

Information to be included in all Legislation Modifying a Contract:

1. **The names, location by City/State and status of all companies that submitted a competitive bid or RFP/RFSQ for the original contract.**

<u>Name</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
A. C.J. Mahan Construction Company	Grove City, Ohio	Majority
B. Kokosing Construction Company, Inc.	Columbus, Ohio	Majority
C. Walsh Construction Company of Illinois	Medina, Ohio	Majority

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

Kokosing Construction Company, Inc., 886 McKinley Avenue, Columbus, Ohio 43222
Contact Person: Bill Lauder, 294-1005
Contract No: EL005302

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.**

The Southerly WWTP New Headworks project consists of two construction contracts that will provide these new facilities. This proposed modification is for Construction Contract S67 that provides for the construction of a screen and grit facility with perforated panel screens, grit removal tanks, odor control facility, associated equipment and building systems, piping and site work. It is planned that this contract will be modified to provide needed monies, if necessary, for any anomalies in the work which may become evident as the work progresses.

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

The Contract Notice to Proceed was issued May 24, 2005. Construction on the New Headworks at the City of Columbus' Southerly Wastewater Treatment Plant is proceeding on a very tight schedule, in order to meet the City's commitment to Ohio EPA as to the operational date for the new headworks facilities. These facilities are required facilities under the City's Consent Decrees with Ohio EPA, and have been included in the City's Wet Weather Management Plan, submitted to the agency on July 1, 2005, as scheduled. Final Completion of construction was originally scheduled for February 19, 2008, but is now projected to occur in December 2008

5. **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.)**

Modification No. 1: \$1,162,907.00 (EL006962; Ord. No. 0264-2007, passed April 2, 2007)

Modification No. 1 provided needed additions to the contract work to provide modifications to Secondary Clarifier No. 4 to enhance sludge transport and improve settling efficiency and then perform a stress test to verify its performance for achieving the needed peak wet weather flow rate of 330 MGD. This work was included in CIP 650352 in order to meet the

City's Consent Order commitment to Ohio EPA. The modification provided an additional contingency amount of \$1,162,907.00 to fund known costs that would exceed the original contract contingency amount.

Modification No. 2: \$1,092,642.00 (EL007177; Ord. No. 0764-2007, passed June 11, 2007)

As a result of the June, 2004, and the January, 2005, flooding of the Scioto River at the project site, the Contract S65 excavation was flooded and substantially delayed the construction work on this contract. The January, 2005 flood was part of a regional disaster declared by the Federal Emergency Management Agency (FEMA). The delay of the Contract S65 construction work, specifically the Intermediate Site Grading Work, negatively impacted the work for the S67 Contract by not permitting the S67 Contractor to proceed with their work in a logical, uninterrupted fashion as planned and indicated in the S67 Contract Documents.

The originally-stipulated schedule dates for the S67 Contract must be recovered in order to honor the City's commitments to Ohio EPA. This recovery effort is necessary and expensive.

Modification No. 2 provided an additional contingency amount of \$1,092,642.00 to fund known costs of needed additions to the contract work to provide the Schedule Recovery effort, resulting from the project site flooding, that would have exceeded the original contract contingency amount.

Modification No. 3: \$495,000.00 (EL007495; Ord. No. 1292-2007, passed October 15, 2007)

Modification No. 3 provided two items of work that needed be undertaken immediately in order to meet the City's schedule commitments under the Consent Orders with Ohio EPA: A portion of the Southerly Plant's 15,000 Volt overhead electrical distribution grid must be relocated onto a temporary alignment, in order to allow building and process construction which is located beneath the existing alignment to proceed; also, foundation conditions have been discovered at one of the new process sites which will require the installation of steel friction piles as the first construction measure in that project. Modification No. 3 provided for the cost of executing these necessary program elements under the S67 contract that would allow the S71 and S72 contracts to proceed without delay.

6. 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. 4: \$450,000.00

This modification will be the final modification to this construction contract and will provide funding for additional items of work that have been identified as necessary, the total cost of which will be greater than the remaining contract contingency amount. Presently, approximately 20 RFP estimated price quotes are in the negotiation process:

RFP No.	REQUEST FOR PROPOSAL (RFP) DESCRIPTION	AMT PROPOSED
RFP-S67-079	HWS/HWR piping taps for heating the future stairwell	\$567.00
RFP-S67-080	PLC Modifications	\$2,649.00
RFP-S67-082	Instrumentation Loop Number Revisions (Field Order No. 15)	\$3,735.00
RFP-S67-087	Headworks UPS Installation	\$7,085.00
RFP-S67-088	A. Existing Grit Tank Demo (RFI-347)	\$12,000.00
	B. IFS Stop Log Modifications (Included Above)	
	C. Existing Headworks Grit Removal	\$35,000.00
RFP-S67-089	A. Smoke Alarms ATC-1 and ATC-2 (RFI-348)	\$480.00
	B. Add Warning Light at Control Room Critical Alarm	\$2,675.00
RFP-S67-093	Bypass Sample Point Access	\$3,064.00
RFP-S67-095	Paint Bathroom	\$706.00
RFP-S67-096	A. Heat Trace Siphon Relief	\$25,275.00
	B. Wide Angle Lens Camera	\$3,478.00
	C. Brake for New York Blowers	\$16,878.00
	D. Install and Remove Test Plug MH No. 4 and No. 5	\$1,295.00
	E. Credit for Glycol, Tunnel X	
	F. Grit Removal at Screens 3 and 4 Influent Channels	\$3,383.00
	G. Deflector Plate for Grit Drop Chutes	\$10,000.00
	H. Removal of Conveyor Pans	\$2,500.00
RFP-S67-097	Grit Dumpster Container Room Drains	\$15,000.00
RFP-S67-098	Programming Changes Required During Op-Demo per Troubleshooting Forms	\$7,470.00
RFP-S67-099	S65 Asphalt Overlay-Additions and Deletions	\$1,448.00
RFP-S67-100	A. Current Transformers and Breakers for Odor Control Fans	\$4,183.00
	B. Replacement Breakers for Odor Control Blowers	\$3,506.00
RFP-S67-101	High Mast Light Winch	\$5,809.00
RFP-S67-102	Building Pressure Balancing System	\$70,000.00
RFP-S67-103	VFDs for Perforated Screens	\$150,000.00
	Switch, Door Stair 107, El. 681	\$2,500.00
	Screw Conveyor Pull Switch Modifications	\$3,500.00
	Add Two Breakers for Effluent Pumps (River Pumps)	\$3,159.00
	D. HVAC Intake Louvers Bird Screens	\$3,500.00

