

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>
A. Brown and Caldwell Ohio, LLC	Columbus, OH	Majority enterprise
B. ms consultants, inc.	Columbus, OH	Majority enterprise

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

Brown and Caldwell Ohio, LLC, 4700 Lakehurst Court, Suite 100, Columbus, OH 43016
Contact: Jeff Sharon. P.E. (614) 410 - 6144
Contract No.: EL006517

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.

This is a contract for professional engineering design services and services during construction (Design Professional, or “DP” services) for one of the key, time-critical wastewater plants construction projects in the City’s Wet Weather Management Plan (WWMP) program, for the period through 2010. The work in that program is a very substantial group of sewer capital improvement projects (CIPs), both collections systems and treatment works improvements, which has been agreed to by the City and Ohio EPA in order to conform to the requirements of the City’s consent orders.

This contract provides engineering services that will implement improvements at the Jackson Pike Wastewater Treatment Plant, as construction Contract J211. This construction contract is combined and bid with CIP 650245, Jackson Pike Wastewater Treatment Plant (JPWWTP) B Plant Secondary Clarifier Upgrade, construction Contract J210, Headworks Continuation and B Plant Improvements, designed by Burgess & Niple, Inc., under a separate contract with the City. The J211 work at JPWWTP will implement the sizing increase for sections of primary influent piping, construction of Bay 5 step feed capability to Aeration Tanks 1, 2, 3, 4, 5, 6, 7, and 8, replacement of aeration air piping and diffusers in Aeration Tanks 1, 2, 3, 4, 5, 6, 7, and 8, modification of the RAS pumping system, construction of energy dissipating baffles in Secondary Clarifiers 1 through 9, decommissioning and abandonment of a ground water well, and other work as shown on drawings and described in the Project Manual.

The actual emplacement of the designed work will be by construction contract; this DP contract will provide: preliminary design, detailed design, bidding assistance, construction-phase engineering, start-up and commissioning assistance, record documentation preparation assistance, and other services for this large project, as directed by the City.

All engineering design services have been completed for this project phase and the construction of this contract is ready to proceed. Construction Management services are being performed by others.

5. An updated contract timeline to contract completion.

As part of the Professional Program Manager's (PPM) scope of services for the capital improvement projects included in the Wet Weather Management Program, 2006 – 2010, the PPM and their team initiated work on the draft Detailed Design Memorandum (DDM) in October, 2006.

The Contract Notice to Proceed was issued January 11, 2007, and preliminary design was initiated immediately. The DDM was completed and submitted to the City on April 19, 2007. Following the submission of the DDM, Brown and Caldwell Ohio, Inc. proceeded with Detailed Design services for Contract J211. The design was completed and the construction contract bids were received on January 4, 2008. Bidding assistance services were performed. The construction work will be placed under contract as soon as possible after bids are received, and the construction engineering services will commence; all of these begin the next phase of the work. The project construction work, commissioning, and closeout work will end the work of this contract.

6. 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: \$1,300,000.00 (EL006517 December 13, 2006)

Funding provided estimated to be needed for preliminary design, detailed design, bidding assistance services for Contract J211.

PROPOSED MODIFICATION NO. 1: \$1,930,555.00

This modification provides \$670,055.00 of funding for additional Detailed Design services that became necessary in the course of the design development and \$1,260,500.00 of funding for Services During Construction and Commissioning tasks for Contract J211.

7. 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 additional detailed design services, construction-phase engineering, start-up and commissioning assistance, record documentation preparation assistance, and other services for this large project, as directed by the City.

8. 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.)

This Contract Modification No. 1 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.

9. 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.

10. 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	\$ 1,300,000.00
Proposed Modification No. 1	<u>\$ 1,930,555.00</u>
CURRENT PROPOSED TOTAL	\$ 3,230,555.00

11. 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