

**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.**

Five offerers responded to the original RFSQ. Those five offerers were shortlisted to 2 firms to submit RFPs. Those two firms are listed below.

<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 – 4/5/14	Columbus, OH	MAJ
Burgess & Niple Inc.	31-0885550 – 10/4/14	Columbus, OH	MAJ

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

Requests for Statements of Qualifications (RFSQ's) were received September 20, 2002.

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

1. ms consultants, inc.
2. Burgess & Niple Inc.

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, Ohio 43229  
Thomas Mosure, (614) 898-7100  
Original Legislation: EL005044 Ord. No. 0825-2004

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.**

As per the recommendations of the Water Beyond 2000 Study, the Division of Water undertook the task of increasing the safe yield of its surface water supply. The original contract provided professional engineering services for the design and preparation of construction contract documents for a raw water collection, storage, and delivery system off the Scioto River north of O'Shaughnessy Dam. The original legislation (Ord. 0825-2004) authorized the expenditure for design services.

The first contract modification encumbered funds for Engineering Services During Construction (Ord. 1705-2010, EL011352) through 2011. Since this is a multi-year construction project, the authorizing legislation indicated the Division's intent to request future contract modifications to pay for the remainder of Engineering Services During Construction.

The second contract modification encumbered funds for Engineering Services During Construction (Ord. 2142-2011, EL012520) for 2012. Since this is a multi-year construction project, the authorizing legislation indicated the Division's intent to request a future contract modification to pay for the remainder of Engineering Services During Construction and Post-Construction Engineering Services.

This planned contract modification (No. 3) will encumber funds for: the remainder of Engineering Services During Construction and for Post-Construction Engineering Services for the three current Upground Reservoir contracts; Also, it is necessary to modify this agreement to include: Bidding Services, Engineering Services During Construction, and Post-Construction Engineering Services for the Borrow Area Restoration Project (a future Preservation Park) that will be constructed on Upground Reservoir R-2 Property.

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

The construction contract Notice to Proceed (NTP) for Upground Reservoir R-2 was April 26, 2011, the Upground Reservoir Raw Water Pump Station NTP was August 15, 2011, and the Upground Reservoir Raw Water Pipeline NTP was December 20, 2011. The completion of construction for the Upground contracts is anticipated to be in the Fall 2013, with additional follow-up inspections and submittals thru Fall 2015. In addition, there is post-construction stream monitoring required thru 2018 for submittal to the Ohio EPA (OEPA).

The Borrow Area Restoration Project bid is expected to occur in the 3<sup>rd</sup> quarter of 2013. The construction NTP is expected during the 4<sup>th</sup> quarter of 2013 and construction completion is expected by the end of 2014.

**7. A narrative discussing the economic impact or economic advantages of the project; community outreach or input in the development of the project; and any environmental factors or advantages of the project.**

As central Ohio continues to grow, additional water supply sources must be developed. To address the growing needs, three upground reservoirs located near the Scioto River in northwestern Delaware County were recommended in the Water Beyond 2000 Study as a way to supplement the water supplies needed to support projected economic development in Franklin County. The R-2 reservoir, the largest of the three recommended, was designed and construction started in 2011.

Community Open House events were held on July 13, 2006, October 19, 2006, October 25, 2007, and April 7, 2011. Multiple Stakeholder briefing meetings were held during the design phase in 2006-2007.

Environmental coordination meetings were held with:

- Ohio Environmental Protection Agency
- Ohio Department of Natural Resources
- Ohio Department of Transportation
- Preservation Parks of Delaware County
- US Army Corps of Engineers
- US Fish and Wildlife Service
- Delaware County Soil & Water Conservation District

Permits from both the Army Corps of Engineers (CWA Section 404 Permit) and Ohio EPA (CWA Section 401 Water Quality Certification) were secured and mitigation requirements negotiated with these entities. Mitigation includes removal of the low-head dam at Prospect, Ohio and development of new wetlands site in western Franklin County.

**8. 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.)**

The first contract modification provided for Engineering Services During Construction (Ord. 1705-2010, EL011352, \$2,000,000.00) for the first 12-month construction period.

The second contract modification provided for Engineering Services During Construction (Ord. (Ord. 2142-2011, EL012520, \$3,105,000.00) for the second 12-month construction period.

This contract modification (No. 3) requests funds of \$3,549,000.00 for the remainder of Engineering Services During Construction and for Post-Construction Engineering Services. This modification will also include Bidding Services, Engineering Services During Construction, and Post-Construction Engineering Services for a Preservation Park that will be constructed on Upground Reservoir R-2 property.

Original Contract: \$8,098,000.00

Modification No. 1: \$2,000,000.00

Modification No. 2: \$3,105,000.00

Current modification (Mod. No. 3) Request: \$3,549,000.00

**9. 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.)**

- Engineering services during the project bidding phase of the Borrow Area Restoration Project (a future Preservation Park) including plan and addendum distribution, attendance at pre-bid meeting, and bid evaluation.
- Engineering services during construction including:
  - Attendance at a pre-construction meeting.
  - Attendance at monthly construction progress and coordination meetings.
  - Review and response to Requests for Information (RFI's).
  - Preparation of Requests for Proposals (RFP's).
  - Assist in review and processing of Change Orders and Construction Contract Modifications.
- Provide on-site Construction Engineering Services.
- Attend In-Factory Inspections for critical materials and equipment.
- Assist in review of claims and disputes.
- Additional design services for Reservoir, Raw Water Pump Station and Raw Water Pipeline.
- Assist in Start-ups and Commissioning of Equipment and Systems.
- Assist in training of City Staff on new equipment and systems including assisting with the O&M Ready Initiative and WAM System Compilation and Data Entry.
- Prepare Record Drawings.
- Prepare Operation, Maintenance, and Inspection (OM&I) Manual for Reservoir R-2.
- Prepare and Emergency Action Plan (EAP) for Reservoir R-2.
- Prepare First Filling Monitoring Plan.
- Attend ODNr end-of-construction inspection and assist PCM in developing a thorough punchlist.
- Prepare Post construction stream monitoring & reporting as required by OEPA 401 Water Quality Certification & USACE 404 Permit.

- 10. 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 was a planned contract modification identified in the original contracting legislation.

- 11. 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.)**

This was a planned contract modification identified in the original contracting legislation. The Design Engineer will be involved in providing engineering services during construction to ensure the design intent is met during the construction phase.

- 12. 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.**

At this time, the complete estimated cost breakdown is as follows:

Original Contract Amount	\$ 8,098,000.00
Modification No. 1	\$2,000,000.00
Modification No. 2	\$3,105,000.00
Cost of this Modification	<u>\$3,549,000.00</u>
Total Amount	\$16,752,000.00

- 13. An explanation of how the cost of the modification was determined.**

Costs were submitted by the Consultant and reviewed and verified by the City Project Manager.