

**INFORMATION REQUIRED TO ACCOMPANY
LEGISLATION MODIFYING CONTRACTS**

ORDINANCE NO. 0264 - 2006

**MODIFICATION NO. 1 TO THE CONSTRUCTION CONTRACT FOR
SOUTHERLY WASTEWATER TREATMENT PLANT (WWTP)
NEW HEADWORKS**

**PROJECT NO. 650352
CONSTRUCTION CONTRACT NO. S67**

1. Names, locations, and business status of all entities submitting bids on the original contract's procurement:

- A. C.J. Mahan Construction Company, 3400 Southwest Blvd., Grove City, Ohio 43123, a Majority enterprise
- B. Kokosing Construction Company, Inc., 886 McKinley Avenue, Columbus, Ohio 43222, a Majority enterprise.
- C. Walsh Construction Company of Illinois, 2575 Medina Road, Medina, Ohio 44256, a Majority enterprise

2. Name of the entity awarded the original contract: Kokosing Construction Company, Inc., Auditor's contract number EL005302, was awarded to this entity.

3. Scope of work performed to date, and future phasing: The Southerly WWTP New Headworks project consists of two construction contracts that will provide these new facilities. This proposed modification is for Construction Contract S67 that provides for the construction of a screen and grit facility with perforated panel screens, grit removal tanks, odor control facility, associated equipment and building systems, piping and site work. It is planned that this contract will be modified to provide needed monies, if necessary, for any anomalies in the work which may become evident as the work progresses.

4. Schedule to work completion: The Contract Notice to Proceed was issued May 24, 2005. Construction on the New Headworks at the City of Columbus' Southerly Wastewater Treatment Plant is proceeding on a very tight schedule, in order to meet the City's commitment to Ohio EPA as to the operational date for the new headworks facilities. These facilities are required facilities under the City's Consent Decrees with Ohio EPA, and have been included in the City's Wet Weather Management Plan, submitted to the agency on July 1, 2005, as scheduled. Final Completion of construction is scheduled for February 19, 2008.

5. Other Modifications to Date:

None.

6. Work to be performed under this Modification:

Proposed Modification No. 1: \$1,162,907.00

The Wet Weather Management Plan (WWMP), as submitted to Ohio EPA on July 1, 2005, indicated that the existing secondary clarifiers can not achieve the needed peak wet weather flow rate of 330 MDG due to process restrictions of sludge transport within the clarifiers. As part of the WWMP, one existing secondary clarifier would be modified to enhance sludge transport and improve settling efficiency and then perform a stress test to verify its performance. Final rehabilitation of the remaining eight existing secondary clarifiers and the design of the proposed three new secondary clarifiers, which will be constructed under CIP 650366, will be based upon the results of this installation. The work on all projects related to the WWMP is proceeding on a very tight schedule, in order to meet the City's Consent Order commitment to Ohio EPA.

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

At the time this construction contract was prepared and advertised, the full impact of the WWMP wet weather improvements for the treatment facilities were not fully developed and the modifications to the secondary clarifiers were still being finalized. It was not until the WWMP Confirmation Workshop in 2006 that the full scope of the secondary clarifiers modifications were determined.

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

It is not deemed either feasible or reasonable to suspend work with the entity currently under contract, and undertake the work under a new procurement. This project is proceeding on a very tight schedule, in order to meet the City's Consent Order commitment to Ohio EPA. 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	\$43,691,550.00
Proposed Modification No. 1	\$ 1,162,907.00
Future Anticipated Needs	<u>\$ 1,092,642.00</u>
CONTRACT TOTAL	\$45,947,099.00

A future modification is expected soon, to provide an additional contingency amount of \$1,092,642.00 to fund known costs of needed additions to the contract work to provide a schedule recovery effort after recent flooding of the project site, whose costs will exceed the original contract contingency amount.