

**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.**

<u>Name</u>	<u>C.C. No./Exp. Date</u>	<u>City/State</u>	<u>Status</u>
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Companies submitting an RFSQ (2001):

- A. BBS Corporation (now dba CH2M Hill) | 310747855 | Inactive | Columbus, Ohio | MAJ
- B. Brown and Caldwell Ohio, LLC | 680442806 | 6/17/10 | Columbus, Ohio | MAJ
- C. Burgess & Niple, Inc. | 310885550 | 12/10/10 | Columbus, Ohio | MAJ
- D. Camp Dresser and McKee | 042473650 | 4/11/10 | Columbus, Ohio | MAJ
- E. DLZ | 311268980 | 3/10/11 | Columbus Ohio | MAJ
- F. Metcalf & Eddy | 222581306 | - | Columbus, Ohio | MAJ
- G. Owen Engineering & Management Consultants (now dba Owens Psomas) | 840893869 | Inactive | Columbus, Ohio | MAJ
- H. Parsons Engineering Science, Inc. | 953047593 | Inactive | Columbus, Ohio | MAJ
- I. R. D. Zande & Associates, Inc. (now dba Stantec Consulting Services, Inc.) | 311395123 | Inactive | Columbus, Ohio | MAJ

Companies that were selected and requested to submit, and did submit, a Technical Proposal (RFP):

- A. BBS Corporation
- B. Brown and Caldwell Ohio, LLC
- C. Burgess & Niple, Inc.

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

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

RFSQ:

- 1. BBS Corporation
- 2. Burgess & Niple, Inc.
- 3. Brown and Caldwell Ohio, LLC
- 4. R. D. Zande & Associates, Inc.
- 5. Tie: Metcalf & Eddy and Owen Engineering & Management Consultants
- 7. Tie: Camp Dresser and McKee and Parsons Engineering Science, Inc.
- 9. DLZ

RFP:

- 1. Brown and Caldwell Ohio, LLC
- 2. Tie: BBS Corporation and Burgess & Niple, Inc.

4. **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

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.**

This is a contract for professional engineering design services and services during construction (Design Professional, or “DP” services) for the Jackson Pike Wastewater Treatment Plant Skimmings Concentrator System Improvements. This contract provides necessary improvements to the existing skimmings concentrator unit and will also provide two new skimmings concentrator units, skimmings transfer pumps, skimmings grinders, skimmings vault recirculation pumps and associated piping, equipment, and structural modifications. The actual emplacement of the designed work will be by construction contract. The construction contract designation is J209.

All engineering design services have been completed for this project and the construction is in progress.

The engineering services to be performed include completion of construction-phase engineering, start-up and commissioning assistance and record document preparation of the constructed facility. Construction Management services are being performed by others.

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

The Contract Notice to Proceed was issued March 26, 2003. The Preliminary Design work was started March, 2003. This investigative and planning effort was summarized in the Detailed Design Memorandum (DDM), submitted to the City on September 14, 2004. In August, 2004, Brown and Caldwell Ohio, LLC proceeded with Detailed Design services. The design was completed and the construction contract bids were received on July 11, 2007. The construction contract Notice to Proceed (NTP) was issued on December 18, 2007.

Brown and Caldwell Ohio, LLC’s services will continue beyond completion of construction to provide “as-built” record drawings of the constructed facilities and to provide the status of operation report on the constructed facilities, one year after completion.

7. **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: \$31,032.00 (EL003269 March 19, 2003)

Funding provided estimated to be needed for Preliminary Design for the project.

MODIFICATION NO. 1: \$107,838.00 (EL004537 August 12, 2004)

Funding provided for additional Preliminary Design tasks and funding provided estimated to be needed for Detailed Design for the project.

MODIFICATION NO. 2: \$1,079,993.00 (EL007390 October 24, 2007)

Funding provided for additional Detailed Design tasks and funding provided estimated to be needed for Services During Construction and Commissioning tasks for the project.

8. **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.)**

PROPOSED MODIFICATION NO. 3: \$300,000.00

This modification provides \$300,000.00 of funding for added and extended Services During Construction tasks for Contract J209. The additional work includes:

- A. Additional review, beyond normal requirements, of the Contractor's Requests For Information (RFIs). Prepare responses, additional drawings and documents to interpret and clarify the Contract Documents.
  - B. Additional review, beyond normal requirements, of the Contractor's shop drawing submittals. Attend pre-submittal and submittal review meetings as necessary to expedite processing, reviewing and approval of submittals.
  - C. Additional visits to the construction site, beyond normal requirements, to help resolve Requests for Information and construction issues and coordinate with the Construction Manager.
  - D. Additional costs due to delays in project construction completion.
9. **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.)**

For services during construction of Contract J209, the number of man-hours expended to respond to RFIs, review and approve submitted documents, and provide visits to the construction site to resolve construction issues was greater than the number of man-hours estimated to be needed and funded in the contract. The additional effort needed was due to issues that arose in the course of construction, and a 7 month extension of construction beyond the original schedule is required. The additional work and extended duration of construction were primarily due to additions to the construction contract work, structural modifications due to unforeseen conditions, electrical improvement modifications, and process pipe layout revisions.

In many construction projects, especially a project that includes rehabilitation of existing facilities, changes to construction are anticipated and expected. In general, reasons for additional work can include: 1) details of equipment and systems specified to be provided are reviewed and sometimes refined during construction in order to provide a facility that is optimally configured for operation and safety; 2) components of the existing facility are concealed and conditions cannot be accurately determined prior to construction work; 3) latent errors or omissions may exist in the design.

10. **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 funding provided by this contract modification is for continuation of the existing work of the contract. It is not reasonable or cost effective to undertake a new procurement to acquire these services.

**11. 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	\$ 31,032.00
Modification No. 1	\$ 107,838.00
Modification No. 2	\$1,079,993.00
Proposed Modification No. 3	\$ 300,000.00
Future Anticipated Needs	\$ 0.00
CURRENT PROPOSED TOTAL	\$1,518,863.00

**12. 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 provide the scope of services for this modification is consistent with the anticipated level of work required for these tasks.

**13. Sub-Consultants identified to work on this contract, their contract compliance no. & expiration date, and their status (NPO, MAJ, MBE, FBE, HL1, AS1, or MBR):**

<u>Name</u>	<u>C.C. No./Exp. Date</u>	<u>Status</u>
See attached Subcontracting and MBE/FBE Utilization Report, 4/6/09.		
<b>There are no subs on this current modification</b>		

**14. Scope of work for each subcontractor and their estimate of dollar value to be paid.**

See attached Subcontracting and MBE/FBE Utilization Report, 4/6/09, and Subcontractor Contact Report, 4/6/09.

**There are no subs on this current modification**

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.

Updated as of 4-3-09 (JPM)