



# City of Columbus

Office of City Clerk  
90 West Broad Street  
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## Legislation Text

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**File #: 1548-2008, Version: 1**

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**BACKGROUND:** This Ordinance authorizes the Director of Public Utilities to enter into a planned modification and increase of the professional engineering services contract with Stantec Consulting Services, Inc. for the Morse Rd. 36" W.M. Part II Project, Division of Power and Water Contract No. 1059.

The work under the contract includes furnishing professional services for Construction Administration Services during 2008-2010 on projects for the Division of Power and Water (DOPW) and the Division of Sewerage and Drainage (DOSD). The work includes full-time or part-time construction administration services including resident project inspection for the specific project identified. In general the consultant will respond to contractor's requests for information, respond to inquiries regarding the interpretation of the contract documents, review contractors claims for additional services and costs, review quality or materials/equipment substitutions and provide recommendations to the City, coordinate project submittals, schedule and chair progress meetings, and other services as directed by the City.

The original contract for Stantec Consulting Services included the Morse Road 36" Water Main Part I Project for the Department of Public Utilities.

**1. Amount of additional funds to be expended: \$315,000.00**

Original Contract Amount:	\$ 680,000.00
Modification 1 (current)	<u>\$ 315,000.00</u>
Amount of original contract and 1 modification:	\$ 995,000.00

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

The modification was anticipated and explained in the original legislation.

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

The original contract selected three firms to provide construction administration services for projects in 2008, 2009, and 2010.

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

A cost proposal was provided by Stantec Consulting Services and reviewed by the Division of Power and Water and was deemed acceptable.

**Contract Compliance Information:** 11-2167170, expires 1/7/10, Majority

**FISCAL IMPACT:** This legislation includes a transfer of funds within the Water Works Enlargement Voted Bonds Fund and 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. An amendment to the 2008 CIB is also necessary.

To authorize the Director of Public Utilities to enter into a planned modification and increase of the professional engineering services contract with Stantec Consulting Services, Inc. to provide for construction administration services on the Morse Rd. 36" W.M. Part II Project; for the Division of Power and Water; to authorize the transfer of \$267,763.40 within the Water Works Enlargement Voted Bonds Fund; to authorize the appropriation, transfer, an expenditure of \$47,236.60 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize the expenditure of \$315,000.00 from the Water Works Enlargement Voted Bonds Fund; and to authorize an amendment to the 2008 Capital Improvements Budget. (\$315,000.00)

**WHEREAS,** Contract No. EL008272-002 was authorized by Ordinance No. 0847-2008, passed June 9, 2008, was executed on June

24, 2008, and was approved by the City Attorney on June 30, 2008; and

**WHEREAS**, a modification is needed to the contract needs to provide construction administration services on the Morse Rd. 36" W.M. Part II Project; and

**WHEREAS**, it is necessary to authorize an amendment to the 2008 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditures; 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 modify and increase the professional engineering services contract with Stantec Consulting Services, Inc. to provide construction administration services on the Morse Rd. 36" W.M. Part II Project, 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 Director of Public Utilities is hereby authorized and directed to enter into a planned modification and increase of the professional engineering services contract with Stantec Consulting Services, Inc. to provide construction administration services on the Morse Rd. 36" W.M. Part II Project, in the amount of \$315,000.00.

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

**SECTION 3.** That the City Auditor is hereby authorized to appropriate \$267,763.40 within the Division of Power and Water, Dept/Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Object Level One 06, Object Level Three 6686, Project No. 690236, OCA Code 642900.

**SECTION 4.** That the City Auditor is hereby authorized to transfer \$267,763.40 within the Division of Power and Water, Dept/Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Object Level One 06, Object Level Three 6686, as follows:

<u>Project No.</u>	<u>Project Name</u>	<u>OCA Code</u>	<u>change</u>
690236	Water Main Rehab	642900	-\$267,763.40
690474	Morse Rd. 36" W.M.	606474	+\$267,763.40

**SECTION 5.** 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 \$47,236.60, is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

**SECTION 6.** That the City Auditor is hereby authorized and directed to transfer \$47,236.60, 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 6 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

**SECTION 7.** That the expenditure of \$47,236.60 is hereby appropriated for the Morse Rd. 36" W.M. Part II Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept./Div. No. 60-09, Project 690474, Object Level One 06, Object Level Three 6686, OCA Code 606474.

**SECTION 8.** That the expenditure of \$315,000.00 is hereby authorized for the Morse Rd. 36" W.M. Part II Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690474, Object Level Three 6686, OCA Code 606474.

**SECTION 9.** That the 2008 Capital Improvements Budget is hereby amended as follows:

**Project No. | Project Name | Current Authority | Revised Authority | change**

690236-100000 | Water Main Rehab | \$17,408,206 | \$17,140,442 | -\$267,764

690474-100000 | Morse Rd. 36" W.M. | \$5,499,760 | \$5,767,524 | + \$267,764

**SECTION 10.** 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 5 above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 11.** 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 12.** 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 \$47,236.60 (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 Water System Reserve Fund 603, which is the fund from which the advance for costs of the Project will be made.

**SECTION 13.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.