1.0 BACKGROUND: This Ordinance authorizes the Director of Public Utilities to modify and increase the professional engineering services agreement with Burgess & Niple, Inc. for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection Project, Division of Water Contract No. 2024.

The Columbus Division of Water (DOW) owns and operates a high hazard dam, water supply reservoir, and hydroelectric power generating plant on the Scioto River near Shawnee Hills, Ohio known as the O'Shaughnessy Dam Hydroelectric Project. As a condition for continued operation in accordance with the Federal Power Act, DOW must commission periodic inspections of the project by a qualified Independent Consultant.

Under the Original Agreement an independent inspection was performed and a report was submitted to the Federal Energy Regulatory Commission (FERC).

Modification No. 1 provided funding for engineering design services to address an immediate safety concern identified by the inspection that involved the access road to the hydroelectric facility.

Modification No. 2 provided funding for engineering design services to address the other safety related items identified by the Inspection work.

Modification No. 3 is needed for Engineering Services During Construction.

The O'Shaughnessy Dam is located outside the corporate limits of the City of Columbus and does not have an associated planning area.

1.1 Amount of additional funds to be expended: $189,000.00

Original Contract	$ 130,000.00	(EL016811)
Modification No. 1	$ 61,700.00	(PO003170)
Modification No. 2	$ 270,000.00	(PO061195)
Modification No. 3 (current)	$ 189,000.00	
Total (Orig. + Mods. 1-3)	$ 650,700.00	

1.2. Reasons additional goods/services could not be foreseen:
This contract modification was anticipated and identified in the original authorizing legislation under Ordinance No. 0215 -2015 as well as Modification No. 1 under Ordinance No. 3079-2015, and Modification No. 2 under Ordinance No. 1012-2017.

1.3. Reason other procurement processes are not used:
The work being performed was anticipated with the original authorizing legislation. The original contract was to perform an independent inspection of the O'Shaughnessy Dam and Hydroelectric Facility and submit a report to FERC. Any corrective measures required either due to emergency/safety corrective measures or FERC requirements identified during that inspection were to be designed under a modification to the contract. This current modification is to provide engineering services during construction of the improvements required by FERC following their review of the report.

1.4. How cost of modification was determined:
The Consultant prepared a detailed estimate of cost per task for remaining scope of work, broken down by project task.

City Project management staff reviewed and approved these cost summaries.

2.0 ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:
The O'Shaughnessy Dam is a significant component in the City of Columbus water supply for the Dublin Road Water Plant. This inspection is a mandated regulatory requirement for continued operation of this facility. The dam is considered "secure infrastructure" by the Department of Homeland Security and no public input is solicited for this work. The design consultant has committed to collaborate with the City on incorporating elements in the project, where possible, to help meet the goals of the Mayor's Get Green Columbus 2010 initiative.

3.0 CONTRACT COMPLIANCE INFO: 31-0885550, expires 2/6/20, Majority, DAX No. 4425

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

4.0 FISCAL IMPACT: A transfer of funds within the Water G.O. Bonds Fund will be necessary as well as an amendment to the 2018 Capital Improvements Budget.

To authorize the Director of Public Utilities to enter into a modification of the professional engineering services agreement with Burgess & Niple, Inc. for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection Project for the Division of Water; to authorize a transfer and expenditure up to $189,000.00 from the Water General Obligations Bond Fund; and to authorize an amendment to the 2018 Capital Improvements Budget. ($189,000.00)

WHEREAS, Contract No. EL016811 was authorized by Ordinance No. 0215-2015, passed February 23, 2015, was executed on March 26, 2015, and approved by the City Attorney on April 8, 2015 for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection Project; and

WHEREAS, Contract Modification No. 1 under PO003170, was authorized by Ordinance No. 3079-2015, passed February 1, 2016, was executed on March 2, 2016, and approved by the City Attorney on March 8, 2016 for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection Project; and

WHEREAS, Contract Modification No. 2 under PO061195, was authorized by Ordinance No. 1012-2017, passed May 1, 2017, was executed on May 8, 2017, and approved by the City Attorney on May 9, 2017 for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection Project; and

WHEREAS, Contract Modification No. 3 (current) is needed to provide funding for Engineering Services During Construction for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection Project; and

WHEREAS, it is necessary to authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Burgess & Niple, Inc. for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection Project; and

WHEREAS, it is necessary to authorize a transfer and expenditure of funds within the Water G.O. Bonds Fund, for the Division of Water; and

WHEREAS, it is necessary to authorize an amendment to the 2018 Capital Improvements Budget for purposes of

providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

WHEREAS, it has become necessary in the usual daily operation of the Division of Water, Department of Public Utilities, to authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Burgess & Niple, Inc., for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection 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 to modify and increase the professional engineering services agreement with Burgess & Niple, Inc. for the O'Shaughnessy Dam Hydroelectric Facilities - FERC Independent Consultant Inspection Project, in an amount up to $189,000.00.

SECTION 2. That the transfer of $39,000.00 or so much thereof as may be needed, is hereby authorized between projects within Fund 6006 - Water G.O. Bonds Fund, per the account codes in the attachment to this ordinance. (There is already $150k in Fund 6006, P690251-100000 {carryover})

SECTION 3. That the 2018 Capital Improvements Budget is hereby amended, within Fund 6006 - Water G.O. Bonds Fund, as follows:

Project No. | Project Name | Revised Authority | Remaining Authority | Change
P690477-100000 (carryover) | Water Storage Tank Pntg. | $144,824 | $105,824 | -$39,000
P690251-100000 (carryover) | O'Shaughnessy Hydro. Fac. | $150,000 | $189,000 | +$39,000

SECTION 4. That the expenditure of $189,000.00 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 5. 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 6. 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 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.