

**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> |
|-----------------------|--------------------------|--------------------------------|
| DLZ Ohio, Inc.        | Columbus, Ohio           | Majority                       |
| Burgess & Niple, Inc. | Columbus, Ohio           | Majority                       |
| MS Consultants        | Youngstown, Ohio         | Majority                       |
| Malcolm Pirnie, Inc.  | White Plains, New York   | Majority                       |

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

Mr. James Siebert, P.E.  
DLZ Ohio, Inc.  
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Contract No: EL005911

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.**

**Original Contract:** Design of Phase 1 of the OSIS Augmentation and Relief Sewer (OARS). The work includes design of a 15,000 foot long large diameter conduit via open-cut methods and other facilities and appurtenances to convey Combined Sewer flows from the vicinity of the Whittier Street Storm Standby Tanks south to the vicinity of the Jackson Pike Wastewater Treatment Plant.

**Modification No. 1:** Reallocation of remaining fees from the original contract to complete the preliminary design of all four phases of the OSIS Augmentation and Relief Sewer (OARS). The work includes the preliminary design of approximately 29,000 lineal feet of a 18-foot diameter sewer via tunnel methods and drop shafts, an OARS Flow Diversion Structure and Pumping Station just north of the JPWWTP.

**Modification No. 2:** Detailed design and preparation of construction drawings for all four phases of the OARS Augmentation and Relief Sewer (OARS). The work includes the detailed design of approximately 29,000 lineal feet of a 18-foot diameter sewer via tunnel methods and drop shafts, an OARS Flow Diversion Structure and Pumping Station just north of the JPWWTP.

**Modification No. 3:** Contract has been modified into two phases to expedite tunnel construction ahead of pump station campus. Design services will need to be accelerated to meet this new schedule. In addition modifications to the tunnel, shaft, and Whittier Storm tanks, which will lead to a decrease in overall construction costs, need to be redesigned to accommodate the modifications.

**Modification No. 4:** Contract has been modified to complete design and bidding services for Phase 2 of OARS. This modification also provided for engineering services during construction of OARS, including shop drawing review, responding to requests for

information, interpretation of contract documents, review of construction details, preparation of change orders, claim review, start-up assistance, preparation of change orders, record drawings and other services required during construction.

**Modification No. 5 (this modification):** This modification will be for 2012 and provide for engineering services during construction of OARS, including shop drawing review, responding to requests for information, interpretation of contract documents, review of construction details, preparation of change orders, claim review, start-up assistance, preparation of record drawings and other services required during construction. This modification will also complete the design of the improvements necessary for Berliner Park related to the project. Future annual modifications are expected to keep controls and cost in check during construction.

**Modification No. 6 (future modification):** This modification will be for 2013 and provide for engineering services during construction of OARS, including shop drawing review, responding to requests for information, interpretation of contract documents, review of construction details, preparation of change orders, claim review, start-up assistance, preparation of record drawings and other services required during construction.

**Modification No. 7 (future modification):** This modification will be for 2014 and provide for engineering services during construction of OARS, including shop drawing review, responding to requests for information, interpretation of contract documents, review of construction details, preparation of change orders, claim review, start-up assistance, preparation of record drawings and other services required during construction.

**Modification No. 8 (future modification):** This modification will be for 2015 and provide for engineering services during construction of OARS, including shop drawing review, responding to requests for information, interpretation of contract documents, review of construction details, preparation of change orders, claim review, start-up assistance, preparation of record drawings and other services required during construction.

