

**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.**

<b><u>Name</u></b>	<b><u>City/State</u></b>	<b><u>Majority/MBE/FBE</u></b>
Companies submitting an RFSQ:		
A. BBS Corporation	Columbus, Ohio	Majority
B. Burgess & Niple, Inc.	Columbus, Ohio	Majority
C. DLZ	Columbus, Ohio	Majority
D. ms consultants, inc.	Columbus, Ohio	Majority
E. R.D. Zande & Associates, Inc.	Columbus, Ohio	Majority
F. Ribway Engineering Group, Inc.	Columbus, Ohio	Certified Minority Firm
G. W. V. Mathews Company	Columbus, Ohio	Certified Minority Firm

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

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

- 2. 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: Patricia A. Doody, (614) 459-2050  
Contract No.: EL005606

- 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.**

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 has 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 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 Jackson Pike Wastewater Treatment Plant and the Deckebach Facility, as construction Contract J210, Headworks Continuation and B Plant Improvements. This construction contract is 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 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 designed work will be by construction contract; this (DP) contract provides: preliminary design, detailed design, bidding assistance, construction-phase engineering, start-up and commissioning assistance, record documentation preparation assistance, and other services for this project, as directed by the City

All engineering design services have been completed for this project phase and the construction of this contract is ready to proceed. Construction Management services are being performed by others.

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

The Preliminary Design (Step 1) work 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. Following the submission of the DDM, Burgess & Niple, Inc. proceeded with Detailed Design services for Contract J210. The design was completed and the construction contract bids were received on December 21, 2007. Bidding assistance services were performed. The construction work will be placed under contract as soon as possible after bids are received, and the construction engineering services will commence; all of these begin the next phase of the work. The project construction work, commissioning, and closeout work will end the work of this contract.

**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.)**

ORIGINAL CONTRACT: \$872,190.00 (EL005606 October 13, 2005)

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

MODIFICATION NO. 1: \$3,408,252.00 (EL007382 October 26, 2007)

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.

PROPOSED MODIFICATION NO. 2: \$2,308,243.00

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

**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.)**

This contract is being incrementally funded through the use of modifications. This modification will provide funding for construction-phase engineering, start-up and commissioning assistance, record documentation preparation assistance, and other services for this large project, as directed by the City.

**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.)**

This Contract Modification No. 2 was planned and anticipated, and so stated in the original contract's legislation. It is a planned continuation of the services originally included within the existing contract's scope of service.

**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.)**

In so much as the majority of this work was planned for and anticipated within the original procurement, and 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.

**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	\$ 872,190.00
Modification No. 1	\$3,408,252.00
Proposed Modification No. 2	<u>\$2,308,243.00</u>
CURRENT PROPOSED TOTAL	\$6,588,685.00

**10. 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 the anticipated level of funding originally forecast.

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