



## Legislation Text

File #: 1100-2013, Version: 1

1. **Need.** This legislation authorizes the Director of Public Utilities to modify the professional engineering services agreement with ARCADIS U.S., Inc. (formerly Malcolm Pirnie, Inc.) for the Southerly Wastewater Treatment Plant New Headworks project. The ARCADIS U.S., Inc. modification amount requested under this ordinance is \$28,000.00. The total contract amount including this modification is \$18,686,045.77. The proposed contract modification provides funding for detailed design services and services during construction now needed for the decommissioning of the existing headworks facilities. The potential need for this work was foreseen and so stated in the original contract's legislation, and is therefore a planned continuation of the services originally included within the existing contract's scope of service. It is not deemed either feasible or reasonable to suspend this work with the entity currently under contract and undertake continuation of these services with another provider or procurement process. The cost of the modification is a continuation of the vendor's current pricing structure, as verified by City staff.

**1.1. Amount of additional funds to be expended: \$28,000.00**

Original Contract	\$ 1,567,500.00
Modification No. 1	\$ 707,500.00
Modification No. 2	\$ 3,060,000.00
Modification No. 3	\$ 122,000.00
Modification No. 4	\$ 50,000.00
Modification No. 5	\$ 3,193,000.00
Cancel of Mod. 5's Balance	\$ (589,954.23)
Modification No. 6	\$ 3,792,000.00
Modification No. 7	\$ 4,614,000.00
Modification No. 8	\$ 280,000.00
Modification No. 9	\$ 697,000.00
Modification No. 10	\$ 583,000.00
Modification No. 11	\$ 582,000.00
Modification No. 12	\$ 28,000.00
CURRENT PROPOSED TOTAL	\$18,686,045.77

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

This Contract Modification No. 12 is a continuation of the services included within the existing contract's scope of service and was anticipated as construction progressed. In a construction project for renovation of existing facilities, changes to contract work are expected and sometimes require a protracted level of services to reconcile a myriad of complex schedule, technical and interface issues. The additional effort required construction-phase engineering, on site, and time critical efforts and commissioning assistance beyond the level of effort originally estimated.

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

In so much as a large portion of this work was planned for and anticipated within the original procurement, and due to the highly complex and technical nature of this wastewater treatment plant infrastructure, 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.

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

A cost proposal was provided by ARCADIS U.S., 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.

2. **Contract Compliance No.:** 57-0373224 | (MAJ) | Expires 08/25/2013

3. **Emergency Designation:** Emergency designation **is not** requested at this time.

4. **Economic and Environmental Impact statement for this Modification.**

Removal of unused facilities and equipment, provision of updates, and beneficial reuse of existing facilities will extend the useful life of existing structures, eliminate expense for new facilities, increase work efficiency and provide safe work environment for the plant personnel. No community outreach or environmental factors are considered for this project.

5. **FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities to transfer within and expend \$28,000.00 in funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664 and to amend to the 2013 Capital Improvements Budget to create and 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 to the professional engineering services agreement with ARCADIS U.S., Inc. for the Southerly Wastewater Treatment Plant New Headworks project; and to authorize the expenditure of \$28,000.00 within the Sanitary Sewer General Obligation Bond Fund for the Division of Sewerage and Drainage, and to amend the 2013 Capital Improvement Budget. (\$28,000.00).

**WHEREAS**, Contract No. CT-18653 was authorized by Ordinance No. 2026-97, as passed by Columbus City Council on July 28, 1997 for purposes of authorizing the Director of Public Utilities to enter into a contract for professional engineering services with Malcolm Pirnie, Inc. (now acquired by ARCADIS U.S., Inc.), for the Southerly Wastewater Treatment Plant New Headworks Project; and

**WHEREAS**, modification No. 1, contract number EL000202 was authorized by Ord No. 0176-2000 passed by Columbus City Council on January 31, 2000; executed on March 13, 2000; and signed by the City Attorney on March 14, 2000 in the amount of \$707,500.00; and

**WHEREAS**, modification No. 2, contract number EL008199 was authorized by Ord No. 0927-2001 passed by Columbus City Council on June 4, 2001; executed on July 2, 2001; and signed by the City Attorney on July 5, 2001 in the amount of \$3,060,000.00; and

**WHEREAS**, modification No. 3, contract number EL002285 was authorized by Ord No. 0601-2002 passed by Columbus City Council on May 15, 2002; executed on May 9, 2002; and signed by the City Attorney on May 13, 2002 in the amount of \$122,000.00; and

