the intricate infrastructure of this plant upgrade before conceptualizing a seamless integrated design.

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

Burgess & Niple, Inc. prepared and submitted a detailed estimate of cost to complete needed services. City project management staff reviewed and approved these cost summaries.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:** This project is necessary to comply with new rules promulgated by the Ohio Environmental Protection Agency. The Hap Cremean Water Plant is an essential and integral component in the Columbus area water supply and treatment infrastructure. Adequate supply of water is essential to economic growth and development. As this is a secure site on property owned by DPU, no community outreach or input was sought in the development of the project. The consultant team selected has indicated a corporate philosophy of environmental conservation and sustainable business practices. Where practical, LEED practices will be implemented for the new building that will be constructed as part of this project.

**3. CONTRACT COMPLIANCE INFO:** 31-0885550, expires 11/26/12, Majority

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Burgess and Niple, Inc.

**4. FUTURE AGREEMENT MODIFICATION:** A future agreement modification will be sought following this

agreement modification for the assembly of operations and maintenance data for entry into the City's computerized maintenance software system (WAM).

**5. FISCAL IMPACT:** A transfer of funds within the Water Works Enlargement Voted Bonds Fund will be necessary, as well as an amendment to the 2012 Capital Improvements Budget.

To authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Burgess and Niple, Inc. for the Hap Cremean Water Plant Treatment Improvements - Detailed Design Project; for the Division of Power and Water; to authorize a transfer and expenditure up to \$7,163,346.00 from the Water Works Enlargement Voted Bonds Fund; and to amend the 2012 Capital Improvements Budget. (\$7,163,346.00)

**WHEREAS**, Contract No. EL010296 with Burgess and Niple, Inc. was authorized by Ordinance No. 0403-2010, passed April 5, 2010, was executed on May 5, 2010, and approved by the City Attorney on May 10, 2010; and

**WHEREAS**, Modification No. 1 (EL012665) to Contract No. EL010296 with Burgess and Niple, Inc. was authorized by Ordinance No. 0525-2012, passed March 26, 2012, was executed on April 12, 2012, and approved by the City Attorney on May 1, 2012; and

**WHEREAS**, Modification No. 2 to the agreement is necessary in order to provide additional design services and engineering services during construction; and

**WHEREAS**, Modification No. 3 to the agreement will be sought for the assembly of operations and maintenance data for entry into the City's computerized maintenance software system (WAM); and

**WHEREAS**, it is necessary for this Council to authorize the transfer and expenditure of funds within the Water Works Enlargement Voted Bonds Fund, for the Division of Power and Water; and

**WHEREAS**, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power and Water, to authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Burgess and Niple, Inc., for the Hap Cremean Water Plant (HCWP) Treatment Improvements - Detailed Design 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 is hereby authorized and directed to modify and increase the professional engineering services agreement with Burgess and Niple, Inc. for the Hap Cremean Water Plant (HCWP) Treatment Improvements - Detailed Design Project, in the amount of \$7,163,346.00.

**SECTION 2.** That this agreement modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

**SECTION 3.** That the City Auditor is hereby authorized to transfer \$2,527,841.66 within the Department of Public Utilities, Division of Power and Water, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept/Div. No. 60-09, Object Level Three 6686, as follows:

**Fund No. | Project No. | Project Name | OCA Code | Change**

606	690236-100000 (carryover)	Water Main Rehab	642900	-\$12,069.00
606	690479-100000 (carryover)	Security Enhancements	606479	-\$249,154.03
606	690430-100001 (carryover)	HCWP Det. Design	664301	+\$261,223.03
606	690501-100000 (New Funding)	Hague Ave. W.M.	665010	-\$30,851.29
606	690514-100000 (New Funding)	WTP Env. Upgrades	606514	-\$11,130.00
606	690026-100002 (New Funding)	910/Indianola Updates	623639	-\$2,224,637.34

606 | 690430-100001 (New Funding) | HCWP Det. Design | 664301 | +\$2,266,618.63

**SECTION 4.** That the 2012 Capital Improvements Budget is hereby amended as follows:

**Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | Change**

606 | 690236-100000 (carryover) | Water Main Rehab | \$150,000 | \$162,069 | +\$12,069  
(establish authority for cancellation)

606 | 690236-100000 (carryover) | Water Main Rehab | \$162,069 | \$150,000 | -\$12,069

606 | 690479-100000 (carryover) | Security Enhancements | \$249,154 | \$249,155 | +\$1  
(establish authority to match cash)

606 | 690479-100000 (carryover) | Security Enhancements | \$249,155 | \$0 | -\$249,155

606 | 690430-100001 (carryover) | HCWP Det. Design | \$10,438,110 | \$10,699,334 | +\$261,224

606 | 690501-100000 (New Funding) | Hague Ave. W.M. | \$30,851 | \$30,852 | +\$1

(establish authority to match cash)

606 | 690501-100000 (New Funding) | Hague Ave. W.M. | \$30,852 | \$0 | -\$30,852

606 | 690514-100000 (New Funding) | WTP Env. Upgrades | \$11,130 | \$0 | -\$11,130

606 | 690026-100002 (New Funding) | 910/Indianola Updates | \$3,000,000 | \$775,362 | -\$2,224,638

606 | 690430-100001 (New Funding) | HCWP Det. Design | \$66,000,000 | \$68,266,620 | \$2,266,620

**SECTION 5.** That the expenditure up to \$7,163,346.00 is hereby authorized for the Hap Cremean Water Plant (HCWP) Treatment Improvements - Detailed Design Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690430-100001, Object Level Three 6686, OCA Code 664301, as follows:

**Project No.    Amount**

690430-100001 (New Funding)    \$6,902,122.97

690430-100001 (Carryover)    \$ 261,223.03

\$7,163,346.00

**SECTION 6.** That the City Auditor is hereby authorized and directed 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

**SECTION 7.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 8.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all agreements or agreement modifications associated with this Ordinance.

**SECTION 9.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.