

State of Ohio
WATER POLLUTION CONTROL LOAN FUND (WPCLF/SRF)

CONTRACT CHANGE ORDER

RECIPIENT City of Columbus, DOSD CHANGE ORDER NBR BWOAS-CO-12
 LOAN NUMBER WPCLF LOAN # CS 392260-02 CONTRACT EL004680
 OWDA PROJECT NBR 4131 DATE _____

Description of Change:

BWOAS-RFP-034: Compensation to JDMT JV for costs to complete the BWOAS project as described ADD: \$5,622,772.00
 in the referenced RFP

CHANGE ORDER NO. 12: TOTAL NET AMOUNT ADD \$5,622,772.00

CONTRACT FINAL COMPLETION DATE DEC 31, 2009

RECOMMENDED BY: _____ DATE: _____
 (Engineer)

APPROVED BY: _____ DATE: _____
 (Recipient)

ACCEPTED BY: _____ DATE: _____
 (Contractor)

Jay Dee - Michels - Traylor Joint Venture
 (Company)

Original Contract Amt Previous Changes (+ or -) This Change (+ or -) Adjusted Contract Amt	\$69,920,000.00 \$2,809,691.34 \$5,622,772.00 \$78,352,463.34	<p style="text-align: center;">OWDA APPROVAL</p> The above proposal is hereby accepted and I recommend that it be approved and made a part of the contract covered by OWDA Project Number _____ _____ Chief Engineer
OHIO EPA ACCEPTANCE		Date
Ohio EPA ACCEPTANCE		Executive Director
DATE		Date

**REQUEST FOR PROPOSAL (RFP)
SUMMARY**REQUEST FOR PROPOSAL NO. BWOAS-RFP-034**AUDITOR'S CONTRACT NO.** EL004680**CIP NO.** 430.1**PROJECT TITLE:** BIG WALNUT OUTFALL AUGMENTATION SEWER, PART 2ORIGINAL CONTRACT AMT. \$69,620,000.00 THIS RFP TOTAL AMT. \$5,622,772.00

- 1. EXPLANATION OF PROBLEM CONDITION:** The corrosion protection scope of work associated with Specification Section 09900 (Linabond) was non-performed as approved in BWOAS-RFP-026 (CO-09). Since that time the remainder of the BWOAS Contract work has been completed and all close-out documents have been submitted to the CMT; the project closeout Change Order 11 and the Final Payment to the BWOAS Contractor (McNally/Kiewit JV) have been submitted for approval.

BWOAS Specification 09900 has now been revised to complete the corrosion protection work in the BWOAS tunnel. The BWARI Contractor (JD/M/T JV), with the support of a qualified coating Subcontractor, will complete re-specified CPL work in the BWARI tunnel, and will complete the re-specified CPL work in the BWOAS tunnel.

- 2. DESCRIPTION OF PROPOSED REVISIONS:** The CMT has provided revised Specification Section 09900, to complete the corrosion protection scope of work in the BWOAS tunnel with an epoxy coating system (Sauereisen or equal) that is consistent with other corrosion protection systems currently installed at other City of Columbus waste water treatment facilities.

The coating work will be completed by a qualified Subcontractor and will generally include abrasive blast cleaning, surface preparation, and application of the epoxy coating system per the revised Specifications. The Contractor (JD/M/T JV) will provide tunnel access support for the coating Subcontractor, the installation of armor plating at drop and scour locations, and other activities required for Substantial Completion of the BWOAS Project.

- 3. CHANGES TO THE PROJECT MANUAL:** Revised Specification Section 09900.
- 4. CHANGES TO THE DRAWINGS:** No Changes
- 5. COST OF PROPOSED REVISION:** The total Cost of the proposed revision is \$5,622,772.00

ENCLOSURE ITEM	DESCRIPTION	RFP PAGE NO.
A.	Memorandum of Understanding	
B.	Contractor's quotation and backup documentation	

6. **PROGRESS SCHEDULE REVISIONS:** The McNally Kiewit JV schedule for the BWOAS Contract is complete. The JD/M/T JV Final Completion date for the re-specified corrosion protection scope of work is December 31, 2009.

7. **MBE/WBE IMPACTS:** No additional MBE/WBE participation is proposed in this work.

