

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>
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Companies submitting an RFSQ:

- A. Burgess & Niple, Ltd. | 310885550 / 12/10/2010 | Columbus, Ohio | MAJ
- B. R.D. Zande & Associates, Inc. | 311395123 (now acquired by Stantec Consulting Services, Inc., CCCN 112167170 / 12/17/2011) | Columbus, Ohio | MAJ
- C. Malcolm Pirnie, Inc. | 132653703 / 03/09/2012 | Columbus, Ohio | MAJ
- D. ms consultants, inc. | 346546916 / 05/27/2012 | Columbus, Ohio | MAJ
- E. Black & Veatch, Inc. | 431833073 / 10/30/2011 | Cincinnati, Ohio | MAJ

Companies that were selected and requested to submit, and did submit, a Technical Proposal (RFP):

- A. Burgess & Niple, Ltd.
- B. R.D. Zande & Associates, Inc.
- C. Malcolm Pirnie, Inc.

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

3. **List the ranking and order of all bidders.**

Malcolm Pirnie, Inc.
Burgess & Niple, Ltd.
R.D. Zande & Associates, Inc.

4. **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 OH 43240-2020
Contact: Richard E. Herriott, PE; (614) 888-4953
Contract No.: CT-18653

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 Contract with provides professional engineering services for the Southerly Wastewater Treatment Plant New Headworks. Project improvements are being built under five separately bid construction contracts. The construction contract designations and purpose are:

Contract J203/S63 – Primary Sludge Pumping System Improvements

Provides for the replacement of the Primary Sludge Pumps at the Jackson Pike and Southerly Wastewater Treatment Plants. All engineering services have been completed for this project phase. All construction work is completed and the contract is closed.

Contract S65 – Raw Sewage Pump Building

Provides for the construction of a raw sewage pump building with pumps, mechanically cleaned bar racks, associated equipment and building systems, piping and site work. All design services are complete for this project phase. All construction work is completed and the contract closeout is underway. Final Services During Construction are being performed.

Contract S67 – Screen & Grit Facilities

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. All design services are complete for this project phase. All construction work is completed and the contract closeout is underway. Final Services During Construction are being performed.

Contract S79 – Decommissioning

Provides for the decommissioning of the existing headworks facilities. Also was to provide the installation of a digester gas line from the SWWTP anaerobic digesters to the Screen and Grit Building to supply digester gas to fuel to the boilers. This digester gas line has now been included with additional digester gas usage provisions into a separate construction contract. Design services for this phase of the project are nearly completed. A future contract modification will provide construction-phase engineering, start-up and commissioning assistance, and record documentation preparation assistance when this phase of work is ready for construction.

Contract number not assigned – Waste Digester Gas Utilization Improvements

Provides a digester gas line from the digesters to the Screen and Grit Building and to the Service Building to supply digester gas to fuel the boilers. Provides new boilers and appurtenances for the Service Building and Building Code required revisions. Design is in progress, with the construction contract bidding later in 2010. Final Completion of construction is scheduled for 2011.

The actual emplacement of the work will be by construction contract. This engineering contract provides: preliminary and detailed design, bidding assistance, construction-phase engineering. Construction Management services are being performed by others.

6. An updated contract timeline to contract completion.

The Contract Notice to Proceed was issued November 5, 1997.

Contract J203/S63 – Primary Sludge Pumping System Improvements

A Preliminary Design Report for the Primary Sludge Pumping System Improvements was submitted to the City on March 7, 2001. In February, 2001, Malcolm Pirnie, Inc. proceeded with Detailed Design services for Contract J203/S63. The design was completed and the construction contract bids were received on October 24, 2001. The contract was awarded and the Notice to Proceed was issued on May 30, 2002. Construction was completed in September, 2005.

Contract S65 – Raw Sewage Pump Building –

The Preliminary Design work for the headworks facility was started November, 1999. This investigative and planning effort was summarized in the Detailed Design Memorandum (DDM), submitted to the City on October 29, 1999. In July, 2001, Malcolm Pirnie, Inc.

proceeded with Detailed Design services for Contract S65. The design was completed and the construction contract bids were received on September 3, 2003. The contract was awarded and the Notice to Proceed was issued on May 10, 2004. Construction work is completed and the contract closeout is underway.

Contract S67 – Screen & Grit Facilities

The Preliminary Design work for the headworks facility was started November, 1999. This investigative and planning effort was summarized in the Detailed Design Memorandum (DDM), submitted to the City on October 29, 1999. In February, 2003, Malcolm Pirnie, Inc. proceeded with Detailed Design services for Contract S67. The design was completed and the construction contract bids were received on October 27, 2004. The contract was awarded and the Notice to Proceed was issued on May 24, 2005. Construction work is completed and the contract closeout is underway.

Construction of the New Headworks met the City's commitment to Ohio EPA as to the operational date for the 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.

