



## Legislation Details (With Text)

**File #:** 0102-2016      **Version:** 1

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

**File created:** 1/5/2016      **In control:** Public Utilities Committee

**On agenda:** 2/8/2016      **Final action:** 2/10/2016

**Title:** To authorize the Director of Public Utilities to enter into a planned modification of the Professional Construction Management Services (PCMS) for Small Water Capital Projects agreement with Smoot Construction Company of Ohio; for the Division of Water; to authorize a transfer and expenditure up to \$847,000.00 from the Water G.O. Bonds Fund; and to authorize an amendment to the 2015 Capital Improvements Budget. (\$847,000.00)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD 0102-2016 Information, 2. ORD 0102-2016 Funding, 3. ORD 0102-2016 Sub ID, 4. ORD 0102-2016 Indianola map, 5. ORD 0102-2016 HCWP map, 6. ORD 0102-2016 Fisher Rd. map

Date	Ver.	Action By	Action	Result
2/10/2016	1	CITY CLERK	Attest	
2/10/2016	1	MAYOR	Signed	
2/8/2016	1	COUNCIL PRESIDENT	Signed	
2/8/2016	1	Columbus City Council	Approved	Pass
2/1/2016	1	Columbus City Council	Read for the First Time	

**1.0 BACKGROUND:** This Ordinance authorizes the Director of Public Utilities to modify and increase the agreement with Smoot Construction Company of Ohio for Professional Construction Management Services (PCMS) for Small Water Capital Projects.

This contract provides construction administration and management services including: construction inspection, construction and startup coordination, reporting, budgeting, scheduling, document tracking, and related tasks associated with construction contracts.

Modification Number 1 (current) will establish funding for the following Division of Water projects:

Indianola Exterior Site Improvements (P690026-100005)

Hap Cremean Water Treatment Plant Lagoon #1 Sludge Removal (P690331-100003)

Fisher Road Booster Station Roof Replacement (P690473-100009)

Hap Cremean Water Treatment Plant Bulk Chemical Building Improvements (P690532-100000)

### 1.1 Amount of additional funds to be expended: \$847,000.00

Original Contract Amount: \$ 450,000.00 (EL016097)

Modification No. 1 (current): \$ 847,000.00

Total (Orig. + Mod. 1) \$1,297,000.00

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

This is the first modification to the contract and was fully anticipated and explained in the original legislation under

Ordinance No. 1198-2014 (see Director's Legislation Information Form).

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

The original authorizing legislation under Ordinance No. 1198-2014 identified the need for contract modifications. It is not reasonable or cost effective to undertake a new procurement to acquire these services.

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

The cost of this modification was determined by the Division of Water based upon actual estimates provided by Smoot Construction. The cost of this contract modification is consistent with the direct labor, and overhead, rates established within the original proposal.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:** The performance of this professional contract management services for the subject construction contracts will help to prevent or reduce number of construction claims, and minimize charge amount of the unavoidable claims.

**3. CONTRACT COMPLIANCE INFO:** 31-1224826, expires 4/29/16, MBE

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Smoot Construction Company of Ohio.

**4. FUTURE CONTRACT MODIFICATION(S):** The duration of the contract may extend into subsequent years based on the complexity and progress of the assigned work. The professional services are funded by incremental appropriation through the use of approximate annual modifications. Adjustments to fees and scope to this contract will be made by a Contract Modification based on annual (or semiannual) proposals as requested by the City.

**5. FISCAL IMPACT:** A transfer of funds within the Water G.O. Bonds Fund will be necessary as well as an amendment to the 2015 Capital Improvements Budget.

To authorize the Director of Public Utilities to enter into a planned modification of the Professional Construction Management Services (PCMS) for Small Water Capital Projects agreement with Smoot Construction Company of Ohio; for the Division of Water; to authorize a transfer and expenditure up to \$847,000.00 from the Water G.O. Bonds Fund; and to authorize an amendment to the 2015 Capital Improvements Budget. (\$847,000.00)

**WHEREAS,** Contract No. EL016097 was authorized by Ordinance No. 1198-2014, passed July 14, 2014, was executed on August 14, 2014, and approved by the City Attorney on August 22, 2014 for the Professional Construction Management Services (PCMS) for Small Water Capital Projects agreement; and

**WHEREAS,** Contract Modification (Mod No. 1) will establish funding for the following Division of Water projects: Indianola Exterior Site Improvements (P690026-100005), Fisher Road Booster Station Roof Replacement (P690473-100009), Hap Cremean Water Treatment Plant Lagoon #1 Sludge Removal (P690331-100003), and Hap Cremean Water Treatment Plant Bulk Chemical Building Improvements (P690532-100000); and

**WHEREAS,** it is necessary for this Council to authorize the Director of Public Utilities to modify and increase the Professional Construction Management Services (PCMS) for Small Water Capital Projects agreement with Smoot Construction Company of Ohio; and

**WHEREAS,** it is necessary for this Council to authorize a transfer and expenditure of funds within the Water G.O. Bonds Fund, for the Division of Water; and

**WHEREAS,** it is necessary to authorize an amendment to the 2015 Capital Improvements Budget for purposes of

providing sufficient funding and expenditure authority for the aforementioned project expenditures; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Water, to authorize the Director of Public Utilities to modify and increase the Professional Construction Management Services (PCMS) for Small Water Capital Projects agreement with Smoot Construction Company of Ohio, for the preservation of the public health, peace, property, safety and welfare; now, therefore,

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

**SECTION 1.** That the Director of Public Utilities is hereby authorized and directed to modify and increase the Professional Construction Management Services (PCMS) for Small Water Capital Projects agreement with Smoot Construction Company of Ohio, in an amount up to \$847,000.00.

**SECTION 2.** That this contract modification is in compliance with Section 329 of Columbus City Codes, 1959.

**SECTION 3.** That the transfer of \$712,000.00 or so much thereof as may be needed, is hereby authorized between projects within Fund 6006, Water G.O. Bond Fund, per the account codes in the attachment to this ordinance.

**Project ID | Project Name | Current Authority | Revised Authority | Change**

P690548-100000 (New) | PCM SVCS. 4Small Proj. | \$200,000 | \$0 | -\$200,000

P690553-100000 (New) | PCM - Part II | \$162,000 | \$100,000 | -\$62,000

P690411-100007 (New) | Watershed Fac. Demo. Pt. 1 | \$550,000 | \$137,720 | -\$412,280

P690413-100001 (New) | HCWP Aut. Upgrade 2015 | \$2,500,000 | \$2,468,941 | -\$31,059

P690451-100001 (New) | Mound B.S. Discharge Line | \$250,000 | \$243,339 | -\$6,661

P690331-100003 (New) | HCWP Lagoon Sludge Rmvl. | \$350,000 | \$519,000 | +\$169,000

P690532-100000 (New) | HCWP Bulk Chemical Bldg. Imp's | \$0 | \$474,000 | +\$474,000

**SECTION 5.** That the expenditure of \$847,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6006, Water G.O. Bonds Fund, in Object Class 06 Capital Outlay, per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That the funds necessary to carry out the purpose of this Ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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