

**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>
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Companies submitting an RFSQ:

- A. Burgess & Niple, Ltd. | Columbus, Ohio | Majority
- B. BBS Corporation | Columbus, Ohio | Majority
- C. Camp Dresser & McKee | Columbus, Ohio | Majority
- D. Malcolm Pirnie, Inc. | Columbus, Ohio | Majority

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

- A. BBS Corporation
- B. Camp Dresser & McKee
- C. Malcolm Pirnie, Inc.

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

Malcolm Pirnie, Inc., 1900 Polaris Parkway, Suite 200, Columbus OH 43240-2020

Contact: Richard E. Herriott, PE; (614) 888-4953

Contract No.: EL003691

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.**

The basic services to be provided under this Agreement are professional engineering services necessary for, and incident to: Overall Engineering Consultant (OEC) Services for the Wastewater Treatment Facilities Upgrade - General Program. OEC services are necessary to provide technical and engineering assistance to the City and its design professionals in planning and coordination of the work. The OEC services are separated into the following tasks:

- Task 1 – Planning Services
- Task 2 – Design Services
- Task 3 – Construction Related Services
- Task 4 – Commissioning and Start-up Services
- Task 5 – General and Additional Services

The engineering services provided by Malcolm Pirnie, Inc. for each of these tasks are as follows:

**Task 1 - Planning Services:**

Malcolm Pirnie, Inc. will assist the City with planning and documenting the required modifications to the facilities to reliably and consistently meet all NPDES Permit conditions, anticipate future regulatory requirements and to protect the water quality in the Columbus Facilities Planning Area. The work may include:

- 1A. Wastewater Treatment Facilities (WWTF) Master Planning

- 1B. Process Inventory and Analysis
- 1C. Basis of Design
- 1D. Water Quality Analysis & Modeling
- 1E. Plants Contracting Program Definition
- 1F. Sewer System Overflow (SSO) Master Planning & Coordination
- 1G. General Engineering Report

**Task 2 – Design Services:**

Provide general consultation on technical issues related to wastewater treatment capital improvements projects on an as-requested basis. The work may include:

- 2A. Capital Project Review and Coordination
- 2B. Detailed Design Memoranda (DDMs) Review
- 2C. General Design Review
- 2D. Value Engineering
- 2E. Guide Specification Product
- 2F. Guide Specification Updates

**Task 3 – Construction Related Services:**

Provide general consultation on technical issues related to wastewater treatment capital improvements projects during construction on an as-requested basis.

**Task 4 – Commissioning And Startup Services:**

Provide general consultation on technical issues related to wastewater treatment capital improvements projects during start up and commissioning on an as-requested basis.

**Task 5 – General And Additional Services:**

Attend periodic and special Project meetings called by the City and provide efficient, professional consulting services as requested, to serve the City's interests. In addition, the City may determine that specialized, additional services are necessary to the performance of the work. Additional services shall be performed as directed by the City, or pursuant to a properly authorized and executed Contract Modification.

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

The Contract Notice to Proceed was issued October 14, 2003. The contract duration is for six (6) years, and the professional services shall be funded by incremental appropriation, through the use of approximately annual modifications. This modification is planned to provide the services listed above to the end of the contract period, December 2009.

**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: \$3,825,000.00 (EL003691 September 17, 2003)

Provided funding estimated to be needed for first year of contract.

MODIFICATION NO. 1: \$6,708,000.00 (EL004646 September 29, 2004)

Provided funding estimated to be needed for second year of contract.

MODIFICATION NO. 2: \$4,160,000.00 (EL005709 December 20, 2005)

Provided funding estimated to be needed for third year of contract.

MODIFICATION NO. 3: \$2,150,000.00 (EL006837 April 13, 2007)

Provided funding estimated to be needed for fourth year of contract.

PROPOSED MODIFICATION NO. 4: \$4,650,000.00

Provided funding estimated to be needed for fifth and sixth years of contract.

**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. The work to be provided as part of this modification includes updating the 2000 Solids Treatment and Disposal Master Plan, assistance with the Division's annual Plants Contracting Program Definition, capital projects' review and coordination, review and update the Guide Specification, Online Operations and Maintenance Application, continuing coordination and implementation assistance for the Wet Weather Management Plan, assistance for the City's treatment facilities air permits and environmental audit for air regulatory and permitting issues.

**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. 4 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 the engineering assistance provided to the City and its design professionals in planning and coordination of the work, 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	\$3,825,000.00
Modification No. 1	\$6,708,000.00
Modification No. 2	\$4,160,000.00
Modification No. 3	\$2,150,000.00
Proposed Modification No. 4	\$4,650,000.00
CURRENT PROPOSED TOTAL	\$21,493,000.00

**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