

Information to be included in all Legislation Modifying a Contract:

1. **The names, contract compliance no. & expiration date, location by City/State and status of all companies (NPO, MAJ, MBE, FBE, HL1, AS1, or MBR) submitting a competitive bid or submitting an RFP or RFSQ.**

<u>Name</u>	<u>C.C. No./Exp. Date</u>	<u>City/State</u>	<u>Status</u>
A. Ribway Engineering Group, Inc.	311406579 / 12/03/2010	Columbus, OH	MBE
B. EMH&T, Inc.	310685594 / 09/21/2011	Columbus, OH	MAJ

2. **What type of bidding process was used (ITB, RFP, RFSQ, Competitive Bid).**

RFP

3. **List the ranking and order of all bidders.**

1. Ribway Engineering Group, Inc.
2. EMH&T, Inc.

4. **The name, address, contact name, phone number and contract number of the firm awarded the original contract.**

Ribway Engineering Group, Inc., 300 E. Broad St., Suite 500, Columbus, OH 43015
Contact: Andrew Eribo, PE; (614) 221-6009
Contract No. EL006541

5. **A description of work performed to date as part of the contract and a full description of work to be performed during any future phasing of the contract.**

This is a contract for professional engineering design services and services during construction (Design Professional, or “DP” services) for one of the key, time-critical wastewater plants construction projects in the City’s Wet Weather Management Plan (WWMP) program, for the period through 2010. The work in that program is a very substantial group of sewer capital improvement projects (CIPs), both collections systems and treatment works improvements, which have been agreed to by the City and Ohio EPA in order to conform to the requirements of the City’s consent orders. The WWMP projects at the Southerly Wastewater Treatment Plant (SWWTP) will increase the plant’s wet weather treatment capacity to 330 million gallons per day.

This Contract provides engineering services for the SWWTP New Effluent Pump Station and Effluent Conduit. This contract will implement replacing the existing Effluent Pump Station and effluent conduit with new facilities.

The S70 construction contract, Levee, Mass Excavation and Dewatering, is the first phase of the project and the contract Work consists of:

A levee construction, mass excavation, dewatering for the mass excavation, electrical service for the dewatering system, storm sewer installation, maintenance and operation of the dewatering system through a period of construction by others, seeding and site restoration. The Work is being performed to prepare the site for the construction of the second phase of the project construction, Contract S71, New Effluent Pump Station and Effluent Conduit.

The S71 construction contract, New Effluent Pump Station and Effluent Conduit, is the second phase of the project and the contract Work consists of the construction of a new Effluent Pump Station and Effluent Discharge Conduit to the Scioto River.

The actual emplacement of the work will be by construction contract. This engineering contract will provide preliminary and detailed design, bidding assistance and construction-phase engineering. Construction Management services are being performed by others.

All engineering design services have been completed for both phases of this project. Both construction contracts have been awarded.

6. An updated contract timeline to contract completion.

As part of the Professional Program Manager's (PPM) scope of services for the capital improvement projects included in the Wet Weather Management Program, 2006 – 2010, the PPM and their team initiated work on the draft Detailed Design Memorandum (DDM) in May, 2006. The DDM was completed and submitted to the City on December 1, 2007.

The Contract Notice to Proceed was issued to Ribway Engineering Group, Inc. on November 22, 2006, and they proceeded with Detailed Design services for Contracts S70 and S71.

The design for Contract S70 was completed and the construction contract bids were received on May 2, 2007. The construction contract Notice To Proceed was issued on July 12, 2007. Construction is completed.

The design for Contract S71 was completed and the construction contract bids were received on September 5, 2007. The construction contract Notice To Proceed was issued on February 11, 2008. Construction is nearing completion.

Ribway Engineering Group, Inc.'s services will continue beyond completion of construction to provide "as-built" record drawings of the constructed facilities.

7. A description of any and all modifications to date including the amounts of each modification and the Contract Number associated with any modification to date. (List each modification separately.)

ORIGINAL CONTRACT: \$2,800,000.00 (EL006541)

Provided funding estimated to be needed for preliminary design, detailed design, bidding assistance services for both Contract S70 and S71.

MODIFICATION NO. 1: \$2,552,700.00 (EL007488)

This modification provided \$200,000.00 of funding for Services During Construction and Commissioning tasks for Contract S70. The balance of funding provided by this modification, \$2,352,700.00, is for Services During Construction and Commissioning tasks for Contract S71.

8. A full description of the work to be performed as part of the proposed contract modification. (Indicating the work to be a logical extension of the contract is not sufficient explanation.)

PROPOSED MODIFICATION NO. 2: \$543,075.00

During the preparation of Modification No.1, a request for an amount for additional Detailed Design services was received and reviewed by the City and the PPM. The merits of the request were determined to be acceptable and the amount exceeding the original contract's design contingency will be provided by this modification. This modification provides \$301,739.00 of funding for additional Detailed Design services that became necessary in the course of the design development and \$241,336.00 of funding for additional Services During Construction and Commissioning tasks for Contract S71 that became necessary during the course of construction.

9. If the contract modification was not anticipated and explained in the original contract legislation a full explanation as to the reasons the work could not have been anticipated is required. (Changed or field conditions is not sufficient explanation. Describe in full the changed conditions that require modification of the contract scope and amount.)

This Contract Modification No. 2 is a planned continuation of the services included within the existing contract's scope of service.

10. An explanation of why the work to be performed as part of the contract modification cannot be bid out. (Indicating the work to be a logical extension of the contract is not sufficient explanation.)

The majority of this work was planned and due to the highly complex and technical nature of this wastewater treatment plant infrastructure, it is not reasonable or cost efficient to undertake a new procurement effort to acquire these services.

11. A cost summary to include the original contract amount, the cost of each modification to date (list each modification separately), the cost of the modification being requested in the legislation, the estimated cost of any future known modifications and a total estimate of the contract cost.

Original Contract	\$ 2,800,000.00
Modification No. 1	\$ 2,552,700.00
Proposed Modification No. 2	\$ 543,075.00
CURRENT PROPOSED TOTAL	\$ 5,895,775.00

12. An explanation of how the cost of the modification was determined.

The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal and is within the anticipated level of funding originally forecast.

13. Sub-Consultants identified to work on this contract, their contract compliance no. & expiration date, and their status (NPO, MAJ, MBE, FBE, HL1, AS1, or MBR):

<u>Name</u>	<u>C.C. No./Exp. Date</u>	<u>Status</u>
See attached Subcontracting and MBE/FBE Utilization Report, 11/23/09, and Subcontractor Contact Report, 11/19/09.		

14. Scope of work for each subcontractor and their estimate of dollar value to be paid.

See attached Subcontracting and MBE/FBE Utilization Report, 11/23/09, and Subcontractor Contact Report, 11/19/09.

Note: The Contract should be considered to include any and all work that is anticipated to be awarded to the company awarded the original contract throughout the contract/project timeline. This includes the original contract and any and all future anticipated modifications to the contract to complete the contract/project.

Updated as of 4-3-09 (JPM)