



Legislation Text

File #: 0175-2008, **Version:** 1

Background: This legislation authorizes the Public Service Director to enter into a contract for the Transportation Division for a professional services engineering contract for the Alkire Road-Holt Road Intersection Improvements project with Stantec Consulting Services Inc. (formerly R. D. Zande & Associates, Inc.) in the amount of \$94,707.00. A professional services contract for engineering is needed to assure timely completion of the design as the Transportation Division does not maintain adequate staff or all of the various disciplines necessary to complete such design in house.

No contract with Stantec Consulting Services Inc. (formerly R. D. Zande & Associates, Inc.) exists for this project. The design of this project originated as private work contracted by Dominion Homes, Inc., to fulfill mandatory infrastructure improvements in the public right-of-way. During the City review process, it was found that City design standards and specifications required extensions of the scope of work beyond what was required of the developer when the project was originally approved. The most prominent of these requirements were the addition of turn lanes and the modification of curb ramps to conform to current standards. The private design work, much of which has been performed, became a public improvement beyond the original scope of improvements required by City zoning procedures.

The purpose of the proposed legislation is to authorize a contract, in order to reimburse Stantec Consulting Services Inc. (formerly R. D. Zande & Associates, Inc.), for design work already performed, and for some work that is still proposed. Dominion Homes, Inc., has deposited a share of the necessary funds for the design in an escrow account administered by the City.

This ordinance also authorizes the Public Service Director to accept name and Federal Identification number changes of R.D. Zande & Associates, Inc. and the assignment of all their present and future contracts with the City of Columbus to Stantec Consulting Services, Inc. These actions are a result of Stantec Consulting Services, Inc.'s acquisition of R.D. Zande & Associates, Inc. on December 31, 2007. The Department of Public Service currently has several professional engineering and service agreements with R.D. Zande and Associates, Inc. Stantec Consulting Services, Inc. will continue to provide the services for these agreements in accordance with existing contract terms and provisions. This legislation will not alter the balances of any existing contracts covered by this assignment.

It is requested that formal competitive bidding be waived for this Alkire Road-Holt Road improvement project. It is more expeditious and less costly for the city to employ Stantec Consulting Services Inc. to complete the Alkire-Holt improvement plans. Also, the Ohio Administrative Code, under Chapter 4733-35-07, states that an engineer or surveyor shall not sign and/or seal professional work for which he or she does not have personal professional knowledge and direct supervisory control and responsibility. Thus, prior work that was performed by R. D. Zande & Associates, Inc. likely would not be used if another engineering firm was selected to perform this work.

No other firms were asked to submit a proposal since the engineer of record has the most knowledge of the plans and will not need to spend additional time and money to become familiar with the plans. The Transportation Division has negotiated the cost of the additional design work to complete the plans. The fee is based on estimated hours to complete the work, negotiated hourly rates, overhead rate, and net fee.

Stantec Consulting Services Inc. has a Contract Compliance #11-2167170 (expiration date January 7, 2010).

Emergency action is requested so the design of this project can continue without interruption and this project can proceed in a timely manner.

Fiscal Impact: Funds in the amount of \$24,707.00 are budgeted in the 2007 C.I.B. and available within the Voted 1995, 1999, 2004 Streets and Highways Fund from the 2007 Bond Sale. Additional funding in the amount of \$70,000.00 is available within the Street and Highway Improvement Fund for the Transportation Division.

To authorize and direct the Public Service Director to modify present and future contracts with R.D. Zande & Associates, Inc., to reflect a name and Federal Identification number change as a result of their acquisition by Stantec Consulting Services, Inc. and to authorize the assignment of all existing obligations to the City of Columbus by R.D. Zande & Associates, Inc., to Stantec Consulting Services, Inc; to waive formal competitive bidding requirements of the Columbus City Code; to appropriate \$70,000.00 within the Street and Highway Improvement Fund; to authorize the expenditure of \$24,707.00 from the Voted 1995, 1999, 2004 Streets and Highways Fund and \$70,000.00 from the Street and Highway Improvement Fund; to authorize the Public Service Director to enter into a professional service contract with Stantec Consulting Services Inc. for the design engineering of the Alkire Road-Holt Road Intersection Improvement project for the Transportation Division; and to declare an emergency. (\$94,707.00)

WHEREAS, the Public Service Department has entered into multiple contracts with R. D. Zande & Associates, Inc. in connection with multiple engineering agreements; and

WHEREAS, the it is necessary to alter existing contracts with R.D. Zande & Associates, Inc. to reflect a name and Federal Identification Number change as a result of their acquisition by Stantec Consulting Services, Inc. effective December 31, 2007; and

WHEREAS, Stantec Consulting Services, Inc. has informed the Public Service Director of it's intentions to fulfill the contractual obligations of R. D. Zande & Associates, Inc.; and

WHEREAS, there is a need to improve the intersection of Alkire Road and Holt Road and increase the safety of pedestrians and;

WHEREAS, the Public Service Director has identified the need to enter into a professional service contract for the completion of the contract construction plans for the Alkire Road-Holt Road Intersection Improvements project and;

WHEREAS, a satisfactory proposal has been submitted by Stantec Consulting Services Inc.; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should go forth immediately so that the work may proceed without delay, thereby preserving 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 Public Service Director is hereby authorized and directed to modify present and future contracts to reflect the company name change and Federal Identification Number of R.D. Zande & Associates, Inc., to Stantec Consulting Services, Inc., contract Compliance number 112167170.

SECTION 2. That the Public Service Director is hereby authorized to assign Stantec Consulting Services, Inc. all existing contractual obligations between the City of Columbus and R.D. Zande & Associates, Inc., in accordance with Stantec Consulting Services, Inc. acquisition of R.D. Zande & Associates, Inc.

SECTION 3. That the City Auditor is hereby authorized to assign all engineering contracts for R. D. Zande & Associates, Inc. to Stantec Consulting Services, Inc.

SECTION 4. That this Council finds it to be in the best interest of the City of Columbus that the formal competitive bidding provisions of the City Code be waived and hereby waives Section 329 with respect to this agreement and public infrastructure improvements contemplated therein.

SECTION 5. That from the unappropriated monies in the Streets and Highway Improvement Fund, Fund 766, and from the monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2008, the sum of \$70,000.00 be and hereby is appropriated to the Transportation Division, Dept/Div. No. 59-09, Object Level One Code 06, Object Level Three Code 6682, OCA 530005 and Project 530005.

SECTION 6. That the monies appropriated in the foregoing Section 3 shall be paid upon order of the Public Service Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 7. That for the purpose of paying the cost of said reimbursement, the sum of \$94,707.00 or so much thereof as may be

needed be and hereby is authorized to be expended by the Transportation Division, Department No. 59-09 as follows:

Fund / Fund Name / Project / Project Name / Object Level 01/03 / OCA / Amount

704 / 530086 / Intersection Improvements / 06/6682 / 644385 / \$24,707.00

766 / 530005 / Holt Rd/Alkire Road Intersection Improvement / 06/6682 / 530005 / \$70,000.00

SECTION 8. That the Public Service Director be and is hereby authorized to enter into a contract with Stantec Consulting Services Inc., 1500 Lake Shore Drive, Suite 100, Columbus, Ohio 43204, for an amount not to exceed \$94,707.00 for the completion of the contract construction plans for the Alkire Road-Holt Road Intersection Improvements project.

SECTION 9. 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 10. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the mayor, or ten days after passage if the mayor neither approves nor vetoes the same.