

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>
Malcolm Pirnie, Inc.	Columbus, OH	Majority
BBS Corp.	Columbus, OH	Majority
URS Corp.	Columbus, OH	Majority
Camp Dresser McKee	Columbus, OH	Majority
Crawford, Murphy & Tilly, Inc	Columbus, OH	Majority
Metcalf & Eddy of Ohio, Inc.	Columbus, OH	Majority

2. The name of the firm awarded the original contract and the Contract Number.

Malcolm Pirnie, Inc.
1900 Polaris Pkwy.
Columbus, Ohio 43240-2020
EL005372

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.

Original contract covered: engineering design services for the Raw Water Intake, engineering evaluation of the Low-Head Dam for the Raw Water Intake, preparation of bid documents and bidding services for the Raw Water Intake. The first project modification provided construction administration / construction inspection services (as anticipated in the original legislation) and detailed design services and permitting for the Low-Head Dam. This proposed contract modification (Contract Modification #2) will cover the cost relating to additional engineering and professional services that were both necessary and beyond the original scope of the contract. No future phases of this project are anticipated.

4. An updated contract timeline to contract completion.

The contract completion date for this project is December 13, 2008. The engineering services will be completed within three months of the completion of the construction work.

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.)

Contract Modification #1 – EL007269, \$436,982.00

This contract modification provided for Construction Administration / Construction Inspection services which were anticipated to be performed as a modification to the contract when the original legislation was approved. In addition, this contract modification provided for engineering design and environmental permitting for the Low-Head Dam associated with the Dublin Road Water Plant Raw Water Intake. These changes were not originally anticipated or included in the original project scope but were implemented after completion of the evaluation of the low-head dam which was completed as part of the original contract.

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 contract modification will provide for additional engineering and professional services including Construction Administration/Construction Inspection services that were beyond the scope of the original contract including: the rehabilitation of the south abutment of the low-head dam, dewatering issues encountered during construction, low-head dam repairs and the leaf chute extension amongst other miscellaneous items contained within the attached modification request letter submitted by Malcolm Pirnie. These changes were not originally anticipated or included in the original project scope but were implemented after site conditions were fully assessed and dewatered.

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 South abutment of the low-head dam deteriorated beyond the original scope of repairs due to the unseasonably wet June '08. These high flows and the force of the river significantly damaged the South abutment requiring additional design efforts. Due to evaluations by the DPU Regulatory Compliance section, modifications to the leaf chute design were mandated. Additional efforts were required on the low-head dam since the true extent of the repairs could not be fully evaluated until the cofferdam was in place and the site adequately dewatered. The construction contract for this project was modified by legislation #1474-2008. This requested engineering contract modification is to provide engineering services for those changed construction conditions.

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.)

This modification keeps the project on schedule to finalize the Dublin Road Water Plant intake and low-head dam improvements. It was not determined that the additional work at the low-head dam was needed until the contractor built temporary cofferdams and dewatered the dam. At that point it was necessary to make the needed improvements as soon as possible in order to restore the stream flow to the normal conditions. It was not practical at that time to bid the work out since the river levels were favorable and the cofferdam was currently in place. The contract was well under way when these design decisions were made. The consultant was familiar with the details of the project and was able to implement the revisions much more efficiently than if another consultant was brought onto the project mid-design. The additional cost and time associated with bidding out this work would well exceed any benefit.

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.

CONTRACT AMOUNT:

Original contract amount	\$564,182.00
Modification No.1	\$436,982.00
Modification No.2 (including 10% Contingency)	\$178,200.00
New contract amount	\$1,179,364.00

This represents an approximately 18% increase in overall project cost.

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

Consultant prepared a cost breakdown exhibit by task and cost. This cost breakdown was reviewed and approved by the Project manager for the City Division of Power and Water. The Consultant requested \$83,600.00 for themselves, \$78,400 for their subconsultant, BBC&M Engineering, and a 10% contingency, for a total modification request of \$178,200.00.

11. Sub-Consultants identified to work on this contract:

BBC&M Engineering