

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 RFSO.**

<u>Name</u>	<u>C.C. No./Exp. Date</u>	<u>City/State</u>	<u>Status</u>
Benatec Associates, Inc.	31-4218330: INA	Columbus, Ohio	MAJ
Buckeye Engineering, Ltd.	68-0496252: INA	Columbus, Ohio	MAJ
Burgess & Niple, Limited	31-0885550: 11/26/12	Columbus, Ohio	MAJ
ms consultants, inc.	34-6546916: 4/5/14	Columbus, OH	MAJ
Owen Engineering & Mgt Consul	84-0893869: INA	Columbus, OH	MAJ
R. D. Zande & Assc. (now Stantec)	11-2167170: 12/21/13	Columbus, OH	MAJ

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

Requests for Proposals (RFP's) were received on July 12, 2002.

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

- 1 - ms consultants, inc.
- 2 - Burgess & Niple, Limited
- 3 - Benatec Associates, Inc.
- 3 - R. D. Zande & Assc.
- 5 - Buckeye Engineering, Ltd
- 6 - Owen Engineering & Mgt Consul

4. **The name, address, contact name, phone number and contract number of the firm awarded the original contract.**

ms consultants, inc.
2221 Schrock Road
Columbus, OH 43229
Ken Ricker, P.E., (614) 898-7100
Original contract EL003473, Mod #1 EL005455, Mod #2 EL009301, Mod #3 EL011710

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 original contract provided for engineering design and construction administration/construction inspection for Part 1 and Part 2 of the contract. The first contract modification was to provide funding for Part 3 and Part 4 of the contract.

- Contract was originally to be implemented in 4 phases (now 5 phases)
 - Part 1, clean Lagoon 2 & 3 – construction complete
 - Part 2, clean Lagoon 1 – construction complete
 - Part 3, build baffles in existing Lagoon 2 and construct embankment improvements – construction complete. Lagoon 3 used for sludge disposal during this period
 - Part 3A, build baffles in existing Lagoon 1 and construct embankment improvements – construction to be complete in May 2011. Lagoon 3 used for sludge disposal during this period
 - Part 4, emergency cleaning of Lagoon 3 engineering design and construction administration/construction inspection services – construction complete

- Part 5, clean Lagoon 3 and abandon or fill Lagoon 3 – to be performed after completion of part 3 and 3A (this contract)
- Part 3A, construct embankment improvements and baffles in Lagoon 1 – construction administration/construction inspection services - construction complete
- Part 5, clean Lagoon 3 and abandon or fill Lagoon 3 – engineering design complete

The remaining project tasks include:

- Part 5, clean Lagoon 3 and abandon or fill Lagoon 3 – construction administration / construction inspection services

6. An updated contract timeline to contract completion.

- Part 5, anticipate construction June 2012 – July 2013

Construction Administration / Construction Inspection services will continue throughout the above listed construction timelines.

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.

Recent upgrades and modifications to Hap Cremean Water Plant (HCWP) Lagoon #1 and #2 have rendered Lagoon #3 unnecessary to the sludge storage process at HCWP. Lagoon #3 is currently filled with sludge which must be removed, following the sludge removal the existing lagoon will be filled with soil rendering it usable for future construction at the facility. Rendering this land usable for future plant upgrades will allow for cost effective improvements to the facility as may needed to meet currently unknown regulatory requirements. 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.

As this is a secure site on property owned by DPU no community outreach or input was sought in the development of the project. No significant long term environmental impacts will be due to construction 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 #1, \$850,556.01, EL005455, approved by council 7/11/05, 1121-2005

Modification #1 was to provide for detailed design services and construction administration/construction inspection for Part 3 and Part 3A of the project. However due to FEMA requirements for Letter of Map Revision (LOMR) which delayed the project by 2 years these funds were instead used to prepare the documents required for the LOMR submittal and to design and provide CA/CI services for Part 4, which was not previously anticipated. The process of receiving the LOMR caused significant project delay and required several changes to the project scope which could not have been anticipated. A decision was made to utilize the previously approved funds to complete these tasks, which necessitated modification #2 request to fund a portion of the remaining project tasks.

Modification #2, \$912,025.00, EL009301, approved by council 4/20/09, 0493-2009

Modification #2 was to provide for construction administration/construction inspection services for Part 3 of the project and for detailed design and bidding services for Part 3A of the project. Due to budget and cash flow constraints in place at the time, it was decided to

only request the contract modification for services that were required for the immediate phase of the project. In the authorizing legislation it was noted a future contract modification(s) would be requested for the upcoming project phases. Note Modification #3 was originally anticipated to be needed in second quarter 2010 however with careful monitoring of expenditures the need for the modification was delayed until first quarter 2011 and the anticipated cost of this modification was reduced from \$750,000 to the requested \$518,234.

Modification #3, \$518,234.00, EL011710, approved by council 4/11/11, 0391-2011

Modification #3 was to provide for a small portion of remaining design services and for construction administration/construction inspection services for Part 3A of the project. This modification provided for detailed design and bidding services for Part 5 of the project.

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.)

This project modification (Mod #4) will provide for construction administration/construction inspection services for Part 5 of the project. This should be the final contract modification requested for the final project phase.

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.)

The authorizing legislation for Modification #3 (0391-2011) indicated the intent to modify the contract for this future phase of the project.

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 is very familiar with the details of the project, the approving agencies and the bid documents. The process of selecting and contracting with a new consultant team at this time would further delay the project. The consultant is familiar with the details of the project and will be able to implement the work more efficiently than if another consultant were brought on board mid-way through the project.

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.

CONTRACT AMOUNT:

Original contract amount	\$387,743.74
Modification #1	\$850,556.01
Modification #2	\$912,025.00
Modification #3	\$518,234.00
Modification #4 (current request, includes 5% contingency)	<u>\$731,912.00</u>
Current new contract amount	\$3,400,470.75

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

The Consultant prepared a detailed estimate of cost per task for remaining scope of work, broken down by project phase. City Project management staff reviewed and approved these cost summaries.