

**INFORMATION REQUIRED TO ACCOMPANY
LEGISLATION MODIFYING CONTRACTS**

ORDINANCE NO. 2298-2006

**MODIFICATION NO. 2 TO THE CONSTRUCTION CONTRACT FOR
JACKSON PIKE AND SOUTHERLY WASTEWATER TREATMENT PLANTS
SLUDGE HOLDING SYSTEM IMPROVEMENTS**

**PROJECT NOS. 650243 / 650356
CONSTRUCTION CONTRACT NO. J200/S60**

1. **Names, locations, and business status of all entities submitting bids on the original contract's procurement:**
 - A. Kokosing Construction Company, Inc., 886 McKinley Ave., Columbus, Ohio 43222, a Majority enterprise
 - B. Ulliman Schutte, LLC, 9900 Springboro Pike, Miamisburg, Ohio 45342, a Majority enterprise
 - C. Shook, Inc. – Heavy & Environmental Group, 4977 Northcutt Place, Dayton, Ohio 45414, a Majority enterprise

2. **Name of the entity awarded the original contract:** Kokosing Construction Company, Inc.. Auditor's contract number EL001730 was awarded to this entity.

3. **Scope of work performed to date, and future phasing:** The Contract provides for construction of a sludge storage and truck loading facility at both the Jackson Pike Wastewater Treatment Plant and Southerly Wastewater Treatment Plant. Improvements to the Jackson Pike plants' flushing water, dilution water, and potable water systems are also part of this project.

The value of work completed through August 29, 2005 is \$14,357,842.00. That amount is 99.0% of the \$14,496,400.00 Contract Amount.

All needed work additions are defined and priced, and there is sufficient funding for all remaining contract work in this modification. No further additions to contract work or funding are planned or anticipated.

4. **Schedule to work completion:** The Contract Notice to Proceed was issued December 4, 2001. Final Completion of construction was originally scheduled for November 11, 2003. Construction is now completed.

5. Other Modifications to Date:

Modification No. 1: \$250,000.00 (EL004544 Ordinance No. 1314-2004 July 19, 2004)

Modification No. 1 provided an additional contingency amount of \$250,000.00 to fund known costs of needed additions to contract work that would exceed the original contract contingency amount.

6. Work to be performed under this Modification:

Proposed Modification No. 2: \$79,957.00

The contract provides for improvements at two wastewater treatment facilities under two separate project accounts, 650243 (Jackson Pike Plant) and 650356 (Southerly Plant). This modification will provide funding for additional items of work in five RFPs that have been identified as necessary at the Jackson Pike Plant, the cost of which will be greater than the remaining contract contingency amount. The cost for these five RFPs is \$83,260.00. The additional funding requested by this ordinance is sufficient for the cost of the additional work.

\$315,000.00	-	Original Contract J200 Contingency Amount
<u>\$250,000.00</u>	-	Modification No. 1 Additional Contingency Amount
\$565,000.00	-	Total Contingency Amount
<u>\$561,697.00</u>	-	Approved Change Orders
\$ 3,303.00	-	Remaining Contingency
\$ 83,260.00	-	Remaining Five RFPs Total Needs
<u>\$ 3,303.00</u>	-	Remaining Contingency
\$ 79,957.00	-	Requested Modification No. 2 Amount

7. Why the need for this Modification could not have been anticipated:

In any construction project, especially a project for renovation of existing facilities, changes to contract work are expected. Some reasons for additional work include: details of equipment and systems specified to be provided are reviewed and sometimes refined during construction in order to provide a facility that is optimally configured for operation and safety; components of the existing facility are concealed and conditions cannot be accurately determined prior to contract work; latent errors or omissions may exist in the design.

8. Why the work to be performed under this Modification cannot be "bid out":

The funding provided by this contract modification is for completion of the existing work of the contract. It is not deemed either feasible or reasonable to suspend work with the entity currently under contract, and undertake continuation of the work under a new procurement. The lengthy process for initiating a new procurement, and for a new entity to gain understanding of the project, would likely cause an unacceptable project delay and additional cost.

9. **Cost summary:**

Original Contract	\$14,246,400.00
Modification No. 1	\$ 250,000.00
Proposed Modification No. 2	\$ 79,957.00
Future Anticipated Needs	<u>\$ 0.00</u>
CONTRACT TOTAL	\$14,576,357.00