

**CONTRACT CHANGE ORDER NO. 6**

CONTRACT AWARDED BY: Fresno City Council DATE OF AWARD: 5/12/2016  
 PROJECT: Kings River Pipeline  
 P.O. NO: FRSNO-000070741 PROJECT ID NO: WC000057 BID FILE NO: 3433  
 CONTRACTOR: Garney Construction, 3049 Independence Drive Suite E, Livermore, CA 94551

*The Contractor is hereby requested to make the herein described changes from the Contract Documents or do the following described work not included in the plans and specifications on this contract. NOTE: THIS CHANGE IS NOT EFFECTIVE UNTIL FULLY EXECUTED.*

**Description of Requested Change:**

**I. CHANGES TO CONTRACT PLANS AND SPECIFICATIONS.**

- A. This Change Order No. 6 includes costs associated with: 1) WCD 17 Diversion Electrical Enclosure 2) WCD 22 Additional Bollard Locks 3) WCD 24 Closed Feedback 4) WCD 26 PCM-FID Panel Expansion 5) WCD 25 Post-construction Survey 6) COR 10 Unmarked Fiber Line in Harvey Avenue 7) COR 21 Unmarked Culvert Drain Line on Trimmer Springs 8) COR 27 Asphalt Emulsion Lab Testing 9) COR 28 Flushing Appurtenances 10) COR 29 Dewatering Existing Tie-In Pipe 11) COR 30 Additional Fencing and Downtime at the Intake 12) Addition of DC Blocker 13) Contract Time Extension

**II. CONTRACT PRICE**

- A. Contract Change Order No. 6 results in a net increase of \$261,391.88 to the contract value.

**III. CONTRACT TIME**

- A. This Change Order No. 6 adds eighty days to the contract time.

STATEMENT OF CONTRACT PRICE		STATEMENT OF CONTRACT TIME		
Original Contract Price	\$ 45,583,750.00		Calendar Days	Contract Dates
Approved Cost Change Orders to Date	\$ 697,633.96	Contract Notice to Proceed		6/27/2016
Cost of this Change Order	\$ 261,391.88 See (Pg 4)	Calendar Days to Substantial Completion	515	
<b>Total of all Contract Cost Change Orders including this Change Order</b>	<b>\$ 959,025.84</b>	Calendar Days to Final Completion	575	
		Computed Date for Substantial Completion		11/23/2017
		Computed Date for Final Completion		1/22/2018
		Time Extension Days For Contract		
Net percentage change in Contract Price from original Contract Price	2.10%	Time extension days this CCO	80	
		Total time extension days previous CCO's	94	
		Total Time Extension Days To Date	174	
		Excess Adverse Weather Days To Date (Pg 5)	4	
		Suspended Work Days To Date	0	
		<b>Revised Substantial Completion Date</b>		<b>5/20/2018</b>
<b>Revised Contract Price</b>	<b>\$ 46,542,775.84</b>	<b>Revised Final Completion Date</b>		<b>7/19/2018</b>

We, the undersigned contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the price shown above.

Acceptance Date: 7/5/18 Contractor: Garney Construction  
 Accepted By: [Signature] Title: Assistant Project Manager

*If the contractor does not sign acceptance of this order, his attention is directed to the requirements of the specifications as to proceeding with the ordered work.*

**OWNER APPROVAL**

Submitted By: [Signature] Recommended By: [Signature] Date: 07/05/2018  
 Gentry Karr, Construction Manager Randy Hoffman, Project Manager

Authorized By:  Interim Assistant Director Date: \_\_\_\_\_  
Project manager Michael Carbajal, Martin Wendels

Approved By:  Public Utilities Director Date: \_\_\_\_\_  
Michael Carbajal

Approved By:  City Council Minutes of Meeting Dated: \_\_\_\_\_

(Council approval required if change order or total change orders exceed 10 percent of contract price or if individual change order exceeds Fresno City Charter limit or Section 33422 Health and Safety Code for Agency contracts.)

Kings River Pipeline  
CONTRACT CHANGE ORDER NO. 6  
Change Order Details

Items	Description	Amount	Time
1	WCD 017: The City has requested an enclosure around the electrical panels at the Diversion Site to keep the electrical equipment in a climate controlled environment and to improve security of the delicate and costly equipment. The construction site has been burglarized several times during the past year due to its remote location and close proximity to the road. This WCD is to allow the Contractor to procure the enclosure as the building has a long lead time.	\$44,727.12	-
2	WCD 022: The Contractor is to supply and install Code 170116 Safety Locks with the installation of the removable bollards. Per City's request, this change was to direct the Contractor to purchase an additional 500 Code 170116 Safety Locks as spare parts to the City.	\$2,633.39	-
3	WCD 024: During testing and startup the City discovered the current design did not provide sufficient feedback through SCADA to provide the City with the actual status of the sluice gate on the intake structure. The current installation only indicates fully open or fully closed and no status in-between. Currently when the gate is ordered to close, the screen indicates closed even though the closing process is not complete. This change is to add additional wiring and relay to provide the status of the sluice gate during the closing and opening process. This change will allow the operator to read the actual status of the gate in percent open or percent closed. Change requested by the City's operations staff.	\$4,312.92	-
4	WCD 026: Per request of the Fresno Irrigation District, the Contractor was directed to provide the expansion module and additional inputs to the PCM-FID panel due to significant discrepancies on the project drawings.	\$13,203.27	-
5	WCD 025: The Contractor was directed to conduct the post-construction survey of all survey monuments within or adjacent to the road right of way, pipeline alignment, or other construction areas. A similar survey was required prior to construction, this post construction survey will determine if construction had any effect on the survey monuments. The results of the monument survey location data will be filed with the Fresno County Surveyor. Contractor to provide a report from the California Registered Land Surveyor to the City's Construction Manager summarizing the results of the post-construction survey and indicating any monuments which have been affected by construction activities. The Contractor will be responsible for repairing any damaged monuments or seeking resolution of any issues which are revealed by the post-construction survey. The post-construction survey and filing with the County was not included as a Contractor responsibility in the Kings River Pipeline contract therefore, will be addressed as a Change Order.	\$37,067.77	-

