



## Legislation Text

File #: 3275-2016, Version: 1

### **BACKGROUND:**

1. **Need.** This legislation authorizes the Director of Public Utilities to modify (Mod #2) the professional engineering services agreement with Burgess & Niple, Inc. for the Combined Sewer Overflows (CSO) Reduction Improvements at the Wastewater Treatment Plant Project - CIP 650347-100001. The City of Columbus operates the Alum Creek Storm Tank at 2025 E. Main St. (corner of Alum Creek Drive and Main Street) Columbus, Ohio 43205. It has been determined that the building, much of the equipment, duct work and wiring therein is in need of rehabilitation and repairs.

This engineering contract provides: preliminary design, detailed design, bidding assistance, construction-phase engineering, start-up and commissioning assistance, record documentation preparation assistance, and other services for this project, as directed by the City.

1.1. **Amount of additional funds to be expended: \$253,965.00**

Original Contract Amount:	\$128,000.00
Modification #1	\$276,600.00
Modification #2 (Current)	<u>\$253,965.00</u>
TOTAL Cost (\$)	\$658,565.00

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

This Contract Modification No. 2 was planned and anticipated, and so stated in the original contract's legislation. It is a planned continuation of the services originally included within the existing contract's scope of service.

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

In so much as the majority of this work was planned for and anticipated within the original procurement, and due to the highly complex and technical nature of the engineering assistance provided to the City, it is not reasonable or cost efficient to undertake a new procurement effort to acquire these services.

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

A cost proposal was provided by Burgess & Niple, Inc. and reviewed by the Division of Sewerage and Drainage and was deemed accepted. The cost of this contract modification is consistent with the direct labor and overhead rates established within the original proposal.

2. **Project Timeline:** The Contract notice to proceed was issued on January 18, 2013. Preliminary engineering design services have been completed. Detailed Design Service was substantially completed in June 2016. The construction bid procurement was completed October 2016. This contract modification will provide funding for the Engineering Services during Construction, which will provide Technical Project Representation Services. Construction Management Services will be performed by others. The estimated duration for construction is 9 months. Burgess & Niple's services will continue beyond completion of construction to provide "as-built" record drawings of the constructed facilities.

3. **Contract Compliance No.:** 31-0885550 | Exp. 2/4/2018 | MAJ

4. **Emergency Designation:** Emergency designation **is not** requested.

- 5. Economic / Environment Impact:** Removal of unused facilities and equipment, provision of updates, and beneficial reuse of existing facilities will extend the useful life of existing structures, eliminate expense for new facilities, increase work efficiency and provide safe work environment for personnel. With the completion of the project, City will be able to optimize the gate control to reduce combine sewer overflow at the site to typical year level. No community outreach is expected for this project.
- 6. Fiscal Impact:** This legislation authorizes the transfer within of \$253,965.00 and the expenditure of up to \$253,965.00 from the Sanitary Sewer General Obligation Bond Fund 6109 and to amend the 2016 Capital Improvement Budget.

To authorize the Director of Public Utilities to modify and increase an existing professional engineering services agreement with Burgess & Niple, Inc. for the Combined Sewer Overflows Reduction Improvements at the Wastewater Treatment Plant project; to authorize a transfer of \$123,965.00 within and an expenditure of up to \$253,965.00 from the Sanitary Sewer General Obligation Bond Fund for the Division of Sewerage and Drainage; and to amend the 2016 Capital Improvements Budget. (\$253,965.00)

**WHEREAS**, it is necessary to authorize a modification (Mod #2) of the professional engineering services agreement with Burgess & Niple, Inc. for the Combined Sewer Overflow (CSO) Reduction Improvements at the Wastewater Treatment Plant Project; and

**WHEREAS**, Contract No. EL013830 was authorized by Ordinance No. 2419-2012, passed by the Columbus City Council on December 10, 2012, executed by the Director of Public Utilities December 19, 2012, approved by the City Attorney on January 13, 2012, and certified by the City Auditor on January 18, 2013; and

**WHEREAS**, Contract No. EL016681 was authorized by Ordinance No. 2680-2014, passed by the Columbus City Council on December 15, 2014, executed by the Director of Public Utilities February 27, 2015; and

**WHEREAS**, it is necessary for City Council to authorize the transfer of \$123,965.00 within and an expenditure of up to \$253,965.00 from the Sanitary Sewer General Obligation Bond Fund, Fund 6109; and

**WHEREAS**, it is necessary to amend the 2016 Capital Improvements Budget for purposes of providing sufficient budget authority for the project expenditure; and

**WHEREAS**, it has become necessary in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, to authorize the Director to modify the existing professional engineering services agreement with Burgess & Niple, Inc. for the Combined Sewer Overflow (CSO) Reduction Improvements at the Wastewater Treatment Plant Project; at the earliest practical date; for the preservation of the public health, peace, property and safety; **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 (Mod #2) the professional engineering services agreement with Burgess & Niple, Inc., 5085 Reed Road, Columbus, Ohio 43220, for the CSO Reduction Improvements at the Wastewater Treatment Plant project, in order to provide the professional engineering services 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 the Director of Public Utilities is hereby authorized to expend a total of \$253,965.00 from the Sanitary

Sewer General Obligation Bond Fund | Fund 6109 per the account codes in the attachment to this ordinance.

**SECTION 3.** That the City Auditor is hereby authorized to transfer \$123,965.00 within the Sanitary Sewer General Obligation Bond Fund, Fund 6109, per the account codes in the attachment to this ordinance.

**SECTION 4.** That the 2016 Capital Improvements Budget Ordinance is hereby amended as follows:

**Fund # | Project No. | Project Name | Current Authority | Revised Authority | change**

6109 | P650260-103000 | SWWTP Small Capital Projects | \$314,987 | \$191,022 | -\$123,965

6109 | P650347-100001 | CSO Reduction Impr. WWTP Mod #2 | \$130,000 | \$253,965 | +\$123,965

**SECTION 5.** That the said engineering company, Burgess & Niple, Inc., shall conduct 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 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 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.