

**INFORMATION REQUIRED TO ACCOMPANY
LEGISLATION MODIFYING CONTRACTS**

ORDINANCE NO. 1148-2005

**MODIFICATION NO. 2 TO CONTRACT FOR
PROFESSIONAL SERVICES**

**FORENSIC ENGINEERING AND ASSOCIATED PROFESSIONAL SERVICES
FOR**

**INVESTIGATION OF SERVICE FAILURES IN THE
NEW INFLUENT SCREENS AT THE JACKSON PIKE
WASTEWATER TREATMENT PLANT**

-
1. **Names, locations, and business status of all entities making submissions or bids on the original contract's procurement:**
 - A. KB Engineering, 1271 Edgehill Drive, Columbus OH 43212, a Majority enterprise.
 - B. SEA Limited, 7349 Worthington-Galena Road, Columbus OH 43085, a Majority enterprise.
 2. **Name of the entity awarded the original contract:** SEA Limited. The selection was made by the City Attorney, on the basis of previous forensic work for the City Attorney, available staff and specialties, and workload. Auditor's Contract Number ED020092 was awarded to this entity.
 3. **Scope of work performed to date, and future phasing:** Scope of work to date has included an initial investigation of the apparent problems with the screens supplied, extensive discussions with the construction contractor and their screen equipment supplier, analyses of problems and failures to show that the City has not caused the problems, requests for documents and information, performing engineering and metallurgical analyses, performing structural analyses, presenting developed evidence of inadequacies, examination of a recently failed screen, providing theories as to cause of failure, analysis of the supplier's proposed re-design of failed parts, witnessing laboratory work to determine causes of failure, and preparation for litigation if that becomes necessary. This work, which has proved to be more extensive than could have been initially anticipated, must be continued in order to provide a resolution of the failures satisfactory to the City, and cannot be broken into phases - it is simply a continuing pursuit of resolution, in the City's interests.
 4. **Schedule to work completion** cannot be completely predicted at this time, as it is dependent in great part upon actions by others over whom the City has only slight control. Work is expected to be concluded in October or November, 2005.
 5. **Other Modifications to date:** Modification No. 1, EL005100, pursuant to Ordinance No. 2047-2004 - \$80,000.00

6. **Work to be performed under this Modification:** It is hoped, but not guaranteed, that the necessary work can be completed under this Modification. However, this will depend upon the extent of the effort found needed for completion, which is dependent upon actions by others over whom the City has only slight control.
7. **Why the need for this Modification could not have been anticipated:** See 3., 4., and 6., herein.
8. **Why the work to be performed under this Modification cannot be "bid out":** These are specialized professional services which, in any case, should not be "bid out"; rather, they might be competed under 329.10, 329.11, 329.12, 329.13, or 329.14, Columbus City Codes, 1959. In this case, however, attempts to continue this work under another entity would introduce significant startup costs to familiarize a successor entity with the work previously done, as well as confusing the situation considerably, should all or part of this matter finally be an action at law.
9. **Cost Summary:**

Original Contract ED020092	-	\$20,000.00
Modification No. 1, EL005100	-	80,000.00
Proposed Modification No. 2	-	150,000.00
Possible Total Cost	-	<u>\$250,000.00</u>