

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> |
|---|---------------------------|-------------------|---------------|
| A. CH2M Hill, Inc. 590918189 / 5/15/2010 Columbus, OH MAJ | | | |
| B. Malcolm Pirnie, Inc. 132653703 / 4/7/2010 Columbus, OH MAJ | | | |
| C. MWH Americas, Inc. 951878805 / 9/2/2011 Columbus OH MAJ | | | |

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

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

1. Malcolm Pirnie, Inc.
2. CH2M Hill
3. MWH Americas, Inc.

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

Malcolm Pirnie, Inc., 1900 Polaris Pkwy., Suite 200, Columbus, OH 43240
Contact: Cosmo Bertino, PE, Richard E. Herriott, P.E.; (614) 888-4953
Contract No.: EL006055

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 the top-level management of the City's Wet Weather Management Plan (WWMP) program, for the period through 2012. The work in this program is a very substantial group of sewer capital improvements projects (CIPs), both collection systems and treatment works improvements, which have been agreed to by the City and Ohio EPA in order to conform to the requirements of the City's consent orders. The actual emplacement of CIPs will be by construction contract; the Professional Program Management (PPM) contract provides: program planning, scheduling, budgeting, and status reporting; construction management; design management; some design of critical projects; special services such as Value Engineering; and other services for this very large program, as directed by the City.

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

The Contract Notice to Proceed was issued in May, 2006. The majority of the projects in this Program are required to be completed in 2010, in conformance with the WWMP. The last project will be completed in 2012.

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.)**

It has been planned since the inception of this procurement that the contract will be modified, approximately annually, to provide needed monies as the program proceeds.

MODIFICATION NO. 1: \$12,000,000.00 (EL006737)

This modification provided the estimated funding needed for this work for FY2007.

MODIFICATION NO. 2: \$14,500,000.00 (EL007408)

This modification provided the estimated funding needed for this work from September 2007 to July 2008.

MODIFICATION NO. 3: \$16,882,125.00 (EL008470)

This modification provided the estimated funding needed for this work from August 2008 through April 2009.

MODIFICATION NO. 4: \$15,335,900.00 (EL009407)

This modification will provide estimated funding needed for this work from May 2009 through January 2010.

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. 5: \$11,000,000.00

This modification will provide estimated funding needed for the PPM services from February 2010 through September 2010, barring unforeseen circumstance. Additional funding for the FY2010 is necessary for:

- A. Continue Phase II PMIS development to cover Departments City Wide, including start-up, evaluation and implementation.
- B. Continue services of Gate Attendants and sanitary facilities for those attendants at both wastewater treatment plants.
- C. Continue Cleaning Services for CMT trailers at both wastewater treatment plants.
- D. Complete close-out of Contract J209.
- E. Continue Instrumentation and Controls Application Programming for all PPM projects extending through the duration of the program.
- F. Continue Standard Operating Procedures (SOP) development.
- G. Continue Construction Management Services for all Program projects.
- H. Continue development of electrical engineering standards and design coordination.

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.)

This Contract Modification No. 5 is a planned continuation of the services included within the existing contract's scope of service. The need for incremental funding of this contract by modification has been anticipated, and this was stated in the original contract's authorizing legislation.

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 work provided by Contract Modification No. 5 is a planned continuation of the services included within the existing contract's scope of service; it is not reasonable or cost efficient to undertake a new procurement effort to acquire these services. A new procurement for these services would be time-consuming, would likely result in delay of the WWMP program, and could place the City in violation of its consent orders, as a consequence.

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 | \$ 7,000,000.00 |
| Modification No. 1 | \$12,000,000.00 |
| Modification No. 2 | \$14,500,000.00 |
| Modification No. 3 | \$16,882,125.00 |
| Modification No. 4 | \$15,335,900.00 |
| Proposed Modification No. 5 | \$11,000,000.00 |
| Future Anticipated Needs | <u>\$8,250,600.00</u> |
| Probable Contract Total- | \$84,968,625.00 |

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 complete the remaining scope of services is within current projections.

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, 11/11/09, and Subcontractor Contact Report, 11/11/09. | | |

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

See attached Subcontracting and MBE/FBE Utilization Report, 11/11/09, and Subcontractor Contact Report, 11/11/09.

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)