

CONTRACT CHANGE ORDER NO. 7

CONTRACT AWARDED BY: Fresno City Council DATE OF AWARD: 4/21/2016
PROJECT: Friant-Kern Canal Pipeline Project
P.O. NO: FRSNO-0000070590 PROJECT ID NO: WC000038 BID FILE NO: 3372-2
CONTRACTOR: Mountain Cascade Inc., 555 Exchange Ct Livermore, CA 94550

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. 7 includes costs associated with: 1) Remobilization of Unmarked PG&E Duct Bank 2) Existing 60 Inch Pipe Repairs 3) Meter Vault Platform 4) Staging Area Fencing 5) Stainless Steel Label Cable Ties 6) Gate Replacement on Mr. Raucha's Property 7) Clean-out Trench from Stop Work Notice, Nesting Birds in Work Zone, NESWTF Buttstraps, and City Inspection Overtime 8) Contract Bid Item Adjustments

II. CONTRACT PRICE

- A. This Change Order No. 7 results in a net decrease of \$59,188.12 to the contract price.

III. CONTRACT TIME

- B. