1. BACKGROUND: This legislation authorizes the Director of Public Utilities to modify (Mod #12) an existing Construction Administration and Construction Inspection (CA/CI) services agreement with Prime AE Group, Inc. for the 2017 General Construction Contract Project. The services for this contract include oversight of the project during construction to ensure that work performed by the construction contractor conforms to project plans and specifications. Prime AE Group, Inc. will perform the CA/CI services for the Division of Sanitary Sewers and Drains on this project. PRIME AE Group, Inc. has been performing the construction administration and inspection services for CIP 650491-100005. This modification is required due to the contractor failing to meet the required contract durations and extending the services timeline required.

Planning Area for this modification: 64 - Far South

Modification information: CA/CI project 2017 General Construction Contract Project

1.1 **Amount of additional funds to be expended: $ 48,000.08**

Original Contract	$ 818,854.35
Modification 1	$ 680,589.29
Modification 2	$ 98,106.23
Modification 3	$ 385,938.01
Modification 4	$ 862,977.80
Modification 5	$ 104,336.39
Modification 6	$ 263,382.27
Modification 7&8	$ 390,245.55
Modification 9	$ 71,376.76
Modification 10	$ 405,802.13
Modification 11	$ 99,997.90
Modification 12	$ 48,000.08
CONTRACT TOTAL	**$4,229,606.76**

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

This is an unplanned modification. The main driver for this modification is due to the lack of progress of the contractor. The Contractor was given notice to proceed with the construction on this contract on May 7, 2020. The Substantial Completion Date for the project was January 2, 2021. While the contractor did begin submittals and some minor site activities, they did not mobilize to the site fully until January 18, 2021. The Contractor was granted an extension of the Substantial Completion date until October 22, 2021. However, the Contractor has not yet started the Operational Demonstration Period that is necessary prior to Substantial Completion. Nor have they completed all construction necessary for Substantial Completion.

1.3 **Reasons other procurement processes are not used:**

Re-bid of the project will likely result in a higher project costs as much of the project history would be lost and would need to be rediscovered by another consultant unless the new RFP were won by the same consultant.

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

The cost of Mod #12 was determined by negotiations between Prime AE Group and DOSD.

2. **PROJECT TIMELINE:** The project NTP was issued in May of 2020 with a completion date of January 2021. The Contractor was granted an extension of the Substantial Completion date until October 22, 2021 but they have not achieved it as of this request. Engineering services during construction are expected to take another 8 months (construction completion, as-built plans, close out documents and warranty).

3. **CONTRACT COMPLIANCE INFO**: Prime AE Group, Inc.: 26-0546656 | MBE | Exp. 3/1/2023 | Vendor # 002102

4. **EMERGENCY DESIGNATION:** An emergency designation **is not** requested at this time.

5. **ECONOMIC IMPACT:** This project is being completed to prevent future odor complaints within the project area once the Lockbourne Intermodal Subtrunk sewer is completed. An evaluation of the proposed subtrunk showed that constructing odor control facilities will be necessary once it is put into service. This project will allow the City to improve the environment of the neighborhoods in and around the facilities and future subtrunk alignment while fostering a better working relationship with the surrounding community.

6. **FISCAL IMPACT:** This ordinance requires a transfer within of up to $48,000.08 and an expenditure of up to $48,000.08 from the Sanitary Sewer General Obligation Bond Fund 6109 and amends the 2022 Capital Improvement Budget.

To authorize the Director of Public Utilities to modify an existing Construction Administration and Construction Inspection services agreement with Prime AE Group, Inc. for the 2017 General Construction Contract Project; to authorize the transfer within of up to $48,000.08 and the expenditure of up to $48,000.08 from the Sanitary Sewer Obligation Bond Fund for the Division of Sewerage and Drainage, and to amend the 2022 Capital Improvement Budget. ($48,000.08)

WHEREAS, the CA/CI services will review contractor requests, track and review force account work, aid in developing solutions to problems that arise during construction, and interact with residents to answer questions or resolve issues; and

WHEREAS, this agreement modifies the original Prime AE Group, Inc. agreement by adding necessary funding to continue work on an existing project and does not change the scope or funding of the original projects or any modifications to additional projects; and

WHEREAS, Contract Nos. PO079936; PO079937; PO079938 were authorized by ordinance 1651-2017, passed July 31, 2017; and

WHEREAS, the first modification to the contract was authorized by ordinance 2868-2017, passed December 4, 2017; and

WHEREAS, the second modification to the contract was authorized by ordinance 0174-2018; and

WHEREAS, the third modification to the contract was authorized by ordinance 0509-2018, passed March 26, 2018; and

WHEREAS, the fourth modification to the contract was authorized by ordinance 0907-2018, passed May 7, 2018; and

WHEREAS, the fifth modification for the CA/CI project for the Blueprint Clintonville 3: Lining Project was authorized by ordinance 2858-2018 which passed November 19, 2018; and

WHEREAS, the sixth modification for the CA/CI project for the Blueprint Clintonville 3: Lining Project was authorized by ordinance 2858-2018 which passed November 19, 2018; and

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WHEREAS, the combined seventh and eighth modification for the CA/CI project for the Woodward Ave Wildwood, and Woodnell Ave Project was authorized by ordinance 0961-2019 which passed May 6, 2019; and

WHEREAS, the ninth modification for the CA/CI services for the Hayden Run Aerial Sewer Project was authorized by Ordinance 2173-2019, which passed on September 16, 2019; and

WHEREAS, the tenth modification for the CA/CI services for the 2017 General Construction Contract was authorized by Ordinance 2936-2019, which passed on December 9, 2019; and

WHEREAS, the eleventh modification for the CA/CI services for the 2017 General Construction Contract was authorized by Ordinance 0037-2021, which passed on February 1, 2021; and

WHEREAS, it is necessary to modify the existing CA/CI services contract with Prime AE in order to add necessary funding to continue the 2017 General Construction Contract; and

WHEREAS, it is necessary to authorize the transfer within of up to $48,000.08 and an expenditure of up to $48,000.08 from the Sanitary Sewer General Obligation Bond Fund 6109; and

WHEREAS, it is necessary to amend the 2022 Capital Improvement Budget; and

WHEREAS, it has become necessary in the usual daily operations of the Department of Public Utilities to authorize the Director to modify (Mod #12) an existing construction administration and construction inspection (CA/CI) services agreement with Prime AE Group, Inc., for the 2017 General Construction Contract 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 (Mod #12) an existing construction administration and construction inspection (CA/CI) services agreement with Prime AE Group, Inc., 8415 Pulsar Place, Suite 300, Columbus, Ohio 43240 for the 2017 General Construction Contract to provide construction administration and inspection services in accordance with the terms and conditions of the contract on file in the office of the Division of Sewerage and Drainage.

SECTION 2. That the Director of Public Utilities is hereby authorized to transfer within up to $48,000.08 and expend up to $48,000.08 from the Sanitary Sewer General Obligation Bond Fund 6109 per the account codes in the attachment to this ordinance.

SECTION 3. That the 2022 Capital Improvement Budget is amended per the accounting codes attached to this ordinance.

SECTION 4. That the said firm, Prime AE Group, Inc., shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrators of the Division of Sewerage and Drainage.

SECTION 5. 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 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 7. 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.

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SECTION 8. 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 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.