



Legislation Text

File #: 1222-2010, 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 \$24,152.00. The contract total including this modification is \$567,538.00. The proposed contract modification provides funding for services during construction tasks for Contract F34. 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.

Amount of additional funds to be expended: \$22,878.00

Original Contract	\$ 242,161.00
Modification No. 1	\$ 51,394.00
Modification No. 2	\$ 249,831.00
Proposed Modification No. 3	<u>\$ 24,152.00</u>
CURRENT PROPOSED TOTAL	\$ 567,538.00

Reasons additional goods/services could not be foreseen:

This Contract Modification No. 3 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:

A cost proposal was provided by Braun & Steidl Architects, Inc. and reviewed by the Division of Sewerage and Drainage and was deemed acceptable. 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 04/08/2012)

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

2. **FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities to transfer within and to expend a total of \$24,152.00 from the Sanitary Build America Bond (B.A.B.s) Fund; and to amend to the 2010 Capital Improvements Budget 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 \$24,152.00 and expend a total of \$24,152.00 in funds from within the Sanitary B.A.B.s (Build America Bonds) Fund; and to amend to the 2010 Capital

Improvements Budget to establish sufficient budget authority to cover the expenditure upon passage of the ordinance; for the Division of Sewerage and Drainage. (\$24,152.00).

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, Modification No. 2, EL010706 for \$249,831.00 was authorized by Ordinance No. 0629-2010, as passed by Columbus City Council on June 14, 2010, was executed July 14, 2010, and was approved by the City Attorney July 30, 2010, and

WHEREAS, it is necessary to modify the subject contract in order to provide funding for Services During Construction tasks for Contract F34 for the Fairwood Facility Improvements project; and

WHEREAS, it is necessary to authorize the transfer of cash in the amount of \$24,152.00 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 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 \$24,152.00 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

650350-100002 | JPWWTP Incinerator Hydraulic Scrubber Conversion | 652350 | (-\$24,152)

To:

Project No. | Project Name | OCA Code | change

650510-100031 | Fairwood Facilities Improvements | 631510 | (+\$24,152)

Section 3. That the expenditure of \$24,152.00, 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 4. 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 | 650350-100002 | JPWWTP Incinerator Hydraulic Scrubber Conversion | \$37,597 | \$13,445 | (-\$24,152)

668 | 650510-100031 | Fairwood Facility Improvements | \$1,369,172 | \$1,393,324 | (+\$24,152)

Section 5. 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 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 authorized to establish proper project accounting numbers as appropriate.

Section 8. 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 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.