



## Legislation Details (With Text)

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

**File created:** 2/4/2019      **In control:** Public Service & Transportation Committee

**On agenda:** 2/25/2019      **Final action:** 2/28/2019

**Title:** To authorize the City's Chief Innovation Officer to execute a contract modification with HNTB Ohio, Inc. relative to the Smart City Challenge; to authorize the expenditure of up to \$2,500,000.00 from the Smart City Grant Fund to pay for the contract modification; and to declare an emergency. (\$2,500,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. HNTB Mod 6 accounting stream

Date	Ver.	Action By	Action	Result
2/28/2019	1	ACTING CITY CLERK	Attest	
2/27/2019	1	MAYOR	Signed	
2/25/2019	1	COUNCIL PRESIDENT	Signed	
2/25/2019	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This legislation authorizes the Chief Innovation Officer to execute a sixth planned contract modification with HNTB Ohio Inc. (HNTB) in the total amount of up to \$2,500,000.00 for the continued provision of various professional services related to the Smart City Challenge, a collaborative effort by the U.S. Department of Transportation (USDOT) and Vulcan, Inc. seeking to "create a fully integrated, first-of-its kind city that uses data, technology and creativity to shape how people and goods move in the future." Ordinance Number 1901-2017 authorized the Public Service Director to transfer signature authority to the Chief Innovation Officer or the Chief Innovation Officer's designee for all past, present and future Smart Columbus, USDOT Smart City Challenge, and Paul G Allen Family Foundation (Vulcan) contracts, documents, and projects.

In August of 2016 USDOT awarded the City of Columbus up to \$40 million in Federal funds (for the USDOT Smart City Challenge project) and Vulcan awarded the City up to \$10 million in private grant funding (for the Vulcan Smart City Challenge project) to assist in implementation of the City's proposal to demonstrate how advanced data and intelligent transportation systems (ITS) technologies and applications can be used to reduce congestion, keep travelers safe, protect the environment, respond to climate change, connect underserved communities, and support economic vitality.

Ordinance 1900-2016 authorized the Director of the Department of Public Service to initiate a procurement effort that resulted in the award and execution of a professional services contract with HNTB in the amount of up to \$400,000.00 for the provision of intelligent transportation system (ITS) program initialization and program management services related to the Smart City Challenge.

Ordinance 2355-2016 authorized the execution of the first planned contract modification to fund work for the continuation of the provision of intelligent transportation system (ITS) program initialization and program management services related to the Smart City Challenge. It was stated in 2355-2016 that additional contract modifications were expected on an annual or task basis throughout the term of the Smart City Challenge project.

Ordinance 1056-2018 authorized the execution of the second planned contract modification to fund work for the continuation of the provision of intelligent transportation system (ITS) program initialization and program management services related to the Smart City Challenge. It was stated in 1056-2018 that additional contract modifications were expected on an annual or task basis throughout the term of the Smart City Challenge project.

Ordinance 2127-2018 authorized the execution of the third planned contract modification to fund work for the continuation of the provision of intelligent transportation system (ITS) program initialization and program management services related to the Smart City Challenge. It was stated in 2127-2018 that additional contract modifications were expected on an annual or task basis throughout the term of the Smart City Challenge project.

Ordinance 2128-2018 authorized the execution of a fourth planned contract modification to fund work for the continuation of the provision of intelligent transportation system (ITS) program initialization and program management services related to the Smart City Challenge. It was stated in 2128-2018 that additional contract modifications were expected on an annual or task basis throughout the term of the Smart City Challenge project.

Ordinance 1056-2018 also authorized the execution of the fifth planned contract modification to fund work for the continuation of the provision of intelligent transportation system (ITS) program initialization and program management services related to the Smart City Challenge.

The purpose of this sixth planned contract modification is to allow for the continuation of requisite services by HNTB through approximately September 2019 or in accordance with the USDOT schedule.

Original contract amount:	\$400,000.00	(Ord. 1900-2016, PO021608)
Total of Modification No. 1:	\$5,000,000.00	(Ord. 2355-2016, PO030844)
Total of Modification No. 2, 5:	\$1,400,000.00	(Ord. 1056-2018, PO116714)
Total of Modification No. 3:	\$250,000.00	(Ord. 2127-2018, PO140707)
Total of Modification No. 4:	\$2,000,000.00	(Ord. 2128-2018, PO138068)
This Modification:	<u>\$2,500,000.00</u>	
Contract amount including all modifications:	\$11,550,000.00	

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against HNTB.

Due to the nature of the USDOT and Vulcan grant reimbursements, professional support for the Smart City Challenge Program will be awarded in annual funding phases. Additional contract modifications are expected on an annual basis throughout the four-year Smart City Challenge grant period. Legislation authorizing the Chief Innovation Officer to execute another planned contract modification with HNTB is projected to be brought before City Council for approval by July 2019.

