



## Legislation Text

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**File #:** 1612-2011, **Version:** 1

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### **1. BACKGROUND:**

This legislation authorizes the Director of Public Utilities to execute a contract modification to the Sewer System Engineering Section's Construction Administration and Construction Inspection Services Agreement with Prime Engineering & Architecture, Inc. This modification involves two construction projects: (1) Clintonville Private Source I/I Identification Pilot Project and (2) West Columbus Local Protection (WCLPP) - Concrete Floodwall & Joint Repair. The funds approved within this legislation will provide for payment of services needed to continue the ongoing construction.

This modification (Mod #1) will increase the funding of the contract by an additional \$116,880.84 for construction administration - construction inspection services that need additional funding. This project typically involves the replacement and or rehabilitation of sanitary and combined stormwater sewer system infrastructure.

The original contract for Prime Engineering & Architecture, Inc. was for construction administration and construction inspection.

#### **1.1. Amount of additional funds to be expended: \$116,880.84**

Original Contract Amount:	\$672,000.00
<u>Modification 1</u>	<u>\$116,880.84</u>
Total (Orig. + Mod 1)	\$788,880.84

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

The modification was anticipated and explained in the original legislation. This is a continuation of the anticipated process.

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

The original contract selected three firms to provide construction administration services for these projects.

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

A cost proposal was provided by Prime Engineering & Architects, Inc. and reviewed by the Division of Sewerage and Drainage and was deemed acceptable.

### **2. MULTI-YEAR CONTRACT:**

This ordinance authorizes the expenditure of \$116,880.84 for two sanitary sewer projects: \$63,222.54 for the sanitary sewer system and \$53,658.30 for the stormwater project. The Department anticipates requesting additional appropriations to this contract for additional fiscal years, through planned contract modifications duly authorized by City Council. Under the terms of this contract, the City has the right to contract for additional services to fulfill emergency capital improvements related needs subject to the approval of a contract modification by City Council. The rates schedules established within this contract will remain in force throughout the life of the contract.

### **3. FISCAL IMPACT:**

The funding for this modification will come from two sources: the Sanitary Sewer General Obligation (G.O.) Bond Fund, Fund 664 and the Storm Sewer Bond Fund, Fund 685. This ordinance authorizes the Director of Public Utilities to transfer within and expend \$63,222.54 Sanitary Sewer G.O. Bond Fund and the expenditure of \$53,658.30 from the Storm Sewer Bond Fund, and to amend the 2011 Capital Improvement Budget.

**4. CONTRACT COMPLIANCE INFO:** 31-1373357 | FBE | Exp 11/30/2012

**5. EMERGENCY DESIGNATION:** The Department is requesting that this ordinance be made an emergency measure in order to expedite the establishment of the contract services that are necessary to ensure that the sanitary and stormwater systems are being rehabilitated and/or replaced to ensure the continued operation of this vital infrastructure.

To authorize the Director of Public Utilities to enter into a construction administration and inspection services agreement with Prime Engineering & Architects, Inc., to authorize the transfer with and expenditure of \$63,222.54 from the Sanitary Sewer General Obligation Bond Fund; the expenditure of \$53,658.30 from the Storm Sewer Bond Fund; for the Division of Sewerage and Drainage; and to amend the 2011 Capital Improvements Budget; and to declare an emergency. (\$116,880.84) **(AMENDED BY ORDINANCE 2334-2011 PASSED 1/30/2012)**

**WHEREAS**, Contract EL008273 was authorized by Ordinance 0846-2008 and passed by Columbus City Council on June 9, 2008, executed on June 25, 2008 by the Director of Public Utilities, and signed by the City Attorney on June 30, 2008 for the purposes of entering into a construction administration and construction inspection services agreement with Prime Engineering & Architecture, Inc.; and

**WHEREAS**, it is necessary to modify the construction administration and construction inspection services agreement with Prime Engineering & Architecture, Inc., for two sanitary projects: (1) Clintonville Private Source I/I Identification Pilot Project; and (2) the stormwater project West Columbus Local Protection (WCLPP) - Concrete Floodwall & Joint Repair to provide additional monies to cover the cost of needed additions in accordance with the Department's requirements; and

**WHEREAS**, the Sewer System Engineering Section of the Division of Sewerage and Drainage have a consistent and immediate demand for cost-effective construction administration and inspection services so that its capital improvements projects are completed in accordance with the Department's design requirements in order to ensure the continued operation of its sanitary and stormwater infrastructures; and

**WHEREAS**, it is necessary for Council to authorize the City Auditor to transfer within and expend funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664; and

**WHEREAS**, it is necessary to authorize the expenditure of funds within the Storm Sewer Bond Fund, Fund 685, for purposes of providing sufficient funding for the West Columbus Local Protection (WCLPP) - Concrete Floodwall & Joint Repair project; and

**WHEREAS**, it is necessary to authorize an amendment to the 2011 Capital Improvements Budget for purposes of providing sufficient budget authority for the project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to authorize the Director of Public Utilities to enter into contract with Prime Engineering & Architects, Inc., for the construction administration and inspection services for the Clintonville Private Source I/I Identification Pilot Project and (2) West Columbus Local Protection (WCLPP) - Concrete Floodwall & Joint Repair projects, which are necessary to allow for the proper operation of the City's sanitary and stormwater infrastructure, as well as, for the preservation of the public peace, health, property, and welfare; **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 the professional engineering services agreement with Prime Engineering & Architects, Inc., 3000 Corporate Exchange Drive, Suite 600, Columbus, Ohio 43231, that will continue to provide construction administration and inspection services for sewer improvement and stormwater projects in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage's Sewer System Engineering Section.

**Section 2.** That the City Auditor is hereby authorized and directed to transfer within a total of \$63,222.54 from within Division of Sewerage and Drainage | Dept./Div. 60-05 | Sanitary Sewer General Obligation Bond Fund | Fund 664 | Object Level Three 6686:

**FROM:**

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

650100-100000 | Sanitary Sewer Contingency | 650100 | -\$63,222.54

**TO:**

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

650405-100002 | Clintonville I&I Project | 664052 | +\$63,222.54

**Section 3.** That the 2011 Capital Improvements Budget Ordinance No. 0266-2011 is hereby amended as follows, to create and provide sufficient budget authority for the execution of the cost agreement increase stated herein:

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

650100-100000 | Sanitary Sewer Contingency | \$1,803,765 | \$1,740,543 | (-\$63,223)

650405-100002 | Clintonville I&I Project | \$0 | \$63,223 | (+\$63,223)

**Section 4.** That the expenditure of \$63,222.54, or as much thereof as may be needed, is hereby authorized from the Sanitary Sewer General Obligation Bond Fund:

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

Fund 664 | 650405-100002 | Clintonville I&I Project | 664052 | 6686 | \$63,222.54

**Section 5.** That the expenditure of \$53,658.30, or as much thereof as may be needed, is hereby authorized from the Storm Sewer Bond Fund:

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

Fund 685 | 610892-100000 | West Columbus Local Projects | 685892 | 6686 | \$53,658.30

**Section 6.** That the said engineering firm, Prime Engineering & Architects, Inc., shall perform these agreed services to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**Section 7.** 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 8.** 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 for the reasons stated in the preamble hereto, 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 days after its

passage if the Mayor neither approves nor vetoes the same.