



Legislation Text

File #: 1293-2013, **Version:** 1

1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to execute a professional engineering services contract modification with Camp, Dresser, McKee, Smith Inc (CDM Smith, Inc.), in connection with the Stormwater Strategic Plan Project (Ord. 2619-2012 **attached**). The Division of Sewerage and Drainage, Stormwater Section entered into an agreement with CDM Smith Inc. to assist the division in developing a a strategic plan to address recent regulatory standards by the USEPA. These standards would shift from a technology-based Maximum Extent Possible to water quality controls and the use of green infrastructure. This project will assemble a stormwater strategic plan that will address management policies, resource needs, current and future regulatory requirements, and strategic plan implementation and funding.

This contract modification will revised provisions of the professional services agreement to strike references to design and construction that are not applicable to the scope of work, as well as clarify the project's time schedule, records maintenance requirements, the insurance and indemnity section, and the conflicts of interest section of the agreement. The City Attorney's office was consulted on the recommended changes by CDM Smith, Inc., and determined a contract modification was necessary to incorporate the changes. The ordinance includes an attachment with the recommended changes.

2. EMERGENCY LEGISLATION:

The Division of Sewerage and Drainage is requesting City Council to designate this ordinance an emergency measure as there is an immediate need for the necessary changes in the agreement language to take effect immediately. The modification will not change the project funding amount of \$699,377.20.

3. CONTRACT AMOUNT:

The original contract authorization amount for this contract was \$699,377.20. No additional funds are authorized within this legislation.

To authorize the Director of Public Utilities to execute a professional engineering services contract modification with CDM Smith, Inc., for purposes of amending the agreement language in connection with the Stormwater Strategic Plan Project; and to declare an emergency.

WHEREAS, Ordinance No. 2892-2012 as passed by Columbus City Council on January 14, 2013, authorized the Director of Public Utilities to execute a professional engineering services contract with CDM Smith, Inc., in connection with the Stormwater Strategic Plan Project; and

WHEREAS, it is necessary to authorize the Director of Public Utilities to enter into an modification agreement for professional engineering services in connection with the Stormwater Strategic Plan Project to amend the agreement language as approved by the City Attorney's office to better align the language with the actual scope of work; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to execute the subject professional engineering services contract modification for the above referenced purposes; for the preservation of the public, health, peace, 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 hereby is authorized to execute a modification to the professional services agreement with CDM Smith, Inc., 8800 Lyra Drive, Suite 500, Columbus, OH, for the Division of Sewerage and Drainage, in accordance with the terms and conditions on file in the office of the Division of Sewerage and Drainage in order to amend the current agreement to better align the agreement language with the actual scope of work.

SECTION 2. That for the 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 days after passage if the Mayor neither approves nor vetoes the same.