

Information to be included in all Legislation Modifying a Contract:

1. **The names, location by City/State and status of all companies submitting a competitive bid or submitting an RFP or RFSQ for the original contract.**

<u>Name</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
A. CH2M HILL Columbus, OH Majority		
B. Malcolm Pirnie, Inc. Columbus, OH Majority		
C. MWH Americas, Inc. Columbus OH Majority		

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

Malcolm Pirnie, Inc., 1900 Polaris Pkwy., Suite 200, Columbus, OH 43240
Contact: Jeff Lauria, PE; (614) 888-4953
Contract No.: EL006055

3. **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 the top-level management of 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 improvements projects (CIPs), both collection 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 actual emplacement of CIPs will be by construction contract; the Professional Program Management (PPM) contract provides: program planning, scheduling, budgeting, and status reporting; construction management; design management; some design of critical projects; special services such as Value Engineering; and other services for this very large program, as directed by the City.

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

The several projects in this Program are all required to be complete in 2010, in conformance with the WWMP. Actual, detailed schedules were prepared as one of the first tasks for the PPM. The contract was initially entered into for \$7,000,000.00, that amount being both the then-current limit of available monies and the initial estimate of funds required for the necessary work in FY2006. Based upon the WWMP projections, it is currently estimated that the entire Program Management effort may cost approximately \$84,890,015.00. It has been planned since the inception of this procurement that the contract will be modified, approximately annually, to provide needed monies as the program proceeds.

5. **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.)**

MODIFICATION NO. 1: \$12,000,000.00 (EL006737 February 9, 2007)

This modification provided the estimated funding needed for this work for FY2007.

MODIFICATION NO. 2: \$14,500,000.00 (EL007408 November 7, 2007)

This modification provided the estimated funding needed for this work from September 2007 to July 2008.

6. 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. 3: \$16,882,125.00

This modification will provide estimated funding needed for this work from August 2008 through April 2009, barring unforeseen circumstance. Additional funding for the FY2008 is necessary for:

- A. CIP 650359, Construction Contract S76, electrical and instrumentation and control design to finalize bid documents in order to avoid additional delay in bidding the project.
- B. Phase II PMIS development to cover Departments City Wide.
- C. Gate attendants for plant security and sanitary facilities for those attendants at both wastewater treatment plants.
- D. Cleaning services for CMT trailers at both wastewater treatment plants.
- E. Hazardous Materials Study and testing in relation to CIP 650359, Construction Contract S75.
- F. CIP 650359 second Value Engineering Workshop.
- G. J209 Construction Management and Field Project Representation (FPR).
- H. JOM110 – Dystor Cover Replacement for one digester and dome repairs for Digesters No. 1 & 3 at JPWWTP, including construction management and FPR.
- I. CIP 650363.2 Shop Drawings Review prior to Contract execution between Design Professional (DP) and its Sub-contractors.
- J. Preliminary and detailed design of CIP 650250.2 – JPWWTP Digester Gas Piping System Improvements.
- K. Instrumentation and Controls Application Programming for all PPM managed projects effective 2008 and extending through the duration of the program.
- L. Supplemental CAD services provided to DP to assist with the completion of the design of CIP 650359.

7. 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.)

The need for incremental funding of this contract by modification has been anticipated, and this was stated in the original contract's authorizing legislation.

8. 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.)

A new procurement for these services would be time-consuming, would likely result in delay of the WWMP program, and could place the City in violation of its consent orders, as a consequence.

9. 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	\$ 7,000,000.00
Modification No. 1	\$12,000,000.00
Modification No. 2	\$14,500,000.00
Proposed Modification No. 3	\$16,882,125.00
Future Anticipated Needs	<u>\$34,507,890.00</u>
Probable Contract Total-	\$84,890,015.00

10. 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. The estimate of the quantity of labor required to complete the remaining scope of services is within the anticipated level of funding originally forecast.

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.

7-20-07