**WHEREAS**, modification No. 4, contract number EL003166 was authorized by Ord No. 1897-2002 passed by Columbus City Council on December 9, 2002; executed on January 29, 2003; and signed by the City Attorney on February 11, 2003 in the amount of \$50,000; and

**WHEREAS**, modification No. 5, contract number EL003167 and E1003168 was authorized by Ord No. 0481-2001, passed March 19, 2001 and Ord No. 1897-2002, passed by Columbus City Council on December 9, 2002; both contracts were executed on February 14, 2003; and signed by the City Attorney on February 14, 2003 in the amount of \$3,193,000.00; and

**WHEREAS**, modification No. 6, contract number EL004220 was authorized by Ord No. 0290-2004 passed by Columbus City Council on March 29, 2004; executed on April 21, 2004; and signed by the City Attorney on April 29, 2004 in the amount of \$3,792,000.00; and

**WHEREAS**, modification No. 7, contract number EL00004220 was authorized by Ord No. 0290-2004 passed by Columbus City Council on February 28, 2005 ; executed on May 03, 2005; and signed by the City Attorney on May 12, 2005 in the amount of \$4,614,000.00; and

**WHEREAS**, modification No. 8, contract number EL006797 was authorized by Ord No. 2301-2006 passed by Columbus City Council on February 12, 2007; executed on April 18, 2007; and signed by the City Attorney on April 25, 2007 in the amount of \$280,000.00; and

**WHEREAS**, modification No. 9, contract number EL008694 was authorized by Ord No. 1078-2008 passed by Columbus City Council on July 28, 2008; executed on September 23, 2008; and signed by the City Attorney on September 25, 2008 in the amount of \$697,000.00; and

**WHEREAS**, modification No. 10, contract number EL011289 was authorized by Ord No. 1504-2010 passed by Columbus City Council on December 13, 2010; executed on February 15, 2011; and signed by the City Attorney on February 17,2011 in the amount of \$583,000.00; and

**WHEREAS**, modification No. 11, contract number EL012228 was authorized by Ord No. 1351-2011, passed by Columbus City Council on October 24, 2011; executed on November 21. 2011; and signed by the City Attorney on November 29, 2011 in the amount of \$582,000.00; and

**WHEREAS**, it is necessary to authorize the transfer within and expenditure of funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664 for purposes of providing sufficient funding for the aforementioned project expenditure; and

**WHEREAS**, it is necessary to authorize an amendment to the 2013 Capital Improvements Budget for the purpose of creating and providing sufficient spending authority for the aforementioned project expenditure; 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 professional engineering services agreement with ARCADIS U.S., Inc. for Southerly Wastewater Treatment Plant New Headworks project, at the earliest practical date; **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. CT-18653 with ARCADIS U.S., Inc., 100 East Campus View Blvd, Suite 200, Columbus OH 43235-1447, for professional engineering services for the Southerly Wastewater Treatment Plant New Headworks project, in order to provide the professional engineering services 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 \$28,000.00 in funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664, into the Southerly Wastewater Treatment Plant New Headworks Decommissioning Project | Sanitary Sewer General Obligation Bond Fund, Fund 664 | CIP 650352-10004 | Dept./Div. No 60-05 | Object Level Three 6678 as follows:

**From:**

**Proj. No. | Proj. Name | OCA | Amount**

664 | 650350-100002 | SWWTP Corrosion Prevention & Protective Coating | 653502 | -\$28,000.00

**To:**

**Fund | Proj. No. | Proj. Name | OCA | Amount**

664 | 650352-100004 | SWWTP New Headworks Decommissioning Project | 643524 | +28,000.00

**SECTION 3.** That the 2013 Capital Improvements Budget Ordinance No. 0645-2013 is hereby amended as follows, to create and provide sufficient budget authority for the award of the agreement stated herein:

**Fund # | Project No. | Project Name | Current Authority | Revised Authority | (Change)**

664 | 650350-100002 | SWWTP Corrosion Prevention & Protective Coating | \$28199 | \$199 | (-\$28,000)

664 | 650352-100004 | SWWTP New Headworks Decommissioning Project | \$0 | \$28,000 | (+\$28,000)

**SECTION 4.** That the Director of Public Utilities is authorized to expend \$28,000.00 or as much thereof as may be needed, on the following:

**Fund # | Project No. | Project Name | Amount (\$) | OCA Code | Object Level Three**

664 | 650352-100004 | SWWTP New Headworks | \$28,000.00 | 643524 | 6678

**SECTION 5.** That the said firm, ARCADIS US, Inc. shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**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.