



Legislation Text

File #: 2300-2012, **Version:** 1

1. **BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a contract with Bricker & Eckler LLP for the Contract Compliance Audit Project for a review of the Department's construction and engineering design contract practices.

Operating and maintaining three drinking water plants, two wastewater plants, thousands of miles of water and sewer pipe and electrical lines requires constant and significant investment in infrastructure. To meet these obligations, the Department of Public Utilities enters into a significant number of construction contracts each year. The Contract Compliance Audit Project will review the Department's construction contract practices for compliance, standardization and best practices. The project also includes a review of professional services contracts used for engineering design of construction projects and the option to develop a model design-build contract for future use.

2. **CONTRACT AWARD:** Bricker & Eckler LLP, was selected in accordance with the procedures set forth in Columbus City Code, Section 329.14, "Awarding professional service contracts through requests for proposals." A notice of requests for proposals appeared in the City Bulletin on April 28, 2012, May 5, 2012, and May 12, 2012. Proposals were submitted by the due date of May 18, 2012. Six (6) firms submitted proposals for this project: Bricker & Eckler LLP; Calfee, Halter & Griswold LLP; Dinsmore & Shohl LLP; GBQ Consulting; McGlandrey LLP; and Roetzel & Andress LPA.

Five (5) city employees reviewed the proposals. One (1) represented the City Attorney's Office and four (4) represented the Department of Public Utilities. The offerors were ranked using criteria specified in City Code. **See scoring tabulation attached.**

3. **FISCAL IMPACT:** \$252,000.00 is needed for the contract and is budgeted in the 2012 Public Utilities Budget. Emergency legislation is being requested to avoid interruption in schedules and timelines of the project.

4. **CONTRACT COMPLIANCE INFORMATION:** Bricker & Eckler LLP (31-4359739) expires 1/31/2013 (MAJ)

To authorize the Director of Public Utilities to enter into a contract with Bricker & Eckler LLP for the Contract Compliance Audit Project for the Department of Public Utilities, and to authorize the expenditure of \$126,000.00 from the Sewer System Operating Fund and \$126,000.00 from the Water Operating Fund, and to declare an emergency. **(\$252,000.00)**

WHEREAS, the Department of Public Utilities is conducting a construction contract review, the Contract Compliance Audit Project, to determine compliance with contract language, EBO rules and practices, prevailing wage and environmental regulations, billing and change order documentation; and

WHEREAS, the Department of Public Utilities requires a review of professional services contracts used for engineering design of construction contracts, and the development of a model design-build contract for future use; and

WHEREAS, six (6) proposals were received and opened on May 18, 2012 for professional services for the Contract Compliance Audit Project; and

WHEREAS, based on the evaluation of the proposals, the Department of Public Utilities in coordination with the City Attorney's Office, selected the best proposal as submitted by Bricker & Eckler LLP; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is immediately necessary to enter into said contract to avoid interruption in schedules and timelines for the project for the immediate preservation of the public health, peace, property, and safety; now therefore.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Utilities be and is hereby authorized to enter into contract with Bricker & Eckler LLP, 100 South Third Street, Columbus, OH 43215, for the Contract Compliance Audit Project for professional services in accordance with the terms and conditions on file in the office of the Director of Public Utilities.

SECTION 2. That the expenditure of \$252,000.00 or so much thereof as may be needed, be and the same hereby is authorized as follows:

Fund No. 650
OCA 605006
Object Level 1: 03
Object Level 3: 3336
Amount: \$126,000.00

Fund No. 600
OCA 601849
Object Level 1: 03
Object Level 3: 3336
Amount: \$126,000.00

SECTION 3. That the said firm shall conduct the work to the satisfaction of the Director of Public Utilities.

SECTION 4. That the City Auditor is authorized to make any changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 5. That for 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 (10) days after passage if the Mayor neither approves nor vetoes the same.