

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 RFSO.**

<u>Name</u>	<u>C.C. No./Exp. Date</u>	<u>City/State</u>	<u>Status</u>
Shook Construction Co.	31-0443680 – 5/17/14	Dayton, OH	MAJ
Kokosing Construction Co.	31-1023518 – 2/14/14	Westerville, OH	MAJ
Kenmore Construction Co.	34-0802152 – 7/29/15	Akron, OH	MAJ
Walsh Construction Co.	36-2231526 – 6/20/14	Chicago, IL	MAJ
Adams Robinson Enterprises	62-1169481 – 2/1/14	Dayton, OH	MAJ

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

Formal competitive bids were opened on June 20, 2012.

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

1. Kokosing Construction Co. \$69,241,500.00
*ranked highest after Local Vendor Credit was applied
2. Shook Construction Co. \$68,903,400.00
3. Kenmore Construction Co. \$70,422,837.50
4. Walsh Construction Co. \$73,288,351.15
5. Adams Robinson Enterprises \$79,034,900.00

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

Kokosing Construction Company, Inc.
6235 Westerville Road, Suite 200
Westerville, Ohio 43081-4041
Daniel B. Walker, Sr, Vice President (614) 212-5700
EL013396

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.**

The purpose of the original contract was to upgrade the treatment processes at the Hap Cremean Water Plant (HCWP). The contract called for upgrading all filters and electrical services, modifications of basins, rerouting of chemical applications and implementation of ozone treatment.

Due to the timing of required reductions in plant capacity for elements of the construction project and coordination with additional construction projects at the other two water treatment plants the project had to be bid and construction started prior to September of 2012. Because of the limited construction window, the project has required enhancements to the existing design elements and additional funding subsequent to the bid.

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

The contract was scheduled to be completed on October 1, 2015 and is now anticipated to be complete on April 22, 2016.

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.**

The project provides for increased reliability for the operations of HCWP and improved finished water quality that meet requirements set by the Ohio EPA Stage 2 Disinfectant/Disinfection Byproduct Rule. Both of these activities greatly improve the economic environment for the water utility's service area. The improvement in water quality improves the quality of life for the customers. Additionally, these improvements will help address concerns with the treatment of atrazine, taste, odor, endocrine disruptors and trace pharmaceuticals in the source water. Community outreach has involved several presentations to the Sewer and Water Advisory Board.

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.)**

This is the first modification to EL013396.

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.)**

Proposed RFP-005 LEED certification of new Ozone Production Facility \$2,500,000 (estimated)

In order to attain certification for Leadership in Energy & Environmental Design (LEED) a number of changes had to be made with respect to improved Heating, Ventilation, Air Conditioning (HVAC) efficiency, architectural material changes, landscaping, and stormwater modifications. Additionally, construction activities had to be modified by increasing the percentage of construction debris to be recycled, additional record keeping and reporting by the contractor, and assistance with fundamental commissioning of building energy systems.

Proposed RFP-010 Ozone basin structural modification \$ 2,500,000 (estimated)

Revision of the current design to a sealed sample discharge system with a higher discharge flow capacity, including variable frequency drive-controlled duty/standby vertical pumps in Injection Gallery. Addition of a small calcium thiosulfate feed line for ozone quench of sample discharge in ozone injection gallery. Modifications were made to ozone injection system equipment and piping per revised manufacturer recommendations. Changes were also made to gas-tight access hatches and equipment serving ozone contactor access, including hoists, safety grating and fixed ladders. Also incorporated in the change were access ports into the serpentine baffles and over/under baffles of the ozone contactor to allow for personnel entry during routine maintenance.

Proposed RFP-029 Location of ozone analyzers and sample points \$ 2,000,000 (estimated)

Modifications were made to the ozone analyzer and sampling location. The modifications allow personnel direct access to ozone analyzing equipment without having to implement confined space procedures. Stairs enclosed by a masonry structure with a standing metal seamed roof and other environmental controls (lighting, HVAC, and ozone monitor) were added to the contract.

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.)

The scope anticipated the improvements identified in this project. Due to the necessity to bid this job early as a result of simultaneous work proceeding at all three water treatment plants, additional enhancements and funding were required to the Hap Cremean project after the bid. If the bid date were missed, it would have delayed other regulatory-driven capital improvement projects at the remaining water treatment facilities and resulted in significant cost and schedule impacts throughout the program.

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.)

The work included in this modification is an essential part of the work currently being performed in the original contract (EL013396). The additional work consists of improvements that must be undertaken to meet the overall contract requirements (RFP-010 and RFP 029) and/or must be performed at the time of construction (RFP-005). A bid of this required work would result in additional contractors working on the same project in the same physical location being performed by the existing contractor, resulting in additional complications, delays, and costs to all projects. Without improvements listed in item 9 above, the original contract work cannot be completed, water treatment process could not operate as intended, and the city's green initiatives cannot be met.

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.

At this time it is not anticipated any additional contract modifications will be required for this construction contract. As with any construction project being performed, it is possible unanticipated conditions may arise which would require a construction contract modification. At this time, the complete estimated breakdown is as follows:

Original contract amount	\$69,241,500.00
Cost of this modification	\$ 7,000,000.00
Total Amount	\$76,241,500.00

Additional modifications are not foreseeable at this time.

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

Independent cost estimates were developed by the project designer and the program construction manager for each aspect of the work, compared against the contractor's pricing and negotiated as required to develop an appropriate cost.