



## Legislation Text

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**File #: 3079-2015, Version: 1**

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**1.0 BACKGROUND:** This Ordinance authorizes the Director of Public Utilities to modify and increase the professional engineering services agreement with Burgess & Niple, Inc. for the O’Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection Project, Division of Water Contract No. 2024.

The original contract was to perform an independent inspection of the O’Shaughnessy Dam and Hydroelectric Facility and submit a report to the Federal Energy Regulatory Commission (FERC). This project is in alignment with the Division of Water’s Dam Safety Program. Any corrective measures identified during that inspection were to be designed under a modification to the contract.

This current modification (Number 1) is to address safety issues that were identified in the inspection. See attachment “ORD 3079-2015 Information”, Item No. 9 for a description of work to be performed.

The O’Shaughnessy Dam is located outside the corporate limits of the City of Columbus and does not have an associated planning area.

**1.1 Amount of additional funds to be expended: \$61,700.00**

Original Contract Amount:	\$130,000.00	(EL016811)
Modification No. 1 (current):	\$ 61,700.00	
Total (Orig. + Mod. 1)	\$191,700.00	

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

The contract modification was anticipated and was identified in the original authorizing legislation, Ordinance No. 0215-2015 as well as the Director’s Information Sheet attached to that legislation.

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

The work being performed was anticipated with the original authorizing legislation. Ordinance No. 0215-2015 stated that any corrective measures identified during that inspection were to be designed under a modification to the contract. This current modification is to address safety issues that were identified. The proposed future modification is to design improvements likely to be required by FERC following their review of the report.

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

The Consultant prepared a detailed estimate of cost per task for remaining scope of work, broken down by project task. City Project management staff reviewed and approved these cost summaries.

**2. FUTURE CONTRACT MODIFICATION:** It is anticipated that a future modification will be needed to design improvements likely to be required by FERC following their review of the report.

**3. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:**

The O’Shaughnessy Dam is a significant component in the City of Columbus water supply for the Dublin Road Water Plant. This inspection is a mandated regulatory requirement for continued operation of this facility. The dam is considered “secure infrastructure” by the Department of Homeland Security and no public input is solicited for this work. The design consultant has committed to collaborate with the City on incorporating elements in the project, where possible, to help meet the goals of the Mayor’s Get Green Columbus 2010 initiative.

**4. CONTRACT COMPLIANCE INFO:** 31-0885550, expires 9/12/16, Majority

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

**5. FISCAL IMPACT:** A transfer of funds within the Water Permanent Improvements Non-Bond Fund will be necessary as well as an amendment to the 2015 Capital Improvements Budget.

To authorize the Director of Public Utilities to enter into a planned modification of the professional engineering services agreement with Burgess & Niple, Inc. for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection Project; for the Division of Water; to authorize a transfer and expenditure up to \$61,700.00 from the Water Permanent Improvements Non-Bond Fund; and to authorize an amendment to the 2015 Capital Improvements Budget. (\$61,700.00)

**WHEREAS**, Contract No. EL016811 was authorized by Ordinance No. 0215-2015, passed February 23, 2015, was executed on March 26, 2015, and approved by the City Attorney on April 8, 2015 for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection Project; and

**WHEREAS**, Contract Modification (Mod No. 1) will establish funding to address safety issues that were identified in the inspection; and

**WHEREAS**, it is necessary for this Council to authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Burgess & Niple, Inc. for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection Project; and

**WHEREAS**, it is necessary for this Council to authorize a transfer and expenditure of funds within the Water Permanent Improvements Non-Bond Fund, for the Division of Water; and

**WHEREAS**, it is necessary to authorize an amendment to the 2015 Capital Improvements Budget for purposes of providing sufficient funding and expenditure 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 Water, to authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Burgess & Niple, Inc., for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection 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 & Niple, Inc. for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection Project, in an amount up to \$61,700.00.

**SECTION 2.** That the transfer of \$61,700.00 or so much thereof as may be needed, is hereby authorized between projects within Fund 6008 Water Permanent Improvements Non-Bond Fund, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the 2015 Capital Improvements Budget is hereby amended as follows:

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

608 | 690370-100000 (carryover) | Upground Reservoir | \$74,820 | \$13,120 | -\$61,700

608 | 690251-100000 (carryover) | O'Shaughnessy Hydro-Elec. Fac. | \$0 | \$61,700 | +\$61,700

**SECTION 4.** That the expenditure of \$61,700.00 or so much thereof as may be needed, is hereby authorized in Fund 608 Water Permanent Improvements Non-Bond Fund, in Object Class 06 Capital Outlay, per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That the funds necessary to carry out the purpose of this Ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**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 contracts or contract 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.