



## Legislation Text

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**File #:** 1753-2022, **Version:** 1

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**1. BACKGROUND:** This Ordinance authorizes the Director of Public Utilities to modify and increase the professional engineering services agreement with Osborn Engineering for the Division of Water (DOW) Safety Improvements Project, Capital Improvements Project No. 690578-100000, Division of Water Contract No. 2206.

Work performed to date was for preliminary design services assessing the Division of Water's safety needs, evaluating adequate safety solutions, and prioritization for implementation.

Modification No. 1 (current) will design safety improvements using applicable guidelines and practices at various DOW facilities to prepare a set of bid documents for subsequent installation. Safety improvements may include but are not limited to modification / installation of guardrails, ladders, fall protection systems, signage, and machine guarding.

The Community Planning Area for this project is "99 - Citywide" since work will be performed throughout multiple community planning areas.

**1.1 Amount of additional funds to be expended: \$400,025.00**

Original Agreement Amount:	\$219,300.00 (PO261485)
Modification No. 1 (current):	<u>\$400,205.00</u>
Total (Orig. + Mod 1):	\$619,325.00

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

Ordinance No. 2835-2020 indicated two (2) modifications to the agreement would be needed for detailed design & bidding services and Engineering Services During Construction.

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

This contract was anticipated to be funded in phases as indicated in the original request for proposals and legislation under Ordinance No. 2835-2020. Osborn Engineering is familiar with the details of the project and has compiled a Basis of Design Report detailing their findings and recommendations. The process of selecting and contracting with a new consultant team to review documents prepared by Osborn Engineering would delay the project and increase engineering and construction costs.

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

Cost proposals were provided by Osborn Engineer, reviewed by the Division of Water, and deemed acceptable.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:**

This project will address miscellaneous safety needs at various Division of Water facilities which will improve employee working conditions and reduce the potential for employee injuries. Most improvements will occur within secure areas that are not accessible to the public; for these projects no community outreach activities are anticipated. Community outreach activities will be considered for improvements that occur within areas accessible to the public, but at this time, outreach is not expected to be needed. The consultant team has identified a commitment to the Mayor's Green Initiative in their business practices and will be involved in applying DPU's environmental management system (EMS) to the construction projects.

**3. CONTRACT COMPLIANCE INFO:** 34-0445030, expires 10/15/23, MAJ, DAX No. 6417

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Osborn Engineering.

**4. FUTURE MODIFICATION(S):** Modification No. 2 (future) will be needed for Engineering Services During Construction.

**5. FISCAL IMPACT:** A transfer of funds within the Water G.O. Bonds Fund - Fund No. 6006 will be necessary as well as an amendment to the 2021 Capital Improvements Budget.

To authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Osborn Engineering for the Division of Water (DOW) Safety Improvements Project; to authorize a transfer and expenditure up to \$400,025.00 within the Water General Obligation Bonds Fund; and to amend the 2021 Capital Improvements Budget. (\$400,025.00)

**WHEREAS**, Contract No. PO261485 was authorized by Ordinance No. 2835-2020, passed February 1, 2021, was executed on March 3, 2021, and approved by the City Attorney on March 5, 2021, for the Division of Water (DOW) Safety Improvements Project; and

**WHEREAS**, Modification No. 1 (current) is needed for detailed design and bidding services; and

**WHEREAS**, Modification No. 2 (future) will be needed for Engineering Services During Construction; and

**WHEREAS**, it is necessary to authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Osborn Engineering for DOW Safety Improvements Project; and

**WHEREAS**, it is necessary to authorize a transfer and expenditure of funds within the Water G.O. Bonds Fund - Fund No. 6006, for the Division of Water; and

**WHEREAS**, it is necessary to authorize an amendment to the 2021 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 Department of Public Utilities, Division of Water, to authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Osborn Engineering for the DOW Safety Improvements 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 and directed to modify and increase the professional engineering services agreement with Osborn Engineering, FID #34-0445030, 990 West Third Street, Suite 200, Columbus, Ohio 43212; for the DOW Safety Improvements Project, in an amount up to \$400,025.00.

**SECTION 2.** That this Modification is in compliance with Chapter 329 of Columbus City Codes. Modification No. 2 (future) will be needed for Engineering Services During Construction.

**SECTION 3.** That the transfer of \$2,725.00 or so much thereof as may be needed, is hereby authorized between projects within the Water G.O. Bonds Fund - Fund No. 6006, per the account codes in the attachment to this ordinance. (There is

already \$397,300 in Fund 6006, CIP 690576.)

**SECTION 4.** That the 2021 Capital Improvements Budget is hereby amended in the Water G.O. Bonds Fund - Fund No. 6006, per the account codes in the attachment to this ordinance.

**SECTION 5.** That an expenditure up to \$400,025.00, or so much thereof as may be needed, is hereby authorized in the Water G.O. Bonds Fund - Fund No. 6006, in Object Class 06 - Capital Outlay, for construction, per the accounting codes in the attachment to this ordinance.

**SECTION 6.** 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 7.** 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 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 this Ordinance shall take effect and be in force from and after the earliest period allowed by law.