

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, 1103 Schrock Road, Suite 400, Columbus, OH 43229,		Majority
B. Malcolm Pirnie, Inc., 1900 Polaris Pkwy., Suite 200, Columbus, OH 43240,		Majority
C. MWH Americas, Inc., 85 East Gay Street, 11th Flr., Columbus OH 43215,		Majority

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

Malcolm-Pirnie, Inc., 1900 Polaris Parkway, Suite 200, Columbus, Ohio 43240
Contact Person: Jeff Lauria, P.E., 888-4953

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 through separate, individual competitive sealed bid procurement efforts. 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. With a program involving infrastructure that is this complex and technical, it is probable that additional tasks may need to be added by the City to address problems that arise during the detailed design of the affected capital improvements projects.

The several projects in this Program are all required to be completed by 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. 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.

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

The Division of Sewerage and Drainage has planned for this contract duration to be through Fiscal Year 2010, at which time a replacement contract will be executed through a new procurement effort.

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.)**

This contract was structured so that the City could incrementally fund the scope of services for the Professional Program Management Contract, as it progressed over its 5-year duration. The Division has appropriated the following amounts prior to this legislative request:

Original Contract Award	\$7,000,000.00 (EL006055)
Contract Modification No. 1	\$12,000,000.00 (EL006737)

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.)

This modification will provide the estimated funding needed for this work from September 2007 to August 2008, barring unforeseen circumstance or additional tasks that the City may request increased funding for within a later modification. Additional tasks that have been added to the contract services within this contract modification include:

- A. Additional subcontracting necessary to perform the work needed during the design and construction phases of all program CIPs in order to meet the strict schedule of the Program Projects and satisfy the Program Requirements.
- B. Increased efforts on tasks and additional tasks by subcontractors that are necessary to satisfy the progress and requirements of the Program.
- C. Additional expenses exceeding the original budgeted amount incurred during 2007 for permit fees, construction contract advertising costs, and printing.
- D. Effort required by the PPM to assist the CIP 650363 Design Professional (DP) to complete the design of the project in a timely manner in order to meet program schedule.
- E. Effort required by the PPM to assist the DPs with the design of one the Jackson Pike Wastewater Treatment Plant's aeration system alternatives, in order to maintain the progress of the work and to meet the Program deadlines.
- F. An increase in the scope of work due to the addition of projects and tasks, including CIP 650255, CIP 650250 for the emergency repair of the Dystor Cover Failure, and incorporating the replacement of the existing Raw Sewage Pumps motors and controls into CIP 245.
- G. Subcontracting with the DP selected by the City for the design of CIP 253, to complete the project's Detailed Design Memorandum (DDM) in order to accomplish the work in accordance with the Program schedule.

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 majority of the scope of services has been planned for within the terms of the original contract scope of services, and it was mutually agreed that the City would incrementally fund the anticipated cost of services through the use of annual contract modification appropriations.

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.)

In so much as this work was planned for and anticipated within the original procurement, and due to the highly complex and technical nature of this wastewater treatment plant infrastructure, it is not reasonable or cost efficient to undertake an additional procurement effort to provide for these services.

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
Proposed Modification No. 2	\$14,500,000.00
Future Anticipated Needs	<u>\$32,000,000.00</u> (Fiscal Years 2008-2010)
Estimated Contract Total-	\$65,500,000.00

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 based upon the contract's current forecasted defined level of service.

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