Ord No. 0369-2015

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.**

Name	C.C. No./Exp. Date	City/State	Status
Burgess & Niple, Inc.	31-0885550 – 9/12/16	Columbus, OH	MAJ
CH2M Hill Engineers (fka CH2M Hill, Inc.)	32-0100027 – 12/2/16	Columbus, OH	MAJ

Note: Both firms had MBE/FBE participation proposed for their project teams.

2. **What type of bidding process was used (ITB, RFP, RFSQ, Competitive Bid).**
Requests for Proposals (RFP's) were received September 18, 2006.

3. **List the ranking and order of all bidders.**
1. Burgess and Niple, Inc.
2. CH2M Hill Engineers (fka CH2M Hill, Inc.)

4. **Complete address, contact name, phone number, and e-mail address for the successful bidder only.**
Burgess & Niple, Inc.
5085 Reed Road
Columbus, OH 43220
Rusty Neff, P.E. – Vice President
Thomas W. Bell Games, P.E. - Project Manager, tom.bell-games@burgessniple.com
Ph: (614) 459-7272
Original Agreement: EL010296
Modification No. 1: EL012665
Modification No. 2: EL013741

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. The planning area should also be listed as well as any street or neighborhood names.**
Work to be performed in this contract is professional engineering services for the Hap Cremean Water Plant (HCWP), Treatment Improvements Project, Project No. 690430-100001. The professional engineering services will be completed in multiple phases:

WORK TO DATE:
Preliminary Engineering: Improvements included the installation of intermediate ozonation downstream of recarbonation and prior to filtration, and the conversion of the filters to biologically active filtration. Work under this phase included the evaluation and analysis of four layout options; including the evaluation of two oxygen source alternatives (bulk liquid oxygen and ambient air for on-site generation of high purity oxygen gas); and two ozone feed injection alternatives (fine bubble diffusion and high efficiency injection). Elements of this phase of work included various meetings and workshops; value engineering; survey and mapping of the project site; geotechnical investigations; design drawings (50 percent); and a Preliminary Design Report (PDR). The option analysis included preliminary construction cost estimates; probable annual operating, maintenance, and repair costs; a present worth

analysis; basis of design narrative; construction phasing; general operational descriptions; preliminary hydraulics analysis; and a preliminary schedule. This work was completed under the previously executed contract EL010296, Ord. No. 0403-2010.

Detailed Design: Work under this phase included the preparation of Detailed Construction Contract Documents in accordance with the approved Preliminary Design Report (PDR). Construction Contract Document included Construction Costs Estimate, Detailed Engineering Drawings, Specifications, and Bidding Documents. This work was initiated under the previously executed contract EL010296, Ord. No. 0403-2010.

During the preliminary and detailed design phases, the design team encountered numerous issues with the existing plant that affected the implementation of the new treatment process requiring additional design services that were not anticipated in the original scope of services. Items that required additional design services included: spill containment for existing chemical unloading area, hydraulic interconnect between treatment trains A & B, additional post chlorination feed point, source water for ozone cooling system, sanitary lift station, fiber optic network for Plant campus, evaluation of filter backwash effluent gates and replacement of filter backwash rate of control valve, additional power source, mechanics for basin deicing, serpentine walls for ozone contactor basin, PLC based HVAC controls in ozone production building, relocation of electrical room and air scour blowers in existing filter building, redesign of filter consoles, potable water connection to backwash tank, structural modification to existing filter cells, asbestos abatement, incorporation of LEED, development of risk register, redesign of proposed building, and routing of ozone cooling water discharge to head of treatment train. Design services were performed under previously executed Contract Modification No. 1 - EL012665, Ord. No. 0525-2012 and Contract Modification No. 2 – EL013741, Ord. No. 2008-2012.

WORK TO BE PERFORMED UNDER THIS MODIFICATION:

Services During Construction: This is the current phase of the Project. Work in this phase includes performing site visits to determine work is proceeding in accordance with the contract documents, attending construction coordination meetings, submittal review, clarification of the Contractor's request for information, preparation of field orders, request for proposals, and record drawings. This work was initiated under the previously executed Contract Modification No. 2 – EL013741, Ord. No. 2008-2012.

WORK TO BE PERFORMED IN FUTURE MODIFICATION

No additional modifications are planned at this time.

Planning Area: Rocky Fork-Blacklick (Hap Cremean Water Treatment Plant)

6. **An updated contract timeline to contract completion.**
   A. The original agreement allowed for a total term of 4.25 years.
   B. This is the fifth year of the total term for this project (requesting a time extension with this modification).
   C. This contract will expire after all engineering services are completed, including preparation of record drawings, which is estimated to occur fall 2016.

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.**

This project is necessary to comply with rules promulgated by the Ohio Environmental Protection Agency. The Hap Cremean Water Plant is an essential and integral component in

the Columbus area water supply and treatment infrastructure. Adequate supply of water is essential to economic growth and development.

The Hap Cremean Water Plant is a secure site on property owned by Department of Public Utilities and all work will occur within the plant property. No community outreach or input was sought in the development of the project.

Burgess and Niple indicated a corporate philosophy of environmental conservation and sustainable business practices. LEED practices are being implemented for the new building Ozone Production Building currently being constructed as part of this project.

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.)**
   Modification No. 1, EL012665, $452,000.00: additional detail design of improvements not anticipated during initial design contract scope preparation.

   Modification No. 2, EL013741, $7,163,346.00: additional design services ($600,000) and engineering services during construction ($6,563,346).

   For additional details, please refer to Item 5 of this form.

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.)**
   Services During Construction: Work performed under Contract Modification 3 will be a continuation of the construction services defined in Contract Modification 2 plus the following additional services: conduct an electrical arc flash study that enhances safety for plant maintenance staff; provide additional shop drawing review services related to the ozone system; and provide increased assistance with startup and commissioning of the ozone system.

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 contract modification is needed to address several unanticipated conditions encountered during execution of construction Contract No. 1151 (EL013396) including: an extended construction schedule resulting from approved change orders; unforeseen field conditions; higher than expected level of effort for shop drawing review work; unanticipated efforts to accommodate an alternate ozone system; higher than expected level of effort for startup and commissioning of the ozone system; and the inclusion of an arc flash study. These changes have impacted management of the project, oversight of subconsultants, interaction with the Construction Management Team, Programming Team, Contractor, Subcontractors, Plant, and City staff. The enhanced and extended engineering services provided under this modification will ensure that the required level of engineering oversight, including field representation, is maintained through the end of construction to ensure that the work is constructed in accordance with the design intent.

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.)**

The consultant team has performed all engineering services to date for this project, including Preliminary Design, Detailed Design, and a portion of the needed engineering services during construction. The process of selecting and contracting with a new consultant team at this time and having them oversee work designed by another consultant would delay construction, introduce unwanted risk to the City, and result in additional costs to the City that would significantly exceed the cost of this modification.

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.**

Original Contract	$ 4,259,792.00 (EL010296)
Contract Modification 1	$ 452,000.00 (EL012665)
Contract Modification 2	$ 7,163,346.00 (EL013741)
Contract Modification 3	$ 1,510,000.00
Contract Total	$13,385,138.00

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

The Consultant prepared a fee proposal that included costs for services provided and estimated costs for services to be provided during the remainder of construction period. City staff reviewed the estimate and a mutually agreeable cost was negotiated between DOW Administration and senior staff at Burgess & Niple, Inc.