

CONTRACT CHANGE ORDER NO. 1

CONTRACT AWARDED BY: Fresno City Council

DATE OF AWARD: February 1, 2016

PROJECT: **RWTM Southwest Quadrant, Project SW1B**

P.O. NO: 0000070125

PROJECT ID NO: TC00096

BID FILE NO: 3413

CONTRACTOR: **Garney Construction, 8401 Independence Drive, 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. 1 incorporates the following modifications: 1) COR 1 Potholing for Abandoned Chevron Line 2) COR 2 Revised Trench Credit 3) COR 4 Fiber Optic Conduit Crossing at Marks Ave. 4) COR 7 Debris in Trench at 14 Inch PVC at Belmont/Marks Intersection 5) COR 9 Blythe Bore Pit Permeation at Houghton Canal 6) COR 10 Removal of Concrete Structure at Cornelia/Belmont 7) RFP 1.1 Additional Steel Pipe and Water Service 8) RFP 2 Additional Water Service Connections 9) RFP 3.1 Fiber Optic Conduit Railroad Crossings 10) RFP 4 Commercial Truck Fill Stations 11) WCD 1 Unidentified Telecommunication Conduits 12) COR 11 Utility Conflicts at Bore Station 132 13) COR 013 Bore Extension at Cornelia and Belmont for Gas Line Conflict 14) Contract Bid Item Adjustments

II. CONTRACT PRICE

- A. This Change Order No. 1 results in a net decrease of \$164,144.01 to the contract price.

III. CONTRACT TIME

- B. This Change Order No. 1 results in seven (7) days of additional contract time

STATEMENT OF CONTRACT PRICE

Original Contract Price	\$	9,341,491.00
Approved Cost Change Orders to Date		
Cost of this Change Order	\$	(164,144.01) See (Pg 4)
Total of all Contract Cost Change Orders including this Change Order	\$	(164,144.01)

Net percentage change in Contract Price
from original Contract Price -1.8%

Revised Contract Price **\$ 9,177,346.99**

STATEMENT OF CONTRACT TIME

	Working Days	Contract Dates
Contract Notice to Proceed		2/1/2016
Working Days to Substantial Completion	180	
Working Days to Final Completion		
Computed Date for Substantial Completion		10/13/2016
Computed Date for Final Completion		
Time Extension Days For Contract		
Time extension days this CCO	7	
Total time extension days previous CCO's	0	
Total Time Extension Days To Date	7	
Excess Inclement Weather Days To Date (Pg 5)	2	
Suspended Work Days To Date	0	
Revised Substantial Completion Date		10/26/2016
Revised Final Completion Date		

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: 2-28-19 Contractor: Garney Construction

Accepted By: [Signature] Title: Exec V.P.

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: <u>[Signature]</u> For Steve Bomkamp, Construction Manager	Recommended By: <u>[Signature]</u> Patricia Diep, Project Manager	Date: <u>3/4/19</u>
Authorized By: ☒ Supervising Professional Engineer <u>Public Utilities Manager</u>	<u>[Signature]</u> Dejan Pavic, PE	Date: <u>03/12/2019</u>
Approved By: ☒ Public Utilities Director	<u>[Signature]</u> Michael Carbajal	Date: _____
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.)

RWTM Southwest Quadrant, Project SW1B
CONTRACT CHANGE ORDER NO. 1
Change Order Details

