

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 RFSQ.**

For original RFSQ there were five offerers, shortlisted to 2 firms to submit RFP's. These two firms are listed below

<u>Name</u>	<u>C.C. No./Exp. Date</u>	<u>City/State</u>	<u>Status</u>
ms consultants, inc.	34-6546916 - 5/27/12	Columbus, OH	MAJ
Burgess & Niple Inc.	31-0885550 - 12/11/10	Columbus, OH	MAJ

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

Requests for Statements of qualifications (RFSQ's) were received September 20, 2002.

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

1. ms consultants, inc.
2. Burgess & Niple Inc.

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, Ohio 43229
Thomas Mosure, (614) 898-7100
EL005044 Ord. No. 0825-2004

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.**

As per the recommendations of the Water Beyond 2000 project, the Division of Power and Water undertook the task of increasing the safe yield of its surface water supply. The original contract provided professional engineering services for the design and preparation of construction contract documents for a raw water collection, storage, and delivery system off the Scioto River north of O'Shaughnessy Dam. The original legislation (0825-2004) authorized the expenditure for design services.

The first contract modification provides for Engineering Services During Construction (Ord. 1705-2011, EL011352). Since this is a multi-year construction project, the authorizing legislation indicated the Division's intent to encumber funds to pay for a portion of the Engineering Services During Construction and to request a future contract modification to pay for the remainder of those services.

This planned contract modification (#2) will encumber funds for the next 12 month construction period; a future contract modification will encumber funds for the remainder of the project.

6. **An updated contract timeline to contract completion.**

The construction contract Notice to Proceed (NTP) for the Reservoir was April 26, 2011, the Raw Water Pump Station NTP was August 15, 2011, and the Raw Water Pipeline has an

anticipated January 2012 NTP. Construction of all three contracts is anticipated to be completed in Fall 2013, with additional follow-up inspections and submittals thru Fall 2015. In addition, there is post-construction stream monitoring required thru 2018 for submittal to OEPA which will be covered in a future contract modification.

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.**

As central Ohio continues to grow, additional water supply sources must be developed. To address the growing needs, three upground reservoirs located near the Scioto River in northwestern Delaware County were recommended in the Water Beyond 2000 study as a way to supplement the water supplies needed to support projected economic development in Franklin County. The R-2 reservoir, the largest of the three recommended, was designed and construction started in 2011.

Community Open House events were held on July 13, 2006, October 19, 2006, October 25, 2007, and April 7, 2011. Multiple Stakeholder briefing meetings were held during the design phase in 2006-2007.

Environmental coordination meetings were held with:

- Ohio Environmental Protection Agency
- Ohio Department of Natural Resources
- Ohio Department of Transportation
- Preservation Parks of Delaware County
- US Army Corps of Engineers
- US Fish and Wildlife Service
- Delaware County Soil & Water Conservation District

Permits from both the Army Corps of Engineers (CWA Section 404 Permit) and Ohio EPA (CWA Section 401 Water Quality Certification) were secured and mitigation requirements negotiated with these entities. Mitigation includes removal of the low-head dam at Prospect, Ohio and development of new wetlands site in western Franklin County.

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.)**

The first contract modification provided for Engineering Services During Construction (Ord. 1705-2011, EL011352, \$2,000,000.00). Since this is a multi-year construction project, the authorizing legislation indicated the Division's intent to encumber funds to pay for a portion of the Engineering Services During Construction and to request a future contract modification to pay for the remainder of those services. This planned contract modification will encumber funds for the next 12 month construction period; a future contract modification will encumber funds for the remainder of the project.

Current modification request \$3,105,000.00

Future modification request \$3,705,492.00

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.)

- Engineering services during the project bidding phase including plan and addendum distribution, attendance at pre-bid meeting and bid evaluation
- Engineering services during construction including:
 - Attendance at pre-construction meeting
 - Attendance at monthly construction progress meetings
 - Review and response to Requests for Information (RFI's)
 - Preparation of Requests for Proposals (RFP's)
 - Assist in review and processing of Change Orders and Construction Contract Modifications
- Provide on-site Construction Engineering Services
- Attend In-Factory Inspections for critical materials and equipment
- Assist in review of claims and disputes
- Additional design services for Reservoir, Raw Water Pump Station and Raw Water Pipeline
- Design & bidding of Borrow Area Restoration Project (future park site)
- Assist in Start-ups and Commissioning of Equipment and Systems (future mod.)
- Assist in training of City Staff on new equipment and systems (future mod.)
- Prepare Record Drawings (future mod.)
- Prepare Operation, Maintenance and Inspection (OM&I) Manual for Reservoir Site R-2 (future mod.)
- Prepare and Emergency Action Plan (EPA) for Reservoir 2 (future mod.)
- Prepare Post construction stream monitoring & reporting as required by OEPA 401 Water Quality Certification (future mod.)

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.)

This was a planned contract modification identified in the original contracting legislation.

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.)

This was a planned contract modification identified in the original contracting legislation.

The Design Engineer will be involved providing engineering services during construction to ensure the design intent is met during the construction phase

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.

It is anticipated an additional contract modification will be required for this engineering services during construction contract. The future modification amount indicated below is a budget number and is subject to change as the construction progresses and it is determined the amount of time that must be expended by the design engineer toward these services. At this time, the complete estimated cost breakdown is as follows:

Original Contract Amount	\$ 8,098,000.00
Modification No. 1	\$2,000,000.00
Cost of this Modification	\$3,105,000.00
Future Modification	<u>\$3,705,492.00</u>
Total Amount	\$16,908,492.00

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

Costs were submitted by the Consultant and reviewed and verified by the City Project Manager.