



Legislation Text

File #: 0629-2010, Version: 1

1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to modify the professional services agreement with Braun & Steidl Architects, Inc. for the Fairwood Facility Improvements project for the Division of Sewerage and Drainage. The Braun & Steidl Architects, Inc. modification amount requested under this ordinance is \$249,831.00. The contract total including this modification is \$543,386.00. The proposed contract modification provides funding for the required additional design and bidding assistance services for Contracts F34 and F35 and services during construction task for Contract F35. It is not deemed either feasible or reasonable to suspend work with the entity currently under contract and undertake continuation of these services with another provider. The cost of the modification is a continuation of the vendor's current pricing structure, as verified by City Staff. 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.

<u>Amount of additional funds to be expended:</u>	\$249,831.00
Original Contract	\$ 242,161.00
Modification No. 1	\$ 51,394.00
Proposed Modification No. 2	<u>\$ 249,831.00</u>
CURRENT PROPOSED TOTAL	\$ 543,386.00

Reasons additional goods/services could not be foreseen:

This Contract Modification No. 2 is a planned continuation of the services included within the existing contract's scope of service.

Reason other procurement processes are not used:

The funding provided by this contract modification is for the continuation of the existing work of the contract. Due to the highly complex and technical nature of this work it is not reasonable or cost efficient to undertake a new procurement effort to acquire these services. The lengthy process for initiating a new procurement, and for a new entity to gain understanding of the project, would likely cause an unacceptable project delay and additional cost.

How cost of modification was determined:

The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal.

B. **Contract Compliance No.:** 34-1414083 | (MAJ) | (Expires 06/17/2010)

C. **Emergency Designation:** Emergency designation is not requested.

2. **FISCAL IMPACT:**

This project is jointly funded by the Division of Sewerage and Drainage and the Division of Power and Water. This ordinance authorizes the Director of Public Utilities to transfer within and to expend a total of \$175,884.00 from the Sanitary Build America Bond (B.A.B.s) Fund and to transfer within and to expend a total of \$73,947.00 from the Water Build America Bonds (B.A.B.s) Fund; and to amend to the 2010 Capital Improvements Budgets for both the Sanitary Build America Bond and the Water Build America Bond Fund to establish sufficient budget authority to cover the expenditure upon passage of the ordinance.

To authorize the Director of Public Utilities to execute a planned contract modification for the professional services agreement with Braun & Steidl Architects, Inc. for the Fairwood Facility Improvements project; to authorize the transfer of \$175,884.00 and expend a total of \$175,884.00 in funds from within the Sanitary B.A.B.s (Build America Bonds) Fund; to authorize a transfer and expenditure of \$73,947.00 within the Water Build America Bonds (B.A.B.s) Fund; and to amend to the 2010 Capital Improvements

Budgets for both the Sanitary Build America Bond and the Water Build America Bond Fund to establish sufficient budget authority to cover the expenditure upon passage of the ordinance for the Division of Sewerage and Drainage and the Division of Power and Water. (\$249,831.00).

WHEREAS, Contract No. EL008891 was authorized by Ordinance No. 1531-2008, as passed by Columbus City Council on November 3, 2008 for purposes of authorizing the Director of Public Utilities to enter into a contract for professional design services with Braun & Steidl Architects, Inc. for the Fairwood Facility Improvements project; this was executed on November 25, 2008, and was approved by the City Attorney on December 1, 2008 in the amount of \$242,161; and

WHEREAS, Modification No. 1, EL009727 for \$51,394.00 was authorized by Ordinance No. 0961-2009, as passed by Columbus City Council on September 14, 2009, was executed October 16, 2009, and was approved by the City Attorney October 26, 2009, and

WHEREAS, it is necessary to modify the subject contract in order to provide funding for additional detailed design tasks that became necessary in the course of the design development and for Services During Construction tasks for Contract F35 for the Fairwood Facility Improvements project; and

WHEREAS, it is necessary to authorize the transfer of cash in the amount of \$175,884.00 within the Sanitary B.A.B.s (Build America Bonds) Fund 668 for purposes of providing for the sanitary sewer capital improvements 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 668; and

WHEREAS, it is necessary to authorize the transfer of cash in the amount of \$73,947.00 within the Water B.A.B.s (Build America Bonds) Fund 609 for purposes of providing for the water capital improvements project; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Water B.A.B.s (Build America Bonds) Fund 609; and

WHEREAS, it is necessary to amend the 2010 Capital Improvements Budget to provide sufficient authority for increasing a capital project account; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to modify the aforementioned professional services contract with Braun & Steidl Architects, Inc. for the Fairwood Facilities Improvements project, at the earliest practical date 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 modify Contract No. EL008891 with Braun & Steidl Architects, Inc., 234 N. Fifth Street, Columbus, OH 43215, in connection with the Fairwood Facility Improvements project, in accordance with the terms and conditions as shown in the contract modification on file in the office of the Division of Sewerage and Drainage.

Section 2. That the City Auditor is hereby authorized to transfer \$175,884.00 within the Department of Public Utilities Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, Object Level Three 6676, as follows:

From:

Project No. | Project Name | OCA Code | change
650348-100002 | WWTF Instrumentation and Control | 652348 | (-\$175,884.00)

To:

Project No. | Project Name | OCA Code | change
650510-100031 | Fairwood Facilities Improvements | 631510 | (+\$175,884.00)

Section 3. That the City Auditor is hereby authorized to transfer \$73,947.00 within the Department of Public Utilities Division of

Power and Water, Dept/Div. No. 60-09, Water B.A.B.s (Build America Bonds) Fund, Fund No. 609, Object Level Three 6677, as follows:

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

609 | 690424-100000 (carryover) | Lazelle Rd. Storage Tank | 609424 | -\$73,947.00

609 | 690026-100004 (carryover) | 910 Vehicle Fueling Sta. | 692604 | +\$73,947.00

Section 4. That the expenditure of \$175,884.00, 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| Fairwood Facilities Improvements | OCA Code 631510 | Object Level Three 6676.

Section 5. That the expenditure of \$73,947.00, or as much thereof as may be needed, is hereby authorized from the Water B.A.B.s (Build America Bonds) Fund | Fund No. 609 | Division 60-09 | Project Name: 910 Vehicle Fueling Station | Project No. 690026-100004 (carryover) | OCA Code 692604 | Object Level Three 6677.

Section 6. That the 2010 Capital Improvements Budget Ord. 0564-201 is hereby amended as follows:

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

668 | 650348-100002 | WWTFS Instrumentation & Control System Upgrade | \$773,503 | \$597,619 | (-\$175,884)

668 | 650510-100031 | Fairwood Facility Improvements | \$853,680 | \$1,029,564 | (+\$175,884)

609 | 690424-100000 (carryover) | Lazelle Rd. Storage Tank | \$2,978,615 | \$2,904,668 | -\$73,947

609 | 690026-100004 (carryover) | 910 Vehicle Fueling Sta. | \$703,920 | \$777,867 | +\$73,947

Section 7. 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 no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

Section 8. 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 9. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 10. That the contracted 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 11. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.