



City of Columbus

Office of City Clerk
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Legislation Text

File #: 1568-2008, Version: 1

BACKGROUND: This Ordinance authorizes the Public Utilities Director to enter into a planned modification of the professional engineering services contract with Stantec Consulting Services (f.k.a. R.D. Zande & Associates, Inc.), Inc. for the General Engineering Services contract, Division of Power and Water Contract No. 1061.

Under this contract, the City procures professional engineering services on an as-needed basis. The original contract reserved the City the right to extend the contract for fiscal years 2007 and 2008 under a maximum obligation of \$150,000 per year. This legislation provides the \$150,000 needed for fiscal year 2008.

1. Amount of additional funds to be expended: \$150,000

Original Contract Amount:	\$150,000
Modification #1:	\$150,000
Modification #2 (current):	<u>\$150,000</u>
Amount of original contract and 2 modifications:	\$450,000

2. Reasons additional goods/services could not be foreseen:

Continued services was foreseen when the original contract was established. Under Section XVIII of contract number EL005927, the City reserved the right to extend the contract for fiscal years 2007 and 2008 at a maximum obligation of \$150,000 per year.

3. Reason other procurement processes are not used:

The General Engineering Services contract is utilized in emergency situations to expedite the design of the project that is needed.

4. How cost of modification was determined:

Under Section XVIII of contract number EL005927, it was stated that the rate for services performed in the fiscal years 2007 and 2008 shall be specified in Schedule 1, which is based on the Total Labor Costs plus Subcontract Costs plus Reimbursable Expenses Costs contract.

Contract Compliance Info.: 11-2167170, expires 1/7/10, Majority. The name change from R.D. Zande & Associates to Stantec Consulting Services, Inc. has been approved under Ordinance No. 0095-2008, passed February 25, 2008.

FISCAL IMPACT: This legislation includes a transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund as a temporary measure until such time as the proceeds from a bond sale can be made available.

To authorize the Director of Public Utilities to enter into a planned modification of the General Engineering Services contract with Stantec Consulting Services, Inc. (f.k.a. R.D. Zande & Associates, Inc.); to authorize the appropriation, transfer, an expenditure of \$150,000 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$150,000 from the Water Works Enlargement Voted Bonds Fund; for the Division of Power and Water. (\$150,000)

WHEREAS, Contract No. EL005927 was authorized by Ordinance No. 1403-2005, passed October 2, 2005; executed April 5, 2006; and approved by the City Attorney on April 12, 2006; and

WHEREAS, a modification and increase to the General Engineering Services contract, EL005927, is needed for continued professional engineering services on an as-needed basis; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds from the Water System Reserve Fund to

the Water Works Enlargement Voted Bonds Fund; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the construction of the Project described in this Ordinance (collectively, the "Project").

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 General Engineering Services contract with Stantec Consulting Services, Inc. (f.k.a. R.D. Zande & Associates, Inc.), to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, 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 Public Utilities Director is hereby authorized and directed to modify and increase the General Engineering Services contract with Stantec Consulting Services, Inc. (f.k.a. R.D. Zande & Associates, Inc.) in the amount of \$150,000.00.

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

SECTION 3. That from the unappropriated monies in the Water System Reserve Fund, and from all 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 \$150,000, is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

SECTION 4. That the City Auditor is hereby authorized and directed to transfer \$150,000, from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the appropriate project account as specified within Section 5 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

SECTION 5. That the appropriation and expenditure of \$150,000 is hereby authorized for the Water Main Rehabilitation project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690236, Object Level Three 6686, OCA Code 642900.

SECTION 6. That upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 4 above, and said funds are hereby deemed appropriated for such purpose.

SECTION 7. That for the purpose of paying the cost of the contract modification, the sum of \$150,000 or so much thereof as may be necessary be and hereby is authorized to be expended as follows: Division of Power and Water, Dept./Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Project 690236, OCA Code 642900, Object Level One 06, Object Level Three 6686, Amount \$150,000.

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 intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$150,000 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the Water System Reserve Fund 603, which is the fund from which the advance for costs of the Project will be made.

SECTION 10. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.