The items identified above total, \$400,845.00.

\$2,080,550.00 - Original Contract S67 Contingency Amount
\$1,162,907.00 - Modification No. 1
\$1,092,642.00 - Modification No. 2
\$ 495,000.00 - Modification No. 3
\$4,831,099.00 - Total Contingency
- \$4,043,705.00 - Approved Change Orders
- \$ 635,610.00 - Change Order No. 14 (in the Approval Process)
- \$ 139,125.00 - Change Order No. 15 (in the Approval Process)
\$ 12,659.00 - Remaining Contingency

\$ 400,845.00 - Total for additional items identified above
\$ 12,659.00 - Remaining Contingency
\$ 388,186.00 - Contingency Shortfall

The construction contract work is 100 percent complete including all the approved change orders. The RFP work listed above is not completed and it is expected that additional contingency funds will be required for this additional work and for changes as a result of equipment start-up, commissioning and operational demonstration. The estimated additional contingency requested, including the shortfall shown above, is \$450,000.00.

7. 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.)

In any construction project changes to contract work are expected. Some reasons for additional work 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 contract work; 3) latent errors or omissions may exist in the design.

8. 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 completion of the existing work of the contract. It is not deemed either feasible or reasonable to suspend work with the entity currently under contract, and undertake continuation of the work under a new procurement. This program is proceeding on a very tight schedule, in order to meet the City's Consent Order commitment to Ohio EPA. The lengthy process for initiating a new procurement, and for a new entity to gain understanding of the project, would likely cause an unacceptable project delay and consequent additional cost. The S67 Contractor is able to execute the necessary work immediately.

9. 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	\$43,691,550.00
Modification No. 1	1,162,907.00
Modification No. 2	1,092,642.00
Modification No. 3	495,000.00
Proposed Modification No. 4	<u>450,000.00</u>
CONTRACT TOTAL	\$46,892,099.00

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

\$2,080,550.00	- Original Contract S67 Contingency Amount
\$1,162,907.00	- Modification No. 1
\$1,092,642.00	- Modification No. 2
<u>\$ 495,000.00</u>	- Modification No. 3
\$4,831,099.00	- Total Contingency
- \$4,043,705.00	- Approved Change Orders
- \$ 635,610.00	- Change Order No. 14 (in the Approval Process)
- <u>\$ 139,125.00</u>	- Change Order No. 15 (in the Approval Process)
\$ 12,659.00	- Remaining Contingency
\$ 400,845.00	- Total for additional items identified above
<u>\$ 12,659.00</u>	- Remaining Contingency
\$ 388,186.00	- Contingency Shortfall

The construction contract work is 100 percent complete including all the approved change orders. The RFP work listed above is not completed and it is expected that additional contingency funds will be required for this additional work and for changes as a result of equipment start-up, commissioning and operational demonstration. The estimated additional contingency requested, including the shortfall shown above, is \$450,000.00.

Modification No. 4 provides the amount of \$450,000.00.

11. Sub-Consultants identified to work on this contract:

The following Sub-contractors have been identified by the Contractor:

- A. Lenix Company, Columbus, OH
- B. J & B Acoustical, Mansfield, OH
- C. Howard Painting, Defiance, OH
- D. Kalkreuth Roofing and Sheet Metal, Wheeling, WV
- E. SealTech Caulking & Restoration, Reynoldsburg, OH
- F. Dmytryka Jacobs Engineering, Westlake, OH
- G. J & B Classical Glass & Mirror, Mansfield, OH
- H. J & B Steel, Hamilton, OH
- I. Chet Baker & Company, Carroll, OH
- J. Pedersen Insulation Company, Columbus, OH
- K. T & Y Construction, Columbus, OH
- L. Claypool Electric, Lancaster, OH
- M. North Central Equipment, Cleveland, OH
- N. Drake Panel Products, Inc., Upper St. Clair, PA

- O. American Quality Door, Marion, OH
- P. Kirk Williams, Grove City, OH
- Q. Paul Peterson Company, Columbus, OH
- R. Sampson Maintenance Services, Youngstown, OH
- S. McKee Door Sales of Columbus, Columbus, OH
- T. Complete Clearing, Marengo, OH
- U. Decker Construction Company, Columbus, OH
- V. Fee Corp, Canal Winchester, OH
- W. Triple H Enterprises, Heath, OH

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.

06-24-08