



## Legislation Text

**File #: 1753-2015, Version: 1**

**1. BACKGROUND:** This Ordinance authorizes the Director of Public Utilities to modify and increase the professional engineering services agreement with ARCADIS US, Inc. for the Alum Creek Pump Station Improvements Project, for the Division of Water Contract No. 1174.

This project entails professional consulting/engineering services for the work associated with the Alum Creek Pump Station. The work to be performed includes the evaluation, design, preparation of bidding documents for construction and installation of renovations and upgrades to the Alum Creek Pump Station facility including, but not limited to: existing pumps & drives, screens, gates and valves, instrumentation & controls, HVAC, electrical systems, and ancillary equipment necessary to operate the pump station in a reliable and sustainable fashion.

The original contract provided funds for preliminary engineering services.

Contract Modification No. 1 provided funds for detailed design services.

This Contract Modification (No. 2) will provide funds for engineering services during construction of the Alum Creek Pump Station Improvements project, for the design of a sanitary sewer to serve the pump station, and for the associated services during construction for the sanitary sewer. This is the final modification to this agreement.

**1.1 Amount of additional funds to be expended: \$923,694.00**

Original Contract Amount:	\$ 257,592.00 (EL012446)
Modification No. 1:	\$ 834,588.00 (EL014902)
<u>Modification No. 2 (current):</u>	<u>\$ 923,694.00</u>
Total (Orig. + Mods. 1-2)	\$2,015,874.00

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

This contract modification for services during construction was anticipated and explained in the original contract legislation under Ordinance No. 1917-2011 as well as Contract Modification No. 1 under Ordinance No. 1514-2013.

**1.3. Reason other procurement processes are not used:**

This contract was anticipated to be funded in phases as indicated in the original authorized legislation and contract modification number one. ARCADIS is very familiar with the details of the project and has performed an evaluation and condition assessment on the equipment and structure of the Alum Creek Pump Station. They have compiled a Preliminary Design Report detailing their findings and recommendations and have also prepared the bidding documents for the construction of the Alum Creek Pump Station Improvements. The process of selecting and contracting a new consultant team and having them spend time reviewing the bidding documents prepared by the initial consultant would further delay the construction of the upgrades needed to ensure the reliable operation of the Alum Creek Pump Station.

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

The consultant prepared an estimate based on the scope of work for this contract modification. City staff reviewed and approved this cost estimate.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:** This project is critical to maintaining a supplemental water source for the City's largest water plant (Hap Cremean Water Plant) and providing safe, reliable

drinking water to our customers. The Hoover Reservoir supplies water to the Hap Cremean Water Plant. When reservoir levels are low, the Alum Creek Pump Station is used to pump water from the Alum Creek Reservoir to Hoover Reservoir to supplement the water supply. The Hap Cremean Water Plant is an essential and integral component in the Columbus area water supply and treatment infrastructure. Adequate supply of water is essential to economic growth and development. As this is a secure site on property owned by the Department of Public Utilities, no community outreach or input was sought in the development of the project. This project will evaluate more cost effective and efficient methods to operate and run the pump station in the most sustainable manner possible.

**3. CONTRACT COMPLIANCE INFO:** 57-0373224, expires 5/14/17, Majority

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

**4. EMERGENCY DESIGNATION:** It is requested that this Ordinance be handled in an emergency manner as this is companion to Ordinance No. 1516-2015 (construction) and must coincide to keep construction on schedule.

**5. FISCAL IMPACT:** This legislation includes a transfer of funds within the Water Works Enlargement Voted Bonds Fund. A transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund will also be made as a temporary measure until such time as the proceeds from the 2015 summer bond sale can be made available. An amendment to the 2015 CIB is also necessary.

To authorize the Director of Public Utilities to enter into a planned modification of the professional engineering services agreement with ARCADIS US, Inc. for the Alum Creek Pump Station Improvements Project; for the Division of Water; to authorize a transfer and expenditure up to \$523,694.58 from the Water Works Enlargement Voted Bonds Fund; to authorize the appropriation and transfer of \$399,999.42 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize an expenditure up to \$923,694.00; to amend the 2015 Capital Improvements Budget; and to declare an emergency. (\$923,694.00)

**WHEREAS**, Contract No. EL012446 was authorized by Ordinance No. 1917-2011, passed December 12, 2011, was executed on February 14, 2012, and approved by the City Attorney on February 22, 2012; and

**WHEREAS**, Modification No. 1, under Contract No. EL014902, was authorized by Ordinance No. 1514-2013, passed July 22, 2013, was executed on October 1, 2013, and approved by the City Attorney on October 10, 2013; and

