

CONTRACT CHANGE ORDER NO. 5

CONTRACT AWARDED BY: Fresno City Council DATE OF AWARD: April 21st 2016
PROJECT: Friant-Kern Canal Pipeline Project
P.O. NO: FRSNO-0000070590 PROJECT ID NO: WC000038 BID FILE NO: 3372
CONTRACTOR: Mountain Cascade Inc.

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. 5 includes costs associated with excess groundwater, excess flow in the Friant-Kern Canal, paving demobilization, Friant-Kern Canal start date, an unmarked utility, additional rock for backfill of the 36" Garfield irrigation line, Tiger Salamander larvae, and Old Clovis and Garonne paving.

II. CONTRACT PRICE

- A. This Change Order No. 5 results in a net increase of \$16,023.00 to the contract price.

III. CONTRACT TIME

- B. This Change Order No. 5 does not add any additional days.

STATEMENT OF CONTRACT PRICE

Original Contract Price	\$	15,157,862.00
Approved Cost Change Orders to Date	\$	787,223.00
Cost of this Change Order	\$	16,023.00 <i>See (Pg 2)</i>
Total of all Contract Cost Change Orders including this Change Order	\$	803,246.00
Net percentage change in Contract Price from original Contract Price		5.30%
Revised Contract Price	\$	15,961,108.00

STATEMENT OF CONTRACT TIME

	Calendar Days	Contract Dates
Contract Notice to Proceed		5/31/2016
Calendar Days to Substantial Completion	440	
Calendar Days to Final Completion	500	
Computed Date for Substantial Completion		8/13/2017
Computed Date for Final Completion		10/12/2017
Time Extension Days For Contract		
Time Extension Days This CCO	0	
Total Time Extension Days Previous CCO's	0	
Total Time Extension Days To Date	0	
Excess Inclement Weather Days To Date (Pg	96	
Suspended Work Days To Date	0	
Revised Substantial Completion Date		11/17/2017
Revised Final Completion Date		1/16/2018

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: 12/12/17 Contractor: Mountain Cascade Inc.

Accepted By: [Signature] Title: Roger Williamson
Executive Vice President

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: 12/14/2017
Gentry Karr, Construction Manager Randy Hoffman, Project Manager
Authorized By: ☐ Public Utilities Water Division Manager Date: 12/14/17
[Signature] Michael Carbajal
Approved By: ☐ Public Utilities Director Date: 12/18/17
[Signature] Thomas Esqueda
Approved By: ☐ City Council Minutes of Meeting Dated: Not required

(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.)

CONTRACT CHANGE ORDER NO.
Change Order Details

5

Change Order Request	Description	Amount	Time increase
5	<p>This change includes the items listed below which were negotiated on November 15, 2017 and included as one total cost:</p> <p>COR 005: Contractor requested change due to groundwater and what they claimed is incompetent subgrade to support installation of replacement RCP for the Garfield Water District (GWD) line. Initial installation by Contractor of piping with subgrade backfill (sand) as specified by GWD, failed. Contractor requested and received permission from GWD to remove specified subgrade backfill which had failed and replace with 3/4" crushed rock. Contractor seeking reimbursement for 3/4 crushed rock. Acceptance of this change includes MCI's waiver of all other claims associated with the Notice provided in MCI SL No. 013, Transmittal No. 149, Dated April 14, 2017.</p> <p>COR 008: PCO No. 014: Contractor requesting reimbursement for flooded work area during installation of intake structure in Friant-Kern Canal. Contractor claims storm water releases by USBR into Friant-Kern Canal exceeded 300 CFS. Specification required Contractor to design coffer dam to withstand 300 CFS releases into canal during construction. Contractor contends flows exceed 300 CFS on the date mentioned in PCO No. 14 and flooded the work area.</p> <p>COR 010: This request of change pertains to the presence of groundwater which the Contractor claims is not indicated in the Contract Documents near station 316+00.</p> <p>COR 012: Contractor had mobilized their paving subcontractor, CalValley, to complete paving through Change Order No. 004. CalValley had to demobilize per the request in the last item below.</p> <p>COR 013: Contractor requested extra compensation due to a change in the start date for work in the Friant-Kern Canal.</p> <p>COR 014: Contractor requested extra compensation due to an unmarked conduit found in the NESWTF work zone.</p>	\$ 14,250.00	0
5	COR 011: This change recognizes a changed condition caused by the presence of Tiger Salamander larvae in the work zone. Work was restricted, and additional work was required to build boxes around dewatering pumps such that the larvae would not be harmed.	\$ 1,773.00	0
5	<p>Per Change Order No. 003, COR 003 and RFP 011, the contractor was authorized to repair private access roads (Old Clovis and Garonne Avenue) within or adjacent to the construction zone that have deteriorated during construction. The City is in the process of obtaining a waiver/release from the impacted Foothill residents authorizing the repairs and indemnifying the City and MCI from any further road related damage claims. However, the residents intend to make additional road repairs beyond what the City and MCI have agreed to do. This change modifies the scope of work by directing MCI to provide a single \$90,000 remittance to the residents' escrow account as named in the waiver/release documents and to not perform any remedial work as previously required. Once the \$90,000 remittance is made, MCI can bill the City \$65,000 as authorized by CCO 003.</p>	\$ -	0
		\$ 16,023.00	0



DEPARTMENT OF PUBLIC UTILITIES
WATER DIVISION
Inclement Weather Delay Days



Agreed Inclement Weather Days (IWD)

Month	IWDs	Excess IWDs to be Applied to Contract Time*
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	17	4
Jan-17	31	31
Feb-17	28	28
Mar-17	31	31
Apr-17	2	2
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
Total Excess IWDs		96

*Baseline schedule included thirteen (13) IWDs. Agreed IWDs beyond the thirteen are considered excess.