6	COR 010: An unmarked fiber line was discovered while excavating for pipe installation. The fiber line ran parallel to and in some instances in the trench zone. Fiber line had to be supported and moved slightly to allow for pipe installation. The unforeseen condition caused delays to the Contractor.	\$49,785.31	-
7	COR 021: This change is associated with an unmarked storm water drain culvert which crossed Trimmer Springs Ave at approximate Station 662+00. The culvert was not the County inventory and was not shown on the project's plans. The culvert was in direct conflict with pipeline which required the culvert to be cut, a portion removed, and plugged to prevent storm water flow into the pipe trench. Permission was required from the County of Fresno to take the storm drain out of service. The City Construction Manager directed the Contractor not to proceed until County approval could be obtained. County permission was eventually obtained. Contractor is requesting costs incurred to pothole the utility to determine its exact location, elevation, and loss of production.	\$36,067.77	-
8	COR 027: Per the specifications, Contractor is required to test a sample of asphalt emulsion and chip material at the Department of Public Works and Planning Material Laboratory. However, the County informed the Construction Manager that the County of Fresno does not have a contract to conduct testing for the Kings River Project and would not be conducting required testing. The Construction Manager then directed the Contractor to have a third party lab conduct the testing.	\$4,834.23	-
9	COR 028: The Contractor presented costs associated with flushing and testing valves on the appurtenances for pipeline sections 1-4 which consider extra work not addressed in the specification. The total cost of labor from the Contractor for this activity was \$7,268.33. The City offer to share 50% of the cost was agreed to by the Contractor, therefore, the City's share was \$3,634.17.	\$3,634.17	-
10	COR 029: The Contractor was working around the tie-in connection piece near station 10+00 and encountered a significant amount of water coming from a pipe owned by Lyles Construction. The Contractor was not aware that this pipe was filled with water so, when the flange was removed on a temporary blowoff, the trench became flooded. This change to discharge the water added two complete shifts, one additional shift at three hours, additional premium time on one shift, and standby charges from subcontractors.	\$52,277.30	-
11	COR 30: The Contractor presented costs associated with survey errors that misrepresented the location of two oak trees at the KRP intake. The plans showed the trees well within the fence line, in actuality the trees were in the fence line. To prevent damage to the oak trees the Contractor was directed to place the fence around the trees. This change includes the extra materials and labor for fencing around the trees as well as three hours of standby time as the conflict was resolved.	\$9,620.34	-

12	WCD 21: The Contractor was directed to purchase and install a DC blocker per the instructions provided by the DC blocker manufacturer. Per RFI 101, the motor operated valve DC blocker shown on detail 7 of plan sheet 00-CP-003 was not included in the specifications or labeled anywhere else on the project drawings. Upon completion, Contractor is to provide a red line drawing of it's actual location.	\$3,228.29	-
13	This change adds 80-calendar days to the Contract Time. Several items of work were ongoing past the Contract Substantial Completion milestone date. Three of those items of work were Owner caused delays that were concurrent with Contractor caused delays. The Owner caused delayed items of work were completed on May 21, 2018. In accordance with Contract General Conditions Section Claims for Additional Time page 2.18, the Contractor is entitled to a Contract Time Extension of 80-calendar days. The Contractor is not entitled to an adjustment of Contract Price associated with this change of Contract Time since the delays were concurrent with delays within the Contractor's control.	-	80
		\$ 261,391.88	80

Kings River Pipeline  
**Adverse Weather Delay Days**

**Agreed Adverse Weather Days (AWD)**

Month	AWDs	Excess AWDs to be Applied to Contract Time
Jun-16	0	0
Jul-16	0	0
Aug-16	0	0
Sep-16	0	0
Oct-16	1	0
Nov-16	2	0
Dec-16	4	3
Jan-17	8	0
Feb-17	6	1
Mar-17	0	0
Apr-17	0	0
May-17	0	0
Jun-17	0	0
Jul-17	0	0
Aug-17	0	0
Sep-17	0	0
Oct-17	0	0
Nov-17	0	0
Dec-17	0	0
Jan-18	0	0
Feb-18	0	0
Mar-18	TBD	TBD
<b>Total Excess AWDs</b>		<b>4</b>