

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:

- BBS Corporation | 310747855 (now acquired by CH2M Hill, CCCN 590918189 / 05/15/2010) | Columbus, Ohio | MAJ
- Burgess & Niple, Inc. | 310885550 / 12/10/2010 | Columbus / Ohio | MAJ
- DLZ Ohio, Inc. | 311268980 / 03/10/2011 | Columbus, Ohio | MAJ
- ms consultants, inc. | 346546916 / 07/10/2010 | Columbus / OH | MAJ
- R.D. Zande & Associates, Inc. | 311395123 (now acquired by Stantec Consulting Services, Inc., CCCN 112167170 / 12/17/2011) | Columbus, Ohio | MAJ
- Ribway Engineering Group, Inc. | 311406579 / 12/03/2010 | Columbus, Ohio | MBE
- W. V. Mathews Company | 298382753 / Currently Inactive | Columbus, Ohio | MBE

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

- BBS Corporation
- Burgess & Niple, Inc.
- ms consultants, inc.

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

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

- Burgess & Niple, Inc.
- BBS Corporation
- ms consultants, inc.

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

Burgess & Niple, Inc., 5085 Reed Road, Columbus, Ohio 43220
Contact: Karen Anderson, (614) 459-2050
Original Contract No. EL005606

- 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 one of the key, time-critical wastewater plants construction projects in the City's Wet Weather Management Plan (WWMP) program, for the period through 2010. The work in that program is a very substantial group of sewer capital improvement projects (CIPs), both collections 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 WWMP projects at the Jackson Pike Wastewater Treatment Plant (JPWWTP) will increase the plant's wet weather treatment capacity to 165 million gallons per day.

This contract provides engineering services that will implement improvements at the JPWWTP and the Deckebach Facility, as construction Contract J210, Headworks Continuation and B Plant Improvements. This construction contract was combined and bid with CIP 650247, JPWWTP A-Plant Wet Weather Hydraulic Improvements, construction Contract J211, designed by Brown and Caldwell Ohio, Inc., under a separate contract with the City. The J210 work at the JPWWTP consists of Raw Sewage Pumps Electrical and Instrumentation Upgrade, addition of the AFD Room, Raw Sewage Pump cone valve system replacement, addition of a Screenings Press, addition of a Material Lift in the Generator Building, modifications in Grit Tank Building, Parts Storage Building 4, installation of A Plant and B Plant Meter Systems, increasing the sizing of B Plant Primary influent piping, construction of Bay 5 step feed capability to Aeration Tanks 9, 10, 11, and 12, modification of the Return Activated Sludge (RAS) system including new RAS Pumps, RAS meter replacement, miscellaneous piping modification in the Aeration Control Building B, modification of the influent to Secondary Clarifiers 10, 11, 12, 13 and 14, replacement of sludge and scum collection equipment in Secondary Clarifiers 11, 12, 13 and 14, concrete rehabilitation of Secondary Clarifiers 11, 12, 13 and 14, installation of isolation gates at Secondary Clarifiers 12 and 13 effluent channels, decommissioning and abandonment of a ground water well, miscellaneous site improvements and all maintenance and operating instructions, training, start-up, testing, commissioning, and other work as shown on drawings and described in the Project Manual. The J210 work at the Deckebach Facility consists of the removal of existing gates and minor demolition at the existing Grit Tanks, and other work as shown on drawings and described in the Project Manual.

The actual emplacement of the work will be by construction contract. This engineering contract provides: preliminary and detailed design, bidding assistance, construction-phase engineering.

All engineering design services have been completed and the construction of Contract J210 is proceeding. Construction Management services are being performed by others.

6. An updated contract timeline to contract completion.

The Preliminary Design was started on November 28, 2005. This investigative and planning effort was summarized in the Detailed Design Memorandum (DDM), submitted to the City on June 27, 2007. The design was completed and the construction contract bids were received on December 21, 2007. Bidding assistance services were performed.

The construction contract Notice to Proceed (NTP) was issued on April 15, 2008. The construction engineering services commenced at the same time, which began the next stage of this contract's work. Burgess & Niple's services will continue beyond completion of construction to provide "as-built" record drawings of the constructed facilities.

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: \$872,190.00 (EL005606)

Funding provided for Step 1 - Preliminary Design and Step 2 - Detailed Design services for project.

MODIFICATION NO. 1: \$3,408,252.00 (EL007382)

Additional funding provided for Step 2 - Detailed Design services for the incorporation into this project of the noted WWMP improvements and the replacement of the Raw Sewage Pumps motors and controls.

MODIFICATION NO. 2: \$2,308,243.00 (EL007799)

This modification provides \$2,308,243.00 of funding for Step 3 - Services During Construction and Commissioning tasks for Contract J210.

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: \$194,508.00

This modification provides funding for additional construction-phase engineering services and commissioning assistance tasks that became necessary during the course of construction for Contract J210.

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 are not sufficient explanation. Describe in full the changed conditions that require modification of the contract scope and amount.)**

This Contract Modification No. 3 is a continuation of the services included within the existing contract's scope of service and was anticipated as construction progressed. In a construction project for renovation of existing facilities, changes to contract work are expected and sometimes require a protracted level of services to reconcile a myriad of complex schedule, technical and interface issues. The additional effort required construction-phase engineering, on site, and time critical efforts and commissioning assistance beyond the level originally estimated.

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 completion of the existing work of the contract. Due to the highly complex and technical nature of this wastewater treatment plant infrastructure, it is not reasonable or cost efficient to undertake a new procurement effort to acquire these services. 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 additional cost.

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	\$ 872,190.00
Modification No. 1	\$3,408,252.00
Modification No. 2	\$2,308,243.00
Proposed Modification No. 3	<u>\$ 194,508.00</u>
CURRENT PROPOSED TOTAL	\$6,783,193.00

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

A cost proposal was provided by Burgess & Niple, Inc. and reviewed by the Division of Sewerage and Drainage and was deemed acceptable. The cost of this contract modification is consistent with the overhead, and profit rates established within the original proposal. The cost of this contract modification updates the direct labor rates from the original 2005 proposal.

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, August 9, 2010.		

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

See attached Subcontracting and MBE/FBE Utilization Report, August 9, 2010.

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)