Items	Description	Amount	Time
1	COR 001 Potholing for Abandoned Chevron Line - After award of the construction contract, Chevron informed the City of an abandoned crude oil pipeline located within the railroad right-of-way at two of the recycled water pipeline crossings. The Contractor was directed to pot hole and verify the location of the crude oil pipeline crossings in order to confirm no conflict with recycled water pipeline construction.	\$ 4,381.00	0
2	COR 002 Revised Trench Credit - The Contractor proposed changes to contract requirements for pipeline trench size and configuration. Proposed changes were reviewed by the Engineer and found to be acceptable. The changes resulted in reduction of cost to the Contractor and savings to the City.	\$ (87,201.04)	0
3	COR 004 Fiber Optic Conduit Crossing at Marks Ave - The Contractor proposed an alternate method of construction for the fiber optic conduit crossing at Marks Avenue, similar to methods used for other similar crossings on this project. Use of the alternate method will simplify construction sequencing, facilitate County permitting, reduce traffic impacts, and minimize delay to execution of the work.	\$ 11,352.00	0
4	COR 007 Debris in Trench at 14-Inch PVC in Belmont/Marks Intersection - Garney encountered concrete debris in the trench excavation near the intersection of Marks and Belmont but did not provide a preliminary Notice of Change or any subsequent timely backup. During negotiations Garney presented cost sheets requesting compensation for impacts on December 27th, 28th, and 30th of 2016 and on January 3rd, 5th, 6th, and 21st of 2017. The CM verified with the project Inspector that Garney was potentially impacted by the debris and agreed that Garney was impacted on six (6) days. The resulting compensation is \$24,000 and two (2) days of time extension.	\$ 24,000.00	2
5	COR 009 Blythe Bore Pit Permeation at Houghton Canal - Garney encountered water seepage into the B&J pit at approximate Station 132+00. The City's Inspector stopped work until the situation could be evaluated and a remedy implemented. Agreed that Garney was impacted on two days: March 17th and March 18th for 4 hours and 5 hours respectively. The resulting compensation is \$9,273 and one (1) day of time extension.	\$ 9,273.00	1
6	COR 010 Removal of Concrete Structure at Cornelia and Belmont - The Contractor encountered an unmarked, buried concrete structure while excavating the receiving pit for jack & bore at the intersection of Belmont & Cornelia. The City Inspector confirmed that the Time & Material sheets accurately reflect the labor/equipment required to remove the obstruction. Agreed to pay the Contractor's cost request less the mobilization charge for their Subcontractor (Cal Valley) to pave the excavated trench since the installation required them to mobilize. The resulting compensation is \$34,027 and three (3) days of time extension.	\$ 34,027.00	3

7	RFP 001.1 Additional Steel Pipe and Water Service - After award of the construction contract, the final tie-in point was moved to accommodate construction phase changes to the end-point of the SW1A recycled water pipeline. The revised tie-in location resulted in an increased depth and length to the SW1B piping approach run. Additionally, a recycled water service connection assembly was added on Belmont Avenue for the City municipal service yard neighboring City Fire House No.19.	\$ 52,224.15	0
8	RFP 002 Additional Water Service Connections - Two future users for recycled water service were identified along the Cornelia Avenue alignment after award of the construction contract. Recycled water service connection assemblies were added to the work in order to accommodate the identified future users.	\$ 33,670.23	0
9	RFP 003.1 Fiber Optic Conduit Railroad Crossings - Additional railroad agency requirements were identified after award of the construction contract that required changes to the installation alignment for the fiber optic conduit at two railroad crossing locations. In order to mitigate extra cost and further delays to the work, the fiber optic conduit crossings were deleted from the project. The fiber optic conduit crossings are planned for completion under separate future contract.	\$ (30,736.00)	0
10	RFP 004 Commercial Truck Fill Stations - The project work included five recycled water fire hydrants. After award of the construction contract, State Water Resources Control Board permitting requirements were identified, including requirements for the City to obtain approval of a Title 22 Engineering Report from the Division of Drinking Water. The required Engineering Report to demonstrate firefighting department training and protocols associated with the use of recycled water was not in place so the City directed the Contractor to change the fire hydrant assemblies to commercial truck fill stations in order to avoid permit compliance issues.	\$ 10,032.81	0
11	WCD 001 Unidentified Telecommunication Conduits - Two buried telecommunication conduits were found to be in conflict with the new facilities during construction. The telecommunications lines were not identified on the project plans. The Contractor was directed to add additional pipe fittings and build the recycled water pipeline under the telecommunication obstacle.	\$ 9,000.00	1
12	COR 011 Utility Conflicts at Bore Station 132 - The Contractor encountered an unmarked 4-inch conduit on March 2, 2017 when excavating the jack & bore jacking pit at approximate Station 132+00. The conduit was determined to be abandoned, but it was directing a significant quantity water into the excavation. The work was stopped due to flooding and the pit was relocated to mitigate the problem. Agreed that March 2 and March 3, 2017 are compensable to cover cost of excavating/filling the abandoned pit. The original Contract Price covers the relocated pit location. The relocation also required the jack & bore to be lengthened by 20-feet. Since the City Standard Specifications Section 1 TERMS, DEFINITIONS, GENERAL PROVISIONS paragraph 3-2.1.2 page 23 states that Unit Prices apply to all changes until the change exceeds 25% of the Contract Bid Quantities, the City will pay the Contractor \$30,000 as compensation for the 20-foot casing extension. The Contractor resubmitted cost sheets (PCO # B15 Rev 4) to support the agreed COR 011 cost of \$50,841.09.	\$ 50,841.09	0

