

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>
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Companies submitting an RFSQ:

- A. Burgess & Niple, Ltd. | Columbus, Ohio | Majority
- B. R.D. Zande & Associates, Inc. | Columbus, Ohio | Majority
- C. Malcolm Pirnie, Inc. | Columbus, Ohio | Majority
- D. ms consultants, inc. | Columbus, Ohio | Majority
- E. Black & Veatch, Inc. | Cincinnati, Ohio | Majority

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. 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

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.

The Contract with Malcolm Pirnie, Inc. provides professional engineering services for the Southerly Wastewater Treatment Plant New Headworks, Project No. 650352. This Design Professional (DP) contract provides: preliminary design, detailed design, bidding assistance, construction-phase engineering, start-up and commissioning assistance, record documentation preparation assistance, and other services for this project, as directed by the City. The actual emplacement of the designed work will be by construction contract.

Project improvements are being built under four 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.

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.

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.

Contract number not assigned – Decommissioning

Provides for the decommissioning of the existing headworks facilities.

Engineering Services Progress:

Contract J203/S63 – All engineering services have been completed for this project phase. All construction work is completed and the contract is closed.

Contract S65 – All design services are complete for this project phase. Services During Construction are underway.

Contract S67 – All design services are complete for this project phase. Services During Construction are underway.

Decommissioning Contract – Work on this phase of the project has not started. The proposed contract modification provides funding for preliminary design, detailed design, and bidding assistance services for the final phase of this project. 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.

4. 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. Final Completion of construction is scheduled for September, 2008.

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. Final Completion of construction is scheduled for September, 2008.

Construction on the New Headworks at the City of Columbus' Southerly Wastewater Treatment Plant is proceeding on a very tight schedule, in order to meet the City's commitment to Ohio EPA as to the operational date for the new headworks 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, as scheduled.

Contract number not assigned – Decommissioning

Design is scheduled to begin, after completion of construction for Contracts S65 and S67 in 2008, with the construction contract bidding in 2009. Final Completion of construction is scheduled for 2011.

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.)

ORIGINAL CONTRACT: \$1,567,500.00 (CT-18653 October 28, 1997)

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 March 14, 2000)

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 July 5, 2001)

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

MODIFICATION NO. 3: \$122,000.00 (EL002285 May 13, 2002)

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

MODIFICATION NO. 4: \$50,000.00 (EL003166 February 11, 2003)

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

MODIFICATION NO. 5: \$3,193,000.00 (EL003167 and EL003168 February 14, 2003)

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 April 29, 2004)

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

MODIFICATION NO. 7: \$4,614,000.00 (EL005306 May 12, 2005)

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 April 25, 2007)

This modification was 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.

PROPOSED MODIFICATION NO. 9: \$697,000.00

This modification provides \$152,000.00 of funding for Step 1 - Preliminary Design services and \$545,000.00 for funding of Detailed Design services estimated to be needed for the decommissioning of the existing headworks facilities.

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 is being incrementally funded through the use of modifications. This modification will provide funding for detailed design services to prepare bidding documents for decommissioning the original plant headworks that has been replaced by the facilities constructed by Contracts S65 and S67. The proposed contract modification provides funding for preliminary design, detailed design, and bidding assistance services for the final phase of this project.

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 design of the original headworks decommissioning, as provided in Contract Modification No. 9, 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.

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 the majority 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.

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	\$ 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
Modification No. 6	\$ 3,792,000.00
Modification No. 7	\$ 4,614,000.00
Modification No. 8	\$ 280,000.00
Proposed Modification No. 9	\$ 697,000.00
Future Modification No. 10 (estimated, 2009 funding)	\$ 450,000.00
CURRENT PROPOSED TOTAL	\$18,533,000.00

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 within the anticipated level of funding originally forecast.

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