## **2. CONTRACT COMPLIANCE**

The contract compliance number for HNTB Ohio Inc. is CC008025, which expires on April 11, 2020.

## **3. FISCAL IMPACT**

Funding in the amount of \$2,500,000.00 will be available in Fund 7768 (Smart City Grant Fund), Grant G591610 (USDOT Grant - Smart City).

## **4. EMERGENCY DESIGNATION**

Emergency action is requested to allow for the timely execution of the aforementioned contract modification so as to preclude any disruption in the provision of various professional services related to the Smart City Challenge and to adhere to the terms and conditions of that program.

To authorize the City's Chief Innovation Officer to execute a contract modification with HNTB Ohio, Inc. relative to the Smart City Challenge; to authorize the expenditure of up to \$2,500,000.00 from the Smart City Grant Fund to pay for the contract modification; and to declare an emergency. (\$2,500,000.00)

**WHEREAS**, on December 7, 2015, the U.S. Department of Transportation (USDOT) announced the Smart City Challenge, a collaborative effort by the USDOT and Vulcan, Inc. seeking to “create a fully integrated, first-of-its kind city that uses data, technology and creativity to shape how people and goods move in the future”; and

**WHEREAS**, on January 11, 2016, Columbus City Council passed Ordinance 0064-2016 supporting the City’s application to the Smart City Challenge; and

**WHEREAS**, on June 23, 2016, the USDOT awarded the City of Columbus up to \$40 million in federal funds and up to \$10 million in matching funding from Vulcan, Inc., to assist in implementation of the City’s proposal to demonstrate how advanced data and intelligent transportation systems (ITS) technologies and applications that can be used to reduce congestion, keep travelers safe, protect the environment, respond to climate change, connect underserved communities, and support economic vitality; and

**WHEREAS**, on July 18, 2016, City Council passed Ordinance 1900-2016 authorizing the Director of Public Service to enter into multiple contracts totaling \$775,000.00 related to the Smart City Challenge; and

**WHEREAS**, on August 12, 2016, the Director of Public Service executed a professional service contract with HNTB Ohio, Inc. for the provision of intelligent transportation system (ITS) program initialization and program management services relative to that effort; and

**WHEREAS**, on October 3, 2016, City Council passed Ordinance 2355-2016 authorizing the Director of Public Service to execute the first planned contract modification with HNTB for the continued provision of various professional services related to the Smart City Challenge; and

**WHEREAS**, on July 17, 2017, City Council passed Ordinance 1901-2017 authorizing the Public Service Director to transfer signature authority to the Chief Innovation Officer or the Chief Innovation Officer's designee for all past, present and future Smart Columbus, USDOT Smart City Challenge, and Paul G Allen Family Foundation (Vulcan) contracts, documents, and projects; and

**WHEREAS**, on April 16, 2018, City Council passed Ordinance 1056-2018 authorizing the city’s Chief Innovation Officer to execute the second and fifth planned contract modification with HNTB for the continued provision of various professional services related to the Smart City Challenge; and

**WHEREAS**, on July 30, 2018, City Council passed Ordinance 2127-2018 authorizing the city’s Chief Innovation Officer to execute the third planned contract modification with HNTB for the continued provision of various professional services related to the Smart City Challenge; and

**WHEREAS**, on July 30, 2018, City Council passed Ordinance 2128-2018 authorizing the city’s Chief Innovation Officer to execute the fourth planned contract modification with HNTB for the continued provision of various professional services related to the Smart City Challenge; and

**WHEREAS**, it is necessary to execute a sixth planned contract modification with HNTB Ohio, Inc. to allow for the continuation of requisite services by HNTB; and

**WHEREAS**, an emergency exists in the usual daily operation of the Smart City Program Office in that it is immediately necessary to authorize the Chief Innovation Officer to execute a contract modification with HNTB Ohio, Inc. authorizing the encumbrance and expenditure of requisite funding so as to prevent unnecessary delays in the USDOT Smart City Challenge program and to adhere to the terms and conditions of that program, thereby preserving 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 City's Chief Innovation Officer, on behalf of the Department of Public Service, be and is hereby authorized to execute a contract modification with HNTB Ohio, Inc., 88 E. Broad Street, Suite 1600, Columbus, Ohio 43215, in the amount of up to \$2,500,000.00, and extend the term of the contract related to the Smart City Challenge.

**SECTION 2.** That the expenditure of \$2,500,000.00, or so much thereof as may be necessary, is hereby authorized in Fund 7768 (Smart City Grant Fund), Dept-Div 5912 (Division of Design and Construction), Grant G591610 (Smart City USDOT Grant), in Object Class 03 (Contractual Services) 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 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 5.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account 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.

**SECTION 6.** 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 10 days after passage if the Mayor neither approves nor vetoes the same.