



Legislation Details (With Text)

File #: 2684-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/13/2020 **In control:** Public Utilities Committee

On agenda: 12/14/2020 **Final action:** 12/17/2020

Title: To authorize the Director of Public Utilities to renew the professional engineering services agreement with CDM Smith, Inc. for the Dublin Road Water Plant (DRWP) UV Disinfection Project; for the Division of Water; to authorize the appropriation and transfer of \$1,400,000.00 from the Water System Reserve Fund to the Water General Obligations Bond Fund; and to authorize the appropriation and expenditure up to \$1,400,000.00 from the Water General Obligations Bond Fund. (\$1,400,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 2684-2020 Information, 2. ORD 2684-2020 Utilization, 3. ORD 2684-2020 map, 4. ORD 2684-2020 Funding

Date	Ver.	Action By	Action	Result
12/17/2020	1	CITY CLERK	Attest	
12/16/2020	1	MAYOR	Signed	
12/14/2020	1	COUNCIL PRESIDENT	Signed	
12/14/2020	1	Columbus City Council	Approved	Pass
12/7/2020	1	Columbus City Council	Read for the First Time	

1. BACKGROUND: This Ordinance authorizes the Director of Public Utilities to renew the professional engineering services agreement with CDM Smith, Inc. for the Dublin Road Water Plant (DRWP) UV Disinfection Project, Capital Improvements Project No. 690535-100000, Division of Water Contract No. 2024.

This project will provide UV disinfection at the DRWP which will allow it to operate with a multi-barrier disinfection process (both chemical and physical disinfection).

The original contract provided funds for Preliminary Design Services (Phase I).

Contract Modification No. 1 established funding for Detailed Design (Phase II) and Bidding (Phase III) Services.

Contract Modification No. 2 established initial funding for Phase IV - Engineering Services During Construction (SDC). SDC included technical project representation (TPR) duties, construction phase engineering, start-up and commissioning assistance, training, and record documentation.

Contract Renewal No. 3 (current) will provide the remaining Engineering Services During Construction (SDC) for the project. SDC will also include technical project representation (TPR) duties, construction phase engineering, start-up and commissioning assistance, training, and record documentation.

The Community Planning Area is "99 - Citywide" since the DRWP services several communities.

1.1 Amount of additional funds to be expended: \$1,400,000.00

Original Contract Amount:	\$ 890,276.46 (EL016477)
Modification No. 1:	\$1,791,000.00 (PO000180)
Modification No. 2:	\$3,396,500.00 (PO099836)
<u>Modification No. 3 (current):</u>	<u>\$1,400,000.00</u>
Total (Orig. + Mods. 1-2./Ren. 3)	\$7,477,776.00

1.2. Reason other procurement processes are not used:

The current consultant is familiar with the project and has completed all the work to date on the current design path. Bidding the work to another consultant will delay the project and will result in higher costs due to bringing the new consultant up to speed on the project and put the City at risk of not meeting anticipated future water quality regulation deadlines.

1.4. How cost of modification was determined:

The Consultant prepared an estimate based on the scope of work for the remainder of services during construction. City Project Manager and associated staff reviewed and approved these cost summaries.

2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT: This project will install UV Disinfection technology at the DRWP. UV disinfection provides a multi-barrier treatment operation by inactivating chlorine resistant microorganisms and other harmful pathogens, thereby improving public health protection. Providing a safe and reliable water supply is essential to human health and economic growth and development. There were no public meetings held regarding this work. The DRWP is a secure facility and is not a publicly accessible building. LEED certification is not applicable for this project. Sustainable principles are employed where applicable.

3. CONTRACT COMPLIANCE INFO: 04-2473650, expires 10/12/22, Majority, DAX #0180.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against CDM Smith, Inc.

4. FISCAL IMPACT: The 2020 Bond Sale request includes \$1,400,000.00 for this project. Until proceeds from the Bond Sale are received, a transfer from the Water System Reserve Fund - Fund No. 6003 to the Water G.O. Bond Fund - Fund No. 6006 will be needed so the project can proceed. This transaction is only a temporary measure.

To authorize the Director of Public Utilities to renew the professional engineering services agreement with CDM Smith, Inc. for the Dublin Road Water Plant (DRWP) UV Disinfection Project; for the Division of Water; to authorize the appropriation and transfer of \$1,400,000.00 from the Water System Reserve Fund to the Water General Obligations Bond Fund; and to authorize the appropriation and expenditure up to \$1,400,000.00 from the Water General Obligations Bond Fund. (\$1,400,000.00)

WHEREAS, Contract No. EL016477 was authorized by Ordinance No. 2094-2014, passed November 3, 2014, was executed on December 3, 2014, and approved by the City Attorney on December 19, 2014 for the Dublin Road Water Plant (DRWP) UV Disinfection Project; and

WHEREAS, Modification No. 1, identified as Contract No. PO000180 was authorized by Ordinance No. 2772-2015, passed December 7, 2015, was executed February 3, 2016, and signed by the City Attorney on February 17, 2016; and

WHEREAS, Modification No. 2, identified as Contract No. PO099836, was authorized by Ordinance No. 3234-2017, passed December 11, 2017, was executed January 23, 2018, and signed by the City Attorney on January 24, 2018; and

WHEREAS, Contract Renewal No. 3 (current) is needed to fulfill Engineering Services During Construction (SDC) through final completion; and

WHEREAS, it is necessary to authorize the Director of Public Utilities to renew the professional engineering services agreement with CDM Smith, Inc. for the Dublin Road Water Plant (DRWP) UV Disinfection Project; and

WHEREAS, it is necessary to authorize the appropriation and transfer of \$1,400,000.00 from the Water System Reserve Fund - Fund No. 6003 to the Water G.O. Voted Bonds Fund - Fund No. 6006 in order to temporarily fund this expenditure, until such time as the proceeds from the 2020 Bond Sale can be made available; 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 construction of the Project described in this Ordinance (collectively, the "Project"); and

WHEREAS, it is necessary to authorize the appropriation and expenditure of up to \$1,400,000.00 within the Water G.O. Bonds Fund, for the Division of Water; 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 renew the professional engineering services agreement with CDM Smith, Inc., for the Dublin Road Water Plant (DRWP) UV Disinfection Project, 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 renew the professional engineering services agreement with CDM Smith, Inc. (FID# 04-2473650) for the Dublin Road Water Plant (DRWP) UV Disinfection Project, in an amount up to \$1,400,000.00.

SECTION 2. That this contract renewal is in compliance with Section 329 of Columbus City Codes.

SECTION 3. That from the unappropriated monies 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, 2020, the sum of \$1,400,000.00 is appropriated in Fund 6003 - Water System Reserve Fund, in Object Class 10 - Transfer Out Expenditure, per the account codes in the attachment to this ordinance.

SECTION 4. That the transfer of \$1,400,000.00 or so much thereof as may be needed, is hereby authorized from Fund 6003 - Water System Reserve Fund to Fund 6006 - Water G.O. Bonds Fund, per the account codes in the attachment to this ordinance.

SECTION 5. That the appropriation and expenditure of \$1,400,000.00, 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 upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 6 above, and said funds are hereby deemed appropriated for such purpose.

SECTION 7. 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 \$1,400,000.00 (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 Water System Reserve Fund - Fund 6003, which is the fund from which the advance for costs of the Project will be made.

SECTION 8. 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 9. 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 10. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 11. 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 12. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.