

**CONTRACT CHANGE ORDER NO. 8**

CONTRACT AWARDED BY: Fresno City Council DATE OF AWARD: 5/12/2016  
PROJECT: Kings River Pipeline  
P.O. NO: FRSNO-0000070741 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. 8 incorporates: 1) COR 036 Reimbursement for Pipe Coating Non-Conformance 003  
2) Vehicular Rumble Strips 3) Turbidimeter Installation
- II. **CONTRACT PRICE**
  - A. Contract Change Order No. 8 results in a net decrease of \$302,294.00 to the contract value.
- III. **CONTRACT TIME**
  - B. This Contract Change Order No. 8 does not impact the contract time.

| STATEMENT OF CONTRACT PRICE                                                 |                            | STATEMENT OF CONTRACT TIME                 |               |                  |
|-----------------------------------------------------------------------------|----------------------------|--------------------------------------------|---------------|------------------|
|                                                                             |                            |                                            | Calendar Days | Contract Dates   |
| Original Contract Price                                                     | \$ 45,583,750.00           | Contract Notice to Proceed                 |               | 6/27/2016        |
| Approved Cost Change Orders to Date                                         | \$ 705,553.48              | Calendar Days to Substantial Completion    | 515           |                  |
| Cost of this Change Order                                                   | \$ (302,294.00) See (Pg 2) | Calendar Days to Final Completion          | 575           |                  |
| <b>Total of all Contract Cost Change Orders including this Change Order</b> | <b>\$ 403,259.48</b>       | Computed Date for Substantial Completion   |               | 11/23/2017       |
|                                                                             |                            | Computed Date for Final Completion         |               | 1/22/2018        |
|                                                                             |                            | Time Extension Days For Contract           |               |                  |
|                                                                             |                            | Time extension days this CCO               | 0             |                  |
|                                                                             |                            | Total time extension days previous CCO's   | 200           |                  |
|                                                                             |                            | Total Time Extension Days To Date          | 200           |                  |
|                                                                             |                            | Excess Adverse Weather Days To Date (Pg 3) | 4             |                  |
|                                                                             |                            | Suspended Work Days To Date                | 0             |                  |
|                                                                             |                            | <b>Revised Substantial Completion Date</b> |               | <b>6/15/2018</b> |
|                                                                             |                            | <b>Revised Final Completion Date</b>       |               | <b>8/14/2018</b> |
| Net percentage change in Contract Price from original Contract Price        | 0.88%                      |                                            |               |                  |
| <b>Revised Contract Price</b>                                               | <b>\$ 45,987,009.48</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: 2/4/19 Contractor: Garney Construction  
Accepted By: [Signature] Title: Executive 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: [Signature] Recommended By: [Signature] Date: 2/14/2019  
Gentry D. Kaff, Construction Manager Martin Wendels, Project Manager  
Approved By: ☐ Supervising Professional Engineer Date: 02/14/2019  
Dejan Pavic  
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. 8  
Change Order Details**

| Items | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Amount                 | Time     |
|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------|
| 1     | COR 036: On August 24, 2017 it was determined that the pipe primer coating being applied to the KRP pipe was not per specification. On August 28, 2017 Non-Conformance Notice 003 (NCN 03) was issued to Garney Construction concerning the pipe primer. NCN 03 noted that it had been determined that the primer process had been changed by the pipe manufacture without notice. The City determined the cost impact of the non-conforming pipe primer would have on the Kings River Pipeline. During the past several months a series of negotiations between the City and Garney have taken place. Late in 2018 the City received a revised settlement offer from the Contractor. After review by all levels of City DPU management the revised offer was accepted and will be included as a credit to the current contract. | \$ (296,148.00)        | -        |
| 2     | The City purchased two (2) vehicular rumble strips via WCD 002 to be used in the construction staging areas' common entrances on Olive for Recharge Fresno contractors and staff. During demobilization the Contractor mistakenly removed the rubble strips. In lieu of delivering the rumble strips to the City, the Contractor has agreed to provide a credit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ (5,146.00)          | -        |
| 3     | Per City request, the Contractor was directed to not install the turbidimeter inside of the meter vault as shown on the project drawings. Credit provided to the City for work removed from the contract.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | \$ (1,000.00)          | -        |
|       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>\$ (302,294.00)</b> | <b>0</b> |

Kings River Pipeline  
**Adverse Weather Delay Days**

**Agreed Adverse Weather Days (AWD)**

| Month                    | AWDs | Excess AWDs to be Applied to Contract Time |
|--------------------------|------|--------------------------------------------|
| Jun-16 to 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 to Dec-17         | 0    | 0                                          |
| Jan-17 to Dec-17         | 0    | 0                                          |
| Jan-18 to Jun-18         | 0    | 0                                          |
| <b>Total Excess AWDs</b> |      | <b>4</b>                                   |