



Legislation Details (With Text)

File #: 2295-2022 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 8/12/2022 **In control:** Public Utilities Committee

On agenda: 9/12/2022 **Final action:** 9/15/2022

Title: To authorize the Director of Public Utilities to enter into a three (3) year professional construction management services agreement with Ascension Construction Solutions for the Division of Sewerage & Drainage's Wastewater Treatment Facilities Professional Construction Management Services #3 Project; to authorize a transfer and expenditure of up to \$3,927,328.69 within the Sewer General Obligations Bond Fund; to amend the 2022 Capital Improvements Budget; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2295-2022 Information Sheet, 2. 2295-2022 Utilization Report, 3. Funding 650261-103000 - SEWER - Revised

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|----------|--------|
| 9/15/2022 | 1 | CITY CLERK | Attest | |
| 9/14/2022 | 1 | MAYOR | Signed | |
| 9/12/2022 | 1 | COUNCIL PRESIDENT | Signed | |
| 9/12/2022 | 1 | Columbus City Council | Approved | Pass |

..Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a contract to assist the City with managing a capital improvement program consisting of multiple capital improvement projects to ensure project completion in accordance with design requirements and the City's needs, while serving as a liaison between the construction contractor, design professional (DP), and City personnel. The Professional Construction Management (PCM) team shall furnish all necessary competent personnel, equipment, and materials to perform the work. The services to be provided will vary by project. In general, the type and level of PCM services will reflect the size and complexity of the construction project with more services needed for larger/complex projects and fewer services required for small/less complex projects. This project will be in Community Planning Area 99, as it will benefit the entire City.

2. PROCUREMENT: The Division advertised for a Request for Proposals (RFP's) for the subject services on the City's Vendor Services website and the Bonfire website from May 13, 2022 to June 10, 2022 in accordance with the overall provisions of Section 329 of the Columbus City Code. The Division of Sewerage and Drainage received two (2) responses for the Waste Water Treatment Facilities (WWTF) Professional Construction Management (PCM) Services #3 Project. The proposals from Smoot and Ascension Construction Solutions were deemed responsive and were evaluated by the Evaluation Committee and scored based on the criteria within Columbus City Code Section 329. The Department of Public Utilities recommends the agreement be awarded to Ascension Construction Solutions.

1. Ascension Construction Solutions
2. Smoot Construction

3. CONTRACT COMPLIANCE: 82-3075877 | MBE | EXP 08/17/2024 | Vendor # 023827

4. TIMELINE: Ascension Construction Solutions will begin work after the notice to proceed is given upon execution of this contract. The contract duration is for three (3) years, starting upon the date of Contract Execution. There are two anticipated renewals at this time. The City intends to assign projects to this PCM team based on the timing of the construction bid advertisement date using a three year “assignment window” that starts when the PCM contract is initiated.

5. EMERGENCY DESIGNATION: Due to changes in City Code 329, we were unable to advertise for new Professional Construction Management (PCM) services until after the new ODI requirements were provided for inclusion in the RFP. The existing contract was extended, but ability to assign new work to that team is set to expire 9/15/22. There are currently several construction projects that will require these vital services. In order to prevent a lapse in construction management services and potential delays to upcoming construction contracts, we respectfully request that emergency legislation be approved for the new PCM contract.

6. ECONOMIC IMPACT: The performance of this professional contract management service for the subject construction contracts will help to prevent or reduce the number of construction claims, provide quality control for construction, and minimize any unavoidable claims. No community outreach or environmental factors are considered for this project.

7. FISCAL IMPACT: This ordinance authorizes a transfer and expenditure of up to \$3,927,328.69 within the Sewer G.O. Bond Fund, as well as an amendment to the 2022 Capital Improvements Budget.

To authorize the Director of Public Utilities to enter into a three (3) year professional construction management services agreement with Ascension Construction Solutions for the Division of Sewerage & Drainage's Wastewater Treatment Facilities Professional Construction Management Services #3 Project; to authorize a transfer and expenditure of up to \$3,927,328.69 within the Sewer General Obligations Bond Fund; to amend the 2022 Capital Improvements Budget; and to declare an emergency.

WHEREAS, Requests for Proposals were opened on June 10, 2022 pursuant to the overall requirements within Columbus City Code 329 and Ascension Construction Solutions was selected based upon the City’s Request for Proposal evaluation process; and

WHEREAS, it is necessary to authorize the Director of Public Utilities to enter into a professional construction management services agreement with Ascension Construction Solutions for the WWTF Professional Construction Management Services #3 Project, CIP 650261-103000; and

WHEREAS, the work for this project will provide construction management assistance to the Department of Public Utilities; and

WHEREAS, future contract renewals are anticipated to provide PCM services over the 3 year contract period; and

WHEREAS, it is necessary to authorize a transfer and expenditure of up to \$3,927,328.69 within the Sewer G.O. Bonds Fund, for the Division of Sewerage and Drainage; and

WHEREAS, it is necessary to authorize the amendment to the 2022 Capital Improvements Budget to provide sufficient budget authority; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a professional construction management services agreement with Ascension Construction Solutions for the WWTF Professional Construction Management Services in order to prevent a lapse in services under the previous contract, as well as preventing potential delays in upcoming construction projects; for the immediate 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 to enter into a multi-year professional construction management services agreement with Ascension Construction Solutions, 4200 Regent St. Suite 200, Columbus OH 43219, for the WWTF Professional Construction Management Services #3 Project, CIP 650261-103000 in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage.

SECTION 2. That this contract is awarded in compliance with Chapter 329 of Columbus City Codes. Future contract renewals are anticipated to provide construction management services assigned over the 2022 - 2025 “assignment window”.

SECTION 3. That the transfer of \$3,288,328.69, or so much thereof as may be needed, is hereby authorized between projects within Fund 6109 - Sewer G.O. Bonds Fund, per the account codes in the attachment to this ordinance.

SECTION 4. That the 2022 Capital Improvements Budget is hereby amended per the accounting codes attached to this ordinance.

SECTION 5. That the expenditure of \$3,927,328.69 or so much thereof as may be needed, is hereby authorized in Fund 6109 - Sewer G.O. Bonds Fund, in Object Class 06 - Capital Outlay, per the accounting codes in the attachment to this ordinance.

SECTION 6. That the said firm, Ascension Construction Solutions, shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

SECTION 7. 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 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 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 11: That for reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is 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 ten days after passage if the Mayor neither approves nor vetoes the same.