



## Legislation Details (With Text)

**File #:** 1938-2017      **Version:** 1

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

**File created:** 7/10/2017      **In control:** Public Utilities Committee

**On agenda:** 7/31/2017      **Final action:** 8/3/2017

**Title:** To authorize the Director of Public Utilities to modify and increase (Mod #1) an existing engineering agreement with Resource International for the Blueprint Clintonville Professional Construction Management (PCM) project; to authorize the appropriation and transfer of \$652,318.95 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund and to authorize the expenditure of up to \$652,318.95 from the G.O. Bond Fund. (\$652,318.95)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 1938-2017 Schedule 2A-1 SWIF 650870-100100 Mod #1, 2. Ord 1938-2016 Blueprint Clintonville Overview Map\_6-20-17, 3. Ord 1938-2017 Director's Legislation Info Sheet - Contract Mod #1 (870.100)\_6-20-17 (2), 4. Ord 1938-2017 DAX Financials PCM Project Mod 1

Date	Ver.	Action By	Action	Result
8/3/2017	1	ACTING CITY CLERK	Attest	
8/2/2017	1	MAYOR	Signed	
7/31/2017	1	COUNCIL PRESIDENT	Signed	
7/31/2017	1	Columbus City Council	Read for the First Time	
7/31/2017	1	Columbus City Council	Waive the 2nd Reading	Pass
7/31/2017	1	Columbus City Council	Approved	Pass

1. **BACKGROUND:** This legislation authorizes the Director of the Department of Public Utilities to modify (Mod #1) an engineering agreement with Resource International for the Blueprint Clintonville Professional Construction Management (PCM), CIP 650870-100100. This agreement will provide construction management services for the installation of green infrastructure in the Clintonville pilot area of the City's Blueprint Columbus initiative. Planned future contract modifications will occur to perform similar services for the private property portion of Blueprint Columbus which consists of sewer service lateral lining.

This work will occur within the Clintonville planning area and the project boundary is identified approximately by Morse Road and Glencoe Road at its northern and southern limits and by Indianola Avenue and High Street at its eastern and western limits.

1.1 **Amount of additional funds to be expended: \$652,318.95**

Original Contract (EL014392)	\$503,814.05
Current Mod #1	<u>\$652,318.95</u>
Current Project Cost:	\$1,156,133.00
Future Modification	<u>\$847,681.05</u>
Future Total Cost (\$)	\$2,003,814.00

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

This modification was planned at contract origination.

**1.3 Reasons other procurement processes are not used:**

Re-bid of the project under will likely result in a higher project costs as much of the project history would be lost and required to be rediscovered by another consultant unless won by the same consultant. In such a case, we would have wasted significant time in acquiring and evaluating the new proposals without significant benefit.

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

The costs of this modification were determined by negotiations between Resource International, Inc. and DOSD.

2. **PROJECT TIMELINE:** the estimated project ending month and year of this agreement is December 2020. That is approximately 4.5 years from the effective date of the Notice to Proceed.
3. **EMERGENCY DESIGNATION:** An emergency designation **is not requested** at this time
4. **CONTRACT COMPLIANCE NO:** 31-0669793 | FBE | 5/31/2020
5. **ECONOMIC IMPACT:** Providing consistent oversight across all Blueprint projects will reduce any inefficiencies in responding to contractor RFI's, utility conflicts, and resident complaints. Streamlined communication and coordination of field activities will result in greater positive project perception by all stakeholders.
6. **FISCAL IMPACT:** This ordinance authorizes the following: the appropriation and transfer of \$652,318.95 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund, Fund 6109 and the expenditure of up to \$652,318.95 from the G.O. Bond Fund, Fund 6109. Sufficient budget authority already exists in this project. Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from a future Bond Sale via the transfer detailed in this ordinance.

To authorize the Director of Public Utilities to modify and increase (Mod #1) an existing engineering agreement with Resource International for the Blueprint Clintonville Professional Construction Management (PCM) project; to authorize the appropriation and transfer of \$652,318.95 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund and to authorize the expenditure of up to \$652,318.95 from the G.O. Bond Fund. (\$652,318.95)

**WHEREAS,** it is necessary to authorize the Director of Public Utilities to modify and increase (Mod #1) an existing an engineering agreement with Resource International for the Blueprint Clintonville Professional Construction Management (PCM) Project, CIP 650870-100100; and

**WHEREAS,** Contract No. PO 019708 was authorized by Ordinance 1314-2016, passed June 20, 2016, executed by the Director July 28, 2016; approved the City Attorney August 1, 2016; and certified by the Auditor on August 13, 2016; and

**WHEREAS,** this agreement will provide construction management services for the installation of green infrastructure in the Clintonville pilot area of the City's Blueprint Columbus initiative; and

**WHEREAS,** it is necessary to authorize appropriation and transfer of \$652,318.95 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund, Fund 6109; and

**WHEREAS,** it is necessary to authorize an expenditure of \$652,318.95 from the Sanitary Sewer General Obligation (G.O.) Bond Fund 6109; and

**WHEREAS,** this transfer should be considered as a temporary funding method; and

**WHEREAS**, the City will sell notes or bonds to fund this project and will reimburse the Sanitary Reserve Fund; and

**WHEREAS**, the aggregate principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$652,318.95; and

**WHEREAS**, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project"); and

**WHEREAS**, it has become necessary in the usual daily operation the Division of Sewerage and Drainage, Department of Public Utilities, to authorize the Director to modify (Mod #1) an existing engineering agreement with Resource International for the Blueprint Clintonville Professional Construction Management (PCM), CIP 650870-100100 at the earliest practical date; **now, therefore**

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

**SECTION 1.** That the Director of Public Utilities is hereby authorized to modify and increase (Mod #1) an existing engineering agreement with Resource International, Inc., 6350 Presidential Gateway, Columbus, OH 43231, for the Blueprint Clintonville Professional Construction Management (PCM) in accordance with the terms and conditions as shown on the contract on file in the office of the Division of Sewerage and Drainage.

**SECTION 2.** That from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 6102, Sub-fund 610201, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2017, the sum of \$652,318.95 is hereby appropriated to the Division of Sewerage and Drainage.

**SECTION 3.** That the City Auditor is hereby authorized to transfer and appropriate a total \$652,318.95 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation Bond Fund, Fund 6109, into Blueprint Clintonville Professional Construction Management (PCM) Agreement, CIP 650870-100100, at such time as deemed necessary by the Auditor, or so much thereof as may be necessary per the account codes in the attachment to this ordinance or so much thereof as may be necessary per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Director of Public Utilities be and hereby is authorized to expend up to \$652,318.95 from the Sanitary Sewer General Obligation Bond Fund, Fund 6109 | Div. 60-05 | per the account codes in the attachment to this ordinance.

**SECTION 5.** That the said company, Resource International, 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 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 10.** That upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sanitary Sewer Reserve Fund the amount transferred above (Section 3), and said funds are hereby deemed appropriated for such purposes.

**SECTION 11.** That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$652,318.95 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

**SECTION 12.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.