13	COR 013 Bore Extension at Cornelia and Belmont for Gas Line Conflict - The Contractor encountered a 4-inch gas line (not shown on drawings) on March 1, 2017 when excavating the bore pit at approximate Station 64+80. The gas line was marked and discovered during potholing to determine the exact location. The Construction Manager agreed to relocate the pit 20 feet away and extend the bore to mitigate the conflict. Agreed that the additional 20 linear feet of bore casing would be compensated at Contract Unit price of \$1,800 per linear foot. The Contractor resubmitted cost sheets (PCO # B5b) to support the agreed COR 013 cost of \$36,000.	\$ 36,000.00	0
14	Contract Bid Item Adjustments: Bid Item No. 22 Blow off Assemblies - The plans show a blow-off assembly located at the connection point of SW1B and SW1C. The blow-off at this location was not needed and was not installed. Therefore, this Bid Item is being adjusted to provide the City with a credit for one blow off assembly. Credit \$5,000. Bid Item No. 31 Temporary Trench Resurfacing - This change item deletes an unused portion of the temporary trench resurfacing work from the contract. Bid Item No 31 established a contract unit price with associated quantities and total cost. Substantial Completion for the project has been recorded as 1/12/2018, total quantities and payment amounts have been confirmed and necessary project work has been completed. Therefore, this Bid Item is being adjusted to provide credit to the City of \$7,578. Bid Item 34 Contractor's Pollution Liability Insurance - This change item deletes an unused portion of the Contractor's pollution liability insurance allowance. Substantial Completion for the project has been recorded as 1/12/2018 and total payment amounts have been determined. The necessary project work has been completed without expending the full allowance amount. Therefore, this Bid Item is being adjusted to provide credit to the City of \$8,430.25. Bid Item 35 Supplemental Work - This item was established for completion of authorized work in accordance with Section 3, "Changes in Work", of the Standard Specifications. Substantial Completion for the project has been recorded as 9/19/2017. Total quantities have been installed, payment amounts have been confirmed, and necessary project work has been completed. Therefore, this Bid Item is being deleted from the Contract. Credit \$300,000.	\$ (321,008.25)	0
		\$ (164,144.01)	7

RWTM Southwest Quadrant, Project SW1B
Inclement Weather Delay Days

Agreed Inclement Weather Days (IWD)

Month	IWD's	Excess IWD's to be Applied to Contract Time
Feb-16	0	0
Mar-16	0	0
Apr-16	0	0
May-16	0	0
Jun-16	0	0
Jul-16	0	0
Aug-16	0	0
Sep-16	0	0
Oct-16	0	0
Nov-16	0	0
Dec-16	0	0
Jan-17	0	0
Feb-17	0	0
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	2	2
Total Excess IWD's		2