



Legislation Text

File #: 0549-2011, Version: 1

**1. Background:** This legislation authorizes the Director of Public Utilities to modify the professional services agreement with Chester Engineers, Inc. for the Southerly Wastewater Treatment Plant Corrosion Prevention and Protective Coating Systems Consultant project, for the Division of Sewerage and Drainage. The Chester Engineers, Inc. modification amount requested under this ordinance is \$471,558.66. The contract total including this modification is \$970,600.33.

The proposed contract modification provides funding for additional Preliminary and Detailed Design tasks and funding for Services During Construction estimated to be needed for construction contract S80 Corrosion Prevention and Protective Coating Systems Phase 1. 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.

**1.1. Amount of additional funds to be expended: \$471,558.66**

Original Contract	\$499,041.67
Proposed Modification No. 1	<u>\$471,558.66</u>
CURRENT PROPOSED TOTAL	\$970,600.33

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

The potential need for contract modifications was identified with the original contract legislation documents. During the detailed survey of the condition assessment, Primary Clarifier No. 10's collector mechanism was identified as inoperable due to corrosion and requires replacement. Design services would be required for a construction contract for this replacement. As the design work progressed, it was determined that the scope of the professional services would need to be increased to include Services During Construction for the construction contracts. These services by the Design Professional would assure the coatings were properly installed.

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

Due to the highly complex and technical nature of this wastewater treatment plant infrastructure project, 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 Chester Engineers, 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.

**3. Contract Compliance No.:** 20-2401674 | MBE | Expires 06/04/2011

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract to the Auditor of State unresolved findings for recovery certified search.

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

**5. FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities to transfer within and expend \$471,558.66 in funds from the Sanitary Sewer Build America Bond (B.A.B.s), Fund 668; and to amend to the 2011 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 to the professional services agreement with Chester Engineers, Inc. for the Southerly Wastewater Treatment Plant Corrosion Prevention and Protective Coating Systems; to transfer within and expend \$471,558.66 from the Sanitary Sewer Build America Bond and amend the 2011 Capital Improvements Budget. (\$471,558.66)

**WHEREAS**, Contract No. EL010006 was authorized by Ordinance No. 1513-2009, as passed by Columbus City Council on December 14, 2009 for purposes of authorizing the Director of Public Utilities to enter into a contract for professional services with Chester Engineers, Inc., for the Southerly Wastewater Treatment Plant Corrosion Prevention and Protective Coating Systems Consultant project; and

**WHEREAS**, it is necessary to modify the subject contract in order to provide funding for additional Preliminary and Detailed Design tasks and funding for Services During Construction estimated to be needed for construction contract S80 Corrosion Prevention and Protective Coating Systems Phase 1; and

**WHEREAS**, it is necessary to authorize the transfer within funds from the Sanitary Sewer Build America Bond (B.A.B.s) Fund in the amount of \$471,558.66 for purposes of providing sufficient funding for the aforementioned project expenditure; and

**WHEREAS**, it is necessary for City Council to authorize the expenditure of funds from the Sanitary Sewer Build America Bond (B.A.B.s) Fund; and

**WHEREAS**, it is necessary to authorize an amendment to the 2011 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditures; 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 agreement with Chester Engineers, Inc. for the Southerly Wastewater Treatment Plant Corrosion Prevention and Protective Coating Systems Consultant project, at the earliest practical date for the preservation of the public health, welfare, peace, property, safety, and; **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. EL010006 with Chester Engineers, Inc., 88 East Broad Street, Suite 1980, Columbus, Ohio 43215, for professional services for the Southerly Wastewater Treatment Plant Corrosion Prevention and Protective Coating Systems Consultant 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 of \$471,558.66 within the Department of Public Utilities, Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sanitary Sewer Build America Bond (B.A.B.s) Fund, Fund No. 668, Object Level Three 6676, as follows:

**From:**

**Project No. | Project Name | OCA Code | Change**

650352-100000 | SWWTP, New Head Works S-81 | 668352 | -\$471,558.66

**To:**

**Project No. | Project Name | OCA Code | Change**

650350-100002 | Southerly Wastewater Treatment Plant Corrosion Prevention and Protective Coating Systems Consultant | 652350 | +\$471,558.66

**Section 3.** That the Director of Public Utilities be and hereby is authorized to expend a total of \$471,558.66 from the Sanitary Sewer Build America Bond (B.A.B.s) Fund into the Southerly Wastewater Treatment Plant Corrosion Prevention and Protective Coating Systems Consultant | Fund 668 | Div. 60-05 | Proj. 650350-100002 | 652350 | Object Level Three 6676.

**Section 4.** That the 2011 Capital Improvements Budget Ordinance 0266-2011 is hereby amended as follows, to provide sufficient budget authority for the award of the agreement stated herein:

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

650352-100000 | SWWTP, New Head Works S-81 | \$1,706,000 | \$1,234,441 | (-\$471,559)

650350-100002 | Southerly Wastewater Treatment Plant Corrosion Prevention and Protective Coating Systems Consultant | \$0 | \$471,559 | (+\$471,559)

**Section 5.** That the said 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 6.** 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 are no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

**Section 7.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.