



Legislation Text

File #: 1056-2018, **Version:** 1

1. BACKGROUND

This legislation authorizes the Chief Innovation Officer to execute a second planned contract modification with HNTB Ohio Inc. (HNTB) in the total amount of up to \$1,400,000.00 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.

The purpose of this second planned contract modification is to switch the funding source for the USDOT Smart City Challenge intelligent transportation system (ITS) program initialization and program management services from USDOT grant funding to City cost share funding to allow for the continuation of requisite services by HNTB through March 31, 2019.

Original contract amount:	\$400,000.00 (Ord. 1900-2016, PO021608)
Total of Modification No. 1:	\$5,000,000.00 (Ord. 2355-2016, PO030844)
This Modification:	<u>\$1,400,000.00</u>
Contract amount including all modifications:	\$6,800,000.00

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 March 31, 2019.

2. CONTRACT COMPLIANCE

The contract compliance number for HNTB Ohio Inc. is CC008025, which expires on April 15, 2018.

3. FISCAL IMPACT

This is a budgeted item within the Department of Public Services' 2017 Capital Improvement Budget. Funds in the amount of \$1,400,000.00 are available for this project in Fund 7704, the Streets and Highways Bond Fund.

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 Auditor to transfer funds between projects within the Streets and Highways Bond Fund; 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 \$1,400,000.00 from the Streets and Highways Bond Fund to pay for the contract modification; and to declare an emergency. (\$1,400,000.00)

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, it is necessary to execute a second planned contract modification with HNTB Ohio, Inc. to switch funding sources for the USDOT Smart City Challenge program management services from USDOT grant funds to City cost share funds; and

WHEREAS, it is necessary to authorize an amendment to the 2017 Capital Improvements Budget for the purpose of

providing sufficient spending authority for the aforementioned project expenditure; 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 engineering and design 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 transfer of \$1,400,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Division of Design and Construction), Project P530163-100000 (Smart City Challenge), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Division of Design and Construction), Project P530163-100024 (Smart Cities Challenge - Program Management and System Engineering - Cost Share), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 2. 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 \$1,400,000.00, and extend the term of the contract related to the Smart City Challenge.

SECTION 3. That the expenditure of \$1,400,000.00, or so much thereof as may be necessary, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Division of Design and Construction), Project P530163-100024 (Smart Cities Challenge - Program Management and System Engineering - Cost Share), in Object Class 06 (capital outlay) per the accounting codes in the attachment to this ordinance.

SECTION 4. 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 5. 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 6. 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 7. 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.