Contract S79 – Decommissioning

Design services for this phase of the project are nearly completed.

Contract number not assigned – Waste Digester Gas Utilization Improvements

Design services for this contact are in progress, with an expected bid opening in December, 2010. The construction work will be placed under contract as soon as possible, and the construction services will commence. Final Completion of construction is scheduled for 2011.

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.)

ORIGINAL CONTRACT: \$1,567,500.00 (CT-18653)

Provided funding estimated to be needed for Preliminary Design services for the new headworks facility, Contracts S65 and S67.

MODIFICATION NO. 1: \$707,500.00 (EL000202)

Provided additional funding needed for Preliminary Design services for the new headworks facility, Contracts S65 and S67 and funding provided for Preliminary Design and Detailed Design services, estimated to be needed for Contract J203/S63.

MODIFICATION NO. 2: \$3,060,000.00 (EL001386)

Funding provided for Detailed Design services estimated to be needed for Contract S65.

MODIFICATION NO. 3: \$122,000.00 (EL002285)

Tasks defined and funding provided for Services During Construction estimated to be needed for Contract J203/S63.

MODIFICATION NO. 4: \$50,000.00 (EL003166)

Funding provided for additional Detailed Design services for Contract J203/S63.

MODIFICATION NO. 5: \$3,193,000.00 (EL003167 and EL003168)

Funding provided for Detailed Design services estimated to be needed for Contract S67 and for additional Detailed Design services for Contract S65.

MODIFICATION NO. 6: \$3,792,000.00 (EL004220)

Tasks defined and funding provided for Services During Construction estimated to be needed for Contract S65.

MODIFICATION NO. 7: \$4,614,000.00 (EL005306)

Tasks defined and funding provided for Services During Construction estimated to be needed for Contract S67 and for additional Services During Construction estimated to be needed for Contract S65.

MODIFICATION NO. 8: \$280,000.00 (EL006797)

This modification was required as a result of the January 2005 flood event at the Southerly Wastewater Plant, New Headwork site and the Contractor's claim for additional dewatering costs. The modification was for additional Services During Construction required to properly monitor the contractor's schedule recovery efforts, evaluate the merits of the Contractor's site dewatering claim, and evaluate the construction of a site flood protection levee and the stabilization alternatives for the Big Walnut Outfall Sewer.

MODIFICATION NO. 9: \$697,000.00 (EL008694)

This modification provides funding for Preliminary and Detailed Design services estimated to be needed for the decommissioning of the existing headworks facilities.

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.)

PROPOSED MODIFICATION NO. 10: \$583,000.00

This modification provides \$583,000.00 of funding for a Federal ARRA (Stimulus) grant funding request/application preparation, Detailed Design services, and Services During Construction estimated to be needed for Waste Digester Gas Utilization Improvements construction contract.

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 design of the headworks decommissioning construction contract included the digester gas line from the SWWTP anaerobic digesters to the Screen and Grit Building boilers. The additional work included in this modification is a logical extension of this digester gas service line to the Service Building, which it passes. The existing fuel oil boilers in the Services Building have exceeded their useable life by more than 20 years and are no longer operating at optimum performance. The use of digester gas by the boilers in the both buildings will reduce the plant's daily need for natural gas and fuel oil. The transition to burning digester gas greatly reduces the amount of fossil fuel greenhouse gases released during boiler operation. The original headworks decommissioning, including the digester gas piping, was planned and anticipated, and so stated in the original contract's legislation. It is a planned continuation of the services originally included within the existing contract's scope of service.

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.)

In so much as a large portion of 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 a new procurement effort to acquire these services. 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.

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	\$ 1,567,500.00
Modification No. 1	\$ 707,500.00
Modification No. 2	\$ 3,060,000.00
Modification No. 3	\$ 122,000.00
Modification No. 4	\$ 50,000.00
Modification No. 5	\$ 3,193,000.00
Cancellation of Mod. 5's Remaining Balance	(\$ 589,954.23)
Modification No. 6	\$ 3,792,000.00
Modification No. 7	\$ 4,614,000.00
Modification No. 8	\$ 280,000.00
Modification No. 9	\$ 697,000.00
Proposed Modification No. 10	\$ 583,000.00
Future Modification No. 11 (estimated, 2011 funding)	\$ 109,000.00
CURRENT PROPOSED TOTAL	\$18,185,045.77

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

A cost proposal was provided by Malcolm Pirnie, Inc. and reviewed by the Division of Sewerage and Drainage and was deemed acceptable. The cost of this contract modification is

consistent with the direct labor, overhead, and profit rates established within the original proposal.

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>
See the attached Subcontractor Work Identification Form.		

14. Scope of work for each subcontractor and their estimate of dollar value to be paid.
See the attached Subcontractor Work Identification Form.

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)