ENCLOSURE ITEM	DESCRIPTION	RFP PAGE NO.
A.	MBE / WBE Utilization Report	
B.	Subcontractor Contract Report	
C.	Prime Contractor Affidavit	

8. **RFP RECOMMENDATION:** (Brief Synopsis) The CMT recommends that the changes described in this RFP be incorporated into the contract by written change order.

A. **JUSTIFICATION OF RFP:**

BWOAS Project Specification 09900 was deducted from the BWOAS Contract by Change Order 09 and the remaining Contract work is complete. The corrosion protection system has now been re-specified and must be completed to utilize the BWOAS Project.

B. **WHY THE NEED FOR ADDITIONAL WORK COULD NOT BE FORESEEN:**

The additional Cost is associated with the non-performance of the remainder of work associated with Section 09900, and the completion of the project as re-specified in this RFP.

C. **WHY OTHER PROCUREMENT PROCESSES WOULD NOT BE IN THE CITY'S BEST INTEREST:**

Performing this work under another contract will increase costs and delay the completion of the Project.

D. **HOW THE COST WAS DETERMINED:**

The Contractor provided a detailed cost proposal which was verified and negotiated by the CMT.

9. RECOMMENDATION SIGNATURES:

CONSTRUCTION
MANAGER

Signature
Date
Todd O'Donnell, H.R. Gray & Associates, Inc.

JD/M/T PROJECT
MANAGER

Signature
Date
Mike Diponio, Jay Dee/Michels/Traylor

LIST OF ENCLOSURES

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Subcontractor Contact Report(s)	
Prime Contractor Affidavit(s)	
Changes to the Project Manual	
Changes to the Drawings	
Memorandum of Understanding	
JDMT Cost Summary to Complete BWOAS Project	
DOSD/SSES Review RFP Memorandum	

City of Columbus BWARI/BWOAS
 Available Funds Analysis
 April 14, 2009

BWARI AUTHORIZED/COMMITTED/REMAINING FUNDS PROJECTION	
Authorized Base Contract Value	\$80,693,000.00
Authorized Contract Contingency	\$10,086,625.00
Total Authorized Funds	\$90,779,625.00
Authorized Base Contract Value Approved C.O. #1 thru #11	\$80,693,000.00 \$3,976,721.68
Total Committed Funds	\$84,669,721.68
Remaining Authorized Contingency	\$6,109,903.32

BWARI CONTRACT STATUS/AVAILABLE FUNDS PROJECTION	
Current Contract Value (inc. C.O. #1 to #11)	\$84,669,721.68
Earned/Paid thru PA55 (less retainage)	\$75,752,116.31
Total Retainage to Date	\$3,986,953.49
Remaining Base Contract work	(\$44,187.00)
Remaining Base Contract Allowances	\$68,583.92
Contract Value Non-perform remaining CPL	\$4,659,582.46
Contract Value Non-perform CO-007 (inspect)	\$158,297.50
Total Non-performance Contract Value	\$4,817,879.96
Actual Remaining Committed Funds	\$4,886,463.88
Actual Remaining Authorized Contingency	\$6,109,903.32
Total Available Funds BWARI	\$10,996,367.20
Pending CO-012 (RFP035 Non-perform 09900, Claim Resolution and BWARI Completion)	\$5,999,725.00
Projected Remaining Contingency BWARI	\$110,178.32

BWOAS AUTHORIZED/COMMITTED/REMAINING FUNDS PROJECTION	
Authorized Base Contract Value	\$69,920,000.00
Authorized Contract Contingency	\$8,740,000.00
Total Authorized Funds	\$78,660,000.00
Authorized Base Contract Value Approved C.O. #1 thru #10 <i>Pending CO #11 Contract Closeout</i>	\$69,920,000.00 \$3,074,768.32 (\$265,076.96)
Total Committed Funds (pending)	\$72,729,691.36
Projected Remaining Authorized Contingency	\$5,930,308.64
Projected Final Committed Funds BWOAS	\$72,729,691.36
Projected Authorized Contingency BWOAS	\$5,930,308.64
Future CO-012 (RFP034 BWOAS Completion)	\$5,622,772.00
Projected Remaining Contingency BWOAS	\$307,536.64