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

|  |                    |
|--|--------------------|
| Begin Preliminary Design of OARS, Phases 1-4:    | 4/16/07            |
| Final Design Report:                             | 1/30/08            |
| Begin Detailed Design of OARS, Phases 1-4:       | 1/30/08            |
| 30% Plan Review:                                 | 5/30/08            |
| 50% Plan Review:                                 | 8/30/08            |
| Complete Plans and Specifications (tunnel):      | 1/29/10            |
| Complete Plans and Specifications (pump campus): | 7/25/10            |
| Obtain Easements:                                | 4/30/09 to 4/30/10 |
| Advertise for Bids (tunnel):                     | 2/13/10            |
| Advertise for Bids (pump campus):                | 1/15/11            |
| Bid Opening (tunnel):                            | 4/28/10            |
| Bid Opening (pump campus):                       | 5/04/11            |
| Notice To Proceed (tunnel):                      | 9/02/10            |
| Notice To Proceed (pump campus):                 | 8/25/11            |
| Construction Closeout:                           | 6/30/15            |

#### **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.)**

The proposed modification amount is \$2,695,892.72 which includes a 10% contingency amount that will be utilized to fund any needed and approved changes in the work. Three future modifications are anticipated at this time for engineering services during construction. A summary of the design contract, legislation and ordinance dates and funding amounts is as follows:

|                     |                        |                 |                              |
|---------------------|------------------------|-----------------|------------------------------|
| Design Contract:    | OARS Phase 1           | \$ 5,622,070    | Ord. No. 1354-2006, 2/27/06  |
| Contract No.        | EL005911               |                 |                              |
| Modification No. 1: | OARS Phase 2, 3 & 4    | \$ 0            | Ord. No. 0050-2007, 4/16/07  |
| Modification No. 2: | OARS Phase 1 through 4 | \$ 8,925,509.96 | Ord. No. 1569-2007, 11/12/07 |
| Modification No. 3: | OARS Phase 1 and 2     | \$ 2,139,082.82 | Ord. No.1253-2009, 10/19/09  |
| Modification No. 4: | OARS Phase 1 and 2     | \$ 2,153,622.82 | Ord. No. 1395-2010, 11/01/10 |
| TOTALS              |                        | \$18,840,285.60 |                              |

**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 modification allows for the update of the Phase 1 contract documents due to design changes to various elements of the project related to Phase 2. Additionally, this modification also allows for the update of the Phase 2 contract documents related to these design changes. This modification also provides engineering services for the construction of Phase 1 and Phase 2.

**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.)**

Due to the large cost and long duration associated with the design of this project, the contract was established to be funded incrementally.

**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.)**

This modification provides funds update Phase 1 and Phase 2 contract documents, and engineering services during construction as part of the planned incremental funding.

**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.**

|                           |   |                        |                                    |
|---------------------------|---|------------------------|------------------------------------|
| Design Contract:          | OARS Phase 1  | \$ 5,622,070           | Ord. No. 1354-2006,                |
| 2/27/06                   |   |                        |                                    |
| Contract No.              | EL005911  |                        |                                    |
| Modification No. 1:       | OARS Phase 2, 3 & 4   | \$ 0                   | Ord. No. 0050-2007, 4/16/07        |
| Modification No. 2:       | OARS Phase 1-4  | \$ 8,925,509.96        | Ord. No.1569-2007, 11/12/07        |
| Modification No. 3:       | OARS revisions  | \$ 2,139,082.82        | Ord. No.1253-2009, 10/19/09        |
| Modification No. 4:       | OARS Phase 2 design/Engineering services for construction   | \$ 2,153,622.82        | Ord. No.1395-2010, 11/01/10        |
| <b>Modification No. 5</b> | <b>Eng. Services during construction of Phases 1 and 2; update contract documents for both Phases</b> | <b>\$ 2,695,892.72</b> | <b>Ord No. (this modification)</b> |
| Modification No. 6        | Eng. Services for Const.  | \$ 2,000,000.00        | Ord No. (future modification)      |
| Modification No. 7        | Eng. Services for Const.  | \$ 2,000,000.00        | Ord No. (future modification)      |
| Modification No. 8        | Eng. Services for Const.  | \$ 2,000,000.00        | Ord No. (future modification)      |
| TOTALS:                   |   | \$27,124,039.50        |                                    |

**10. An explanation of how the cost of the modification was determined.**

The scope of services and costs were developed by the Engineer and reviewed by the Division of Sewerage and Drainage SSES Project Manager.