**WHEREAS**, Modification No. 2 is needed for engineering services during construction of the Alum Creek Pump Station Improvements project, for the design of a sanitary sewer to serve the pump station, and for the associated services during construction for the sanitary sewer; and

**WHEREAS**, it is necessary for this Council to authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with ARCADIS US, Inc. for the Alum Creek Pump Station Improvements project; and

**WHEREAS**, it is necessary for this Council to authorize the transfer and expenditure of funds within the Water Works Enlargement Voted Bonds Fund, for the Division of Water; and

**WHEREAS**, it is necessary to authorize an amendment to the 2015 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditures; and

**WHEREAS**, it is necessary for this Council to authorize the City Auditor to transfer funds from the Water System

Reserve Fund to the Water Works Enlargement Voted Bonds Fund; 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**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Water, in that it is immediately necessary to authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with ARCADIS US, Inc., for the Alum Creek Pump Station Improvements Project, to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, in an emergency manner in order to keep construction on schedule; 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 and directed to modify and increase the professional engineering services agreement with ARCADIS US, Inc. for the Alum Creek Pump Station Improvements Project, in an amount up to \$923,694.00.

**SECTION 2.** That this contract modification is in compliance with Section 329 of Columbus City Codes, 1959.

**SECTION 3.** That the City Auditor is hereby authorized to transfer \$523,694.58 within the Department of Public Utilities, Division of Water, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept/Div. No. 60-09, OL3 6677, as follows:

**Fund No. | Project No. | Project Name | OCA Code | OL3 | Change**

606	690236-100037 (carryover)	Kinnear Rd. WL Imp's	623637	-\$16,435.00
606	690236-100047 (carryover)	Sexton Dr. WL Imp's	663147	-\$331,460.96
606	690331-100000 (carryover)	HCWP Lagoon Sludge Rmvl	606331	-\$148,716.47
606	690501-100000 (carryover)	Hague Ave. WL	665010	-\$27,082.15
606	690441-100000 (carryover)	Alum Creek P.S.	690441	+\$523,694.58

**SECTION 4.** That the 2015 Capital Improvements Budget is hereby amended as follows:

**Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | Change**

606	690236-100037 (carryover)	Kinnear Rd. WL Imp's	\$0	\$16,435	+\$16,435
(establish authority to match cash)					
606	690236-100037 (carryover)	Kinnear Rd. WL Imp's	\$16,435	\$0	-\$16,435
606	690236-100047 (carryover)	Sexton Dr. WL Imp's	\$0	\$331,461	+\$331,461
(establish authority to match cash)					
606	690236-100047 (carryover)	Sexton Dr. WL Imp's	\$331,461	\$0	-\$331,461
606	690331-100000 (carryover)	HCWP Lagoon Sludge Rmvl	\$0	\$148,717	+\$148,717
(establish authority to match cash)					
606	690331-100000 (carryover)	HCWP Lagoon Sludge Rmvl	\$148,717	\$0	-\$148,717
606	690501-100000 (carryover)	Hague Ave. WL	\$1,320,000	\$1,367,136	+\$47,136
(establish authority to match cash + future amendment/rounding)					
606	690501-100000 (carryover)	Hague Ave. WL	\$1,367,136	\$1,340,053	-\$27,083
606	690441-100000 (carryover)	Alum Creek P.S.	\$9,548,517	\$10,072,213	+\$523,696

**SECTION 5.** That from the unappropriated monies in the Water System Reserve Fund, 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, 2015, the sum of \$399,999.42, is hereby appropriated to the Division of Water, Division 60-09, Object

level One 10, Object level Three 5502, OCA 695056.

**SECTION 6.** That the City Auditor is hereby authorized and directed to transfer \$399,999.42, from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the appropriate project account as specified within Section 7 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

**SECTION 7.** That the appropriation of \$399,999.42 is hereby authorized for the Alum Creek Pump Station Project within the Division 60-09, Fund 606, Water Works Enlargement Voted Bonds Fund, Project No. 690441-100000 (New Funding), OCA 690441, Object Level Three 6676.

**SECTION 8.** That the expenditure of \$923,694.00 is hereby authorized for the Alum Creek Pump Station Project within the Division 60-09, Project No. 690441-100000, Object Level Three 6676, as follows:

**Fund No. | Fund Name | OCA | Amount**

606 | Water Works Enlargement Voted Bonds Fund | 690441 | \$399,999.42 (New Funding)

606 | Water Works Enlargement Voted Bonds Fund | 690441 | \$523,694.58 (carryover)

**SECTION 9.** 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 10.** 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 \$399,999.42 (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 603, which is the fund from which the advance for costs of the Project will be made.

**SECTION 11.** 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 12.** 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 13.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 14.** 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 15.** 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.

