



## Legislation Details (With Text)

**File #:** 0563-2012      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 3/6/2012      **In control:** Public Utilities Committee

**On agenda:** 4/16/2012      **Final action:** 4/19/2012

**Title:** To authorize the Director of Public Utilities to modify the professional engineering services agreement with Burgess & Niple, Inc., for the Jackson Pike Wastewater Treatment Plant New Headworks Project; to authorize the transfer within and the expenditure of \$166,026.00 from the Sanitary Sewer General Obligation Bond Fund; and to amend the 2011 Capital Improvements Budget; (\$166,026.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 0563-2012 BN Mod #6 LEGISLATIONB 022212, 2. Ord 0563-2012 Sub-Contractor WIF 650252-100000 JPWWTP New Headworks B&N Signed

Date	Ver.	Action By	Action	Result
4/19/2012	1	CITY CLERK	Attest	
4/18/2012	1	MAYOR	Signed	
4/16/2012	1	COUNCIL PRESIDENT	Signed	
4/16/2012	1	Columbus City Council	Approved	Pass
4/2/2012	1	Columbus City Council	Read for the First Time	

1. **BACKGROUND:**

**A. Need.** This legislation authorizes the Director of Public Utilities to modify the professional engineering services agreement with Burgess & Niple, Inc., for the Jackson Pike Wastewater Treatment Plant New Headworks Project, for the Division of Sewerage and Drainage. Engineering services for this project are being funded incrementally by contract modification as portions of the work are undertaken to advance the project through planning, engineering design and construction of facilities. This modification, Mod #6, provides additional funding for "Services During Construction" tasks for contract J217. The cost of the modification is a continuation of the vendor's current pricing structure, as verified by City staff. 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.

**Contract J217 - Truck Waste Disposal Facility (TWDF) Preliminary Treatment Process**

Provides a Preliminary Treatment Process facility consisting of a masonry building, septage treatment equipment, new sewers, concrete pavement and associated site work at the TWDF. The TWDF is owned by the City of Columbus and is operated and maintained by Kurtz Brothers for the City, per the Organic Waste Recovery and Reuse System (OWRSS) Agreement, Modification No. 2.

**Amount of additional funds to be expended: \$166,026.00**

Original Contract	\$ 5,878,960.00
Modification No. 1	\$ 360,494.00
Modification No. 2	\$ 946,327.00
Modification No. 3	\$ 182,805.00

Modification No. 4	\$ 343,075.00
Modification No. 5	\$ 532,672.00
Modification No. 6 (Current)	<u>\$ 166,026.00</u>
CURRENT PROPOSED TOTAL	\$ 8,410,359.00

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

The work for the modification was a planned continuation of the services originally included within the existing contract's scope of service. The Truck Waste Disposal Facility (TWDF) was planned and so stated in the original contract's legislation.

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

The funding provided by this contract modification is for continuation of the existing work of the contract. This work was planned for and anticipated within the original procurement, it is not reasonable or cost effective to undertake a new procurement to acquire these services.

**How cost of modification was determined:**

A cost proposal was provided by Burgess & Niple, Inc. and reviewed by the Division of Sewerage and Drainage and was deemed acceptable.

**B. Contract Compliance No.:** 31-0885550 | (MAJ) | Expires 11/26/2012

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

**D. Economic and Environmental Impact statement for this Modification.**

No economic impact, economic advantages, community outreach or environmental factors are considered for this project.

**2. FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities to transfer within and expend \$166,026.00 in funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664 and to amend to the 2011 Capital Improvements Budget to create and establish sufficient budget authority to cover the expenditure upon passage of the ordinance.

