

Information to be included in all Legislation Modifying a Contract:

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

<u>Name</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Resource International	Columbus, OH	FBE
FMSM	Columbus, OH	Majority
ATS Chester	Columbus, OH	MBE

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

FMSM
6600 Busch Blvd.
Columbus, OH 43229

Bryon Ringley, PE (846-1400)
Downtown Combined Area System Renovations Project – Phase 4
EL 006457

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.

Work performed to date:

- General coordination among all four consultants to discuss: DOSD in-house construction capabilities, required investigation for design letter report, format and preparation of draft design letter report, construction alternatives, preparation and coordination of draft and revised plan sets for PTI application and preparation of plan sets for City draft review and final signatures
- Completed field survey work
- Completed investigations of sewer taps, customer complaints, review of hydraulic models and flow monitor data
- Submitted draft letter report with findings of field survey work, investigations and weir raise recommendations
- Prepared and submitted draft plans and cost estimate for PTI Application
- Prepared and submitted draft plans for DOSD and other City department reviews
- Prepared and submitted revised plans for PTI Application approval
- Prepared and submitted final plans for DOSD and City signatures
- Prepared construction cost estimate for first bid
- Attended 1st pre-bid conference

Work to be performed:

- Submit final design letter report
- Attend pre-bid conference for re-bid
- Provide engineering services during construction
- Prepare and submit record plan drawings

5. An updated contract timeline to contract completion.

The updated contract timeline accounts for the revised construction completion deadline and project re-bid.

August 8, 2007 – Advertisement for re-bid

September 5, 2007 – Bid opening

October 15, 2007 – Emergency Legislation to award Contract

November 2007 – Notice to Proceed

June 1, 2008 – Completion of construction (Per written request by City that was approved by Ohio EPA.)

July 2008 – Close-out engineering contracts

6. 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.)

None

7. 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.)

Additional work was needed to complete required investigations and develop plans compared to the amount originally identified in the negotiated scope of services. Additional coordination meetings and conference calls with the other design consultant's to produce a standard design letter report and develop a combined plan set exceeded the original estimated contract amounts. Additional effort was also required to conduct more detailed investigations of service complaints, tap permits, flow monitor data and hydraulic model results in order to justify the weir height recommended in the design letter report. The combined plan set development included additional submittals of draft and revised plan sets for PTI approval. Additional work was also performed with the rejection of the sole bidder's contract proposal and re-bid of the project.

8. 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 order to meet the Consent Order original construction deadline of December 31, 2007, the City procured four separate engineering contracts to conduct investigations and produce plans to raise the weir heights at 18 combined sewer overflows identified in the Wet Weather Management Plan. Since these separate engineering contracts were to perform the same scope within the same time schedule, the City requested that all four consultants coordinate their efforts in the development of a standard design letter report format. With the submittal of the draft design letter report, the City further requested that all four consultants cooperate in the preparation of the plans to produce one combined set of plans and bid documents. While this overall coordination effort resulted in meeting the original project schedule it also resulted in additional work not anticipated in the original contract.

9. 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.)

This contract modification is for work already done by the Consultant in order to meet the project timelines established for the Consent Order original construction completion deadline of December 31, 2007. It also includes future anticipated work needed to complete the contract due to the project re-bid.

10. 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 amount: \$49,773.72
Requested contract modification: \$39,971.47
Future contract modification: \$0.00
Total estimated contract cost: \$89,745.19

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

Cost of modification was prepared by FMSM and reviewed by DOSD. The modification includes only total labor cost (direct labor multiplied by hourly cost multiplier) with no net fee or profit and 10% contingency.

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.

7-20-07