



## Legislation Details (With Text)

**File #:** 0212-2016      **Version:** 1

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

**File created:** 1/15/2016      **In control:** Public Utilities Committee

**On agenda:** 4/11/2016      **Final action:** 4/14/2016

**Title:** To authorize the Director of Public Utilities to enter into a planned modification with Brown & Caldwell, LLC for professional engineering services related to Spill Prevention Control and Countermeasures for the Department of Public Utilities, and to authorize the expenditure of \$3,050.00 from the Electricity Operating Fund, \$19,400.00 from the Water Operating Fund, \$21,750.00 from the Sewerage System Operating Fund and \$5,800.00 from the Storm Water Operating Fund. (\$50,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 0212-2016 SPCC Mod #2 Addl Info, 2. Ord 0212-2016 EMS SPCC Financial Coding, 3. Ord 0212-2016 Subcontractor Form

Date	Ver.	Action By	Action	Result
4/14/2016	1	CITY CLERK	Attest	
4/14/2016	1	MAYOR	Signed	
4/11/2016	1	COUNCIL PRESIDENT	Signed	
4/11/2016	1	Columbus City Council	Approved	Pass
4/4/2016	1	Columbus City Council	Read for the First Time	

This legislation authorizes the Director of the Department of Public Utilities (DPU) to modify an existing contract with Brown and Caldwell for Spill Prevention Control and Countermeasures to reduce any adverse impact to the environment from spills of materials used in its daily operations.

The Department of Public Utilities provides quality water, wastewater, and electricity services to over 1 million people in Central Ohio and is the City's largest contracting agency. DPU requires the assistance of a qualified and experienced engineering consultant to assist in managing its Spill Prevention Control and Countermeasure (SPCC) Program. These SPCCs require review, modification and certification by a professional engineer at least every five years and must be amended within six months of any significant change in facility design, construction, operation or maintenance.

The Department of Public Utilities advertised Request for Proposals (RFPs) for the subject services in the City Bulletin in accordance with the provisions of Columbus City Code, Section 329.14 (SA005104). Five hundred and sixty-eight (568) vendors were solicited, including eighteen (18) MBR, thirty (30) M1A, one (1) HL1, twenty-one (21) F1 and eleven (11) AS1 businesses on August 30, 2013. Five (5) proposals (MAJ) were received on September 26, 2013. The proposals were reviewed based on quality and feasibility. Brown & Caldwell, LLC was determined to be best qualified to provide the engineering services necessary for the SPCC Program.

The original contract EL015813 was established for a period of three years with a maximum obligation of \$50,000.00, with each of the three years subject to review and approval by the City Council, the Mayor, and the Auditor's certification of funds. This modification is the third year of the contract and will add \$50,000.00. All terms and conditions of the original agreement remain in full force and effect.

**SUPPLIER:** Brown & Caldwell (94-1446346), expires 8/26/2017 (MAJ)

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

1. Amount of additional funds: Total amount of additional funds needed for this contract modification is to ADD \$50,000.00. Total contract amount including this modification is \$150,000.00.
2. Reason additional funds were not foreseen: The need for additional funds was known at the time of the initial contract. The contract was initially established for three (3) years and this modification is the third year of the contract and will add \$50,000.00. All terms and conditions of the original agreement remain in full force and effect.
3. Reason other procurement processes not used: Work under this modification is a continuation of services included in the scope of the original RFP. No lower pricing/more attractive terms and conditions are anticipated at this time.
4. How was cost determined: The Department of Public Utilities and Brown & Caldwell negotiated the cost of the contract.

**FISCAL IMPACT:** A total of \$50,000.00 is budgeted and needed for this contract modification.

2014: \$27,392.58 was spent by DPU for similar services

2015: \$16,285.68 was spent by DPU for similar services

To authorize the Director of Public Utilities to enter into a planned modification with Brown & Caldwell, LLC for professional engineering services related to Spill Prevention Control and Countermeasures for the Department of Public Utilities, and to authorize the expenditure of \$3,050.00 from the Electricity Operating Fund, \$19,400.00 from the Water Operating Fund, \$21,750.00 from the Sewerage System Operating Fund and \$5,800.00 from the Storm Water Operating Fund. (\$50,000.00)

**WHEREAS,** the Department of Public Utilities has a continued need to sustain its environmental management system to ensure that its environmental compliance requirements are met and its environmental footprint is reduced, and

**WHEREAS,** the contract provides the Department of Public Utilities professional engineering management of Spill Prevention Control and Countermeasures including updating DPU's SPCC plans and documents to comply with regulatory requirements, to develop, prepare and implement new SPCC plans as needed, a periodic review of facility sites as well as conducting education and training of employees in SPCC handling; and

**WHEREAS,** The Department of Public Utilities established a contract with Brown & Caldwell for professional engineering services related to Spill Prevention Control and Countermeasures; and

**WHEREAS,** The Department of Public Utilities wishes to modify and increase EL015813 with Brown & Caldwell for professional engineering services related to Spill Prevention Control and Countermeasures; and

**WHEREAS,** the original contract EL015813 was established for a period of three years with a maximum obligation of \$50,000.00, with each of the three years subject to review and approval by the City Council, the Mayor, and the Auditor's

certification of funds. This modification is the third year of the contract and will add \$50,000.00. All terms and conditions of the original agreement remain in full force and effect, and

**WHEREAS**, the vendor has agreed to modify and increase EL015813 at current prices and conditions, and it is in the best interest of the City to exercise this option; and

**WHEREAS**, these professional engineering services are necessary to continue the Spill Prevention Control and Countermeasures and are for the preservation of 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 hereby is authorized to modify and increase EL015813 with Brown & Caldwell for professional engineering services related to Spill Prevention Control and Countermeasures. Total amount of Modification No. 2 is ADD \$50,000.00. Total contract amount including this modification is \$150,000.00.

**SECTION 2.** That the expenditure of \$50,000.00 or so much thereof as may be needed, be and the same hereby is authorized per the accounting codes in the attachment to this ordinance.

**SECTION 3.** 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 4.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.