

**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 RFSO.**

<b><u>Name</u></b>	<b><u>C.C. No./Exp. Date</u></b>	<b><u>City/State</u></b>	<b><u>Status</u></b>
MS Consultants, Inc.	34-6546916 – 7/10/10	Youngstown, OH	Majority
URS Corporation – Ohio	34-0939859 – 8/28/11	Columbus, OH	Majority
DLZ Ohio	31-1268980 – 3/10/11	Columbus, OH	MBR
Chester Engineers	20-2401674 – 6/4/11	Columbus, OH	M1A

Note: all firms had MBE/FBE participation proposed for their project teams. Selected consultant has one FBE and one ASN on project team.

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

Requests for Proposals (RFP's) were received on March 28, 2008 from MS Consultants, Inc., URS Corporation - Ohio, DLZ Ohio, and Chester Engineers. MS Consultants, Inc. was the firm selected to perform the services for the original project.

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

1. MS Consultants, Inc.
2. URS Corporation – Ohio
3. DLZ Ohio
4. Chester Engineers

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

MS Consultants, Inc.  
2221 Schrock Road  
Columbus, OH 43229-1547  
Fred Smith, P.E.  
Office: (614) 898-7100 Ext. 172  
Cell: (614)-306-7486  
Fax (614)-898-7570  
EL008712 (Contract No. 1118)

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.**

MS Consultants, Inc., Inc. was contracted by the City to provide site assessment of three existing sludge lagoons at the Parsons Avenue Water Plant (PAWP), prepare a written technical report summarizing the findings with proposed solutions, and provide bid drawings and specifications for the removal and disposal of the lime softening sludge from the lagoons. The original engineering contract anticipated sludge removal from all three lagoons as one construction contract. Due to limited sludge storage capacity available in the lagoons to allow for Parsons Avenue Water Plant to continue operating, the project was divided into two parts during the early stages of the design. Bid specification and drawings were prepared for the immediate removal and disposal of sludge from Lagoon 2 before the completion of the technical design report. Preparation of the written technical report, bid drawings, and bid

specification for Lagoon 1 and 3 are currently being performed and are now referenced as Part II of this project. The release of contingency funds for the original contract was authorized to cover the additional consultant services required to perform the project design in two parts.

During the Request for Proposals, it was the City's intent to have the Consulting/Engineering firm perform construction administration/construction inspection services and a supplementary site reconnaissance of interior piping and lagoon embankments as a contract modification. This was also indicated in the original authorizing legislation. This contract modification is for the construction services for Part I of the project (sludge removal from lagoon 2).

An additional contract modification will be requested for construction administration /construction inspection services for Part II, sludge removal from lagoon 1 & 3, at a later date when a more accurate assessment of the cost can be determined.

**6. An updated contract timeline to contract completion.**

<u>Activity</u>	<u>Est. Completion</u>
Construction admin/inspection - Part I (Lagoon 2)	August 2010
Engineering design for Part II (Lagoons 1 & 3)	May 2010
Bidding services for Part II (Lagoons 1 & 3)	June 2010
Construction admin/inspection - Part II (Lagoon 1&3)	December 2011

**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.)**

None to Date

**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.)**

MS Consultants and their sub-consultants will be performing construction administration/construction inspection services as part of the work associated with this contract modification. The sludge removal construction work will be performed at night utilizing double shifts and inspection hours will match construction work hours. This schedule was determined to expedite cleaning operations so the lagoon can be put back in service before the other two existing lagoons reach their holding capacity. Services covered in this contract modification also include internal video inspection of the decant line and preparation of a supplemental design report of the findings of this inspection. Aerial Survey to determine the final quantity of sludge removed is also included in the scope of this contract modification.

**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 is a contract modification as indicated in the original authorizing legislation Ordinance No. 1136-2008.

**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.)**

As indicated in the original contract legislation, a modification was always planned. During the preparation of the original engineering scope development it was decided that it was not possible to accurately project anticipated costs for construction administration and construction inspection until the design had been substantially completed. Costs associated with this contract modification were able to be more accurately determined as the design work progressed.

**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 amount	\$394,406.00 (original contract)
Modification No.1 (year '09-'10)	\$418,098.00 (current request)
Modification No.1 Contingency (10%)	\$ 41,810.00 (current request)
Contract Total	\$854,314.00 (pending approval)
<i>Modification No. 2 (year '10 - '11)</i>	<i>\$ 50,000.00 (estimated)</i>
Future Contract Total	<i>\$1,704,314.00 (estimated)</i>

Cost of services in the original contract for engineering design was \$394,406.00, and included 10% contingency. A second future contract modification, *estimated to be \$850,000.00*, for Construction Administration/Construction Inspection services for Part II (Lagoon 1 and 3) of this project will be requested during the second half of 2010.

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

The Consultant prepared a detailed estimate of cost per task for remaining scope of work, broken down by project phase and year. City project management staff reviewed and approved these cost summaries.