

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.**

<u>Name</u>	<u>C.C. No./Exp. Date</u>	<u>City/State</u>	<u>Status</u>
Jaydee-Michels-Traylor Joint Venture Affholder, Inc.	320092124 5/4/2011 N/A N/A	Lockbourne, OH -	MAJ -
Kenny-Shea-KM&M Joint Venture	362046200 Inactive	Wheeling, WV	-
Big Walnut Constructors	760734556 Inactive	San Francisco, CA	-

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

3. **List the ranking and order of all bidders.**
Jaydee-Michels-Traylor Joint Venture, \$90,779,625.00
Affholder, Inc., \$107,775,000.00
Kenney-Shea-KM&M Joint Venture, \$107,852,000.00
Big Walnut Constructors, \$108,700,000.00.

4. **The name, address, contact name, phone number and contract number of the firm awarded the original contract.**
Michael DiPonio
JDMT-BWARI PROJECT
6713 South High Street
Lockbourne, OH 43137
614-491-9551

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.**
Construction of the BWARI and BWOAS tunnels is nearly complete. BWOAS contract with McNally/Kiewit is complete and the contractor has been issued Final Completion and has demobilized. The Corrosion Protection Lining for the BWOAS tunnel was removed by a deduct change order from the BWOAS contract. This contract modification to the Jay Dee/Michels, Traylor Joint Venture contract provides for the application of corrosion protective coatings in the BWOAS tunnel. There is no future phasing anticipated.

6. **An updated contract timeline to contract completion.**
The project is ongoing. It is anticipated that services will continue through December, 2009.

7. **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.)**
None

8. 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 contract modification provides for the application of corrosion protective coatings in the BWOAS tunnel by the BWARI Contractor in accordance with specifications and drawings provided by Corrosion Probe Incorporated.

9. 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 originally specified corrosion protection lining was determined to be incompatible with the tunnel system. It was determined that removing the corrosion protection linings from the McNally Kiewit contract would expedite successful completion of the BWOAS tunnel. The new corrosion protective lining is compatible with the tunnel system.

10. 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.)

The work cannot be bid out due to the complex nature of tunnel work and support necessary for labor forces. This contractor is in the best position to successfully implement the corrosion protective lining in the most expedite and economical means. The McNally Kiewit joint venture, while capable of performing the work, has demobilized from the project sites and would be unable to perform the work without significant remobilization costs.

11. 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: \$90,779,625.00

Modification 1: \$5,622,722.00

12. An explanation of how the cost of the modification was determined.

The cost was proposed by the contractor based on engineering recommendations and reviewed by the Construction Manager and negotiated with the Contractor.

13. Sub-Consultants identified to work on this contract, their contract compliance no. & expiration date, and their status (NPO, MAJ, MBE, FBE, HL1, AS1, or MBR):

<u>Name</u>	<u>C.C. No./Exp. Date</u>	<u>Status</u>
Martin Paining and Coating	310649396 10/22/09	MAJ

14. Scope of work for each subcontractor and their estimate of dollar value to be paid.

Martin Painting: Supply and application of corrosion protection | \$2,711,375.

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.

Updated as of 4-3-09 (JPM)