To authorize the Director of Public Utilities to modify the professional engineering services agreement with Burgess & Niple, Inc., for the Jackson Pike Wastewater Treatment Plant New Headworks Project; to authorize the transfer within and the expenditure of \$166,026.00 from the Sanitary Sewer General Obligation Bond Fund; and to amend the 2011 Capital Improvements Budget; (\$166,026.00)

**WHEREAS**, Contract No. EL900635 (now EL003800) for \$5,878,960.00 was authorized by Ordinance No. 1138-99, as passed by Columbus City Council on May 10, 1999, for the purpose of providing professional engineering services for the Jackson Pike Wastewater Treatment Plant New Headworks Project, for the Division of Sewerage and Drainage; and

**WHEREAS**, modification No. 1, contract number EL001202 was authorized by Ord No. 0465-2001 passed by Columbus City Council on March 19, 2001; executed on April 02, 2001; and signed by the Attorney on April 5<sup>th</sup>, 2001 in the amount of \$360,494.00; and

**WHEREAS**, modification No. 2, contract number EL002678 was authorized by Ord No. 1587-2002 passed by Columbus City Council on October 21, 2002; executed on October 30, 2002; and signed by the Attorney on November 4<sup>th</sup>, 2002 in the amount of \$946,327.00; and

**WHEREAS**, modification No. 3, contract number EL003651 was authorized by Ord No. 1897-2003 passed by Columbus City Council on July, 28<sup>th</sup>, 2003; executed on August 26<sup>th</sup>, 2003; and signed by the Attorney on September 10<sup>th</sup>, 2003 in

the amount of \$182,805.00; and

**WHEREAS**, modification No. 4, contract number EL004090 was authorized by Ord No. 2317-2003 passed by Columbus City Council on December 15th, 2003; executed on February 19th, 2004; and signed by the Attorney on March 2nd, 2004 in the amount of \$343,075; and

**WHEREAS**, modification No. 5, contract number EL006796 was authorized by Ord No. 2295-2006, passed by Columbus City Council February 5<sup>th</sup>, 2007; executed on March 26<sup>th</sup>, 2007; and signed by the Attorney on April 5<sup>th</sup>, 2007 in the amount of \$532,672.00; and

**WHEREAS**, it is necessary to authorize the transfer within and expenditure of monies from the Sanitary Sewer General Obligation Bond Fund, Fund 664 to provide sufficient funding for the aforementioned project; 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 expenditure; and

**WHEREAS**, it is necessary to authorize the Director of Public Utilities to modify the aforementioned professional engineering services contract with Burgess & Niple, Inc. for purposes of funding the additional engineering services needed for the Jackson Pike Wastewater Treatment Plant New Headworks Project, pursuant to the proper management and timely completion of the project; **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. EL900635 with Burgess & Niple, Inc., 5085 Reed Road, Columbus, Ohio 43220, for professional engineering services for the Jackson Pike Wastewater Treatment Plant New Headworks Project, in order to provide for payment of additional technical engineering services 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 up to \$166,026.00 in funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664, into the Jackson Pike Wastewater Treatment Plant Project | Sanitary Sewer General Obligation Bond Fund, Fund 664 | CIP 650252-100000 | Dept/Div No 60-05 | Object Level Three 6678 as follows:

**From: Fund 664**

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

664 | 650350-100002 | SWWTP Corrosion Prevention & Protection| 653502 | -\$166,026.00

**To:**

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

664 | 650252-100000 | JPWWTP New Headworks Project | 655183 | +166,026.00

**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 award of the agreement stated herein:

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

664 | 650350-100002 | SWWTP Corrosion Prevention & Protection| \$168,724 | \$2,698 | (-\$166,026)

664 | 650252-100000 | JPWWTP New Headworks Project | \$0 | \$166,026 | (+\$166,026)

**Section 4.** That the Director of Public Utilities is authorized to expend up to \$166,026.00 or as much thereof as may be needed, on the following:

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

664 | 650252-100000 | JPWWTP New Headworks Project | \$166,026 | 655183 | 6678

**Section 5.** That the said firm, Burgess & Niple, Inc., 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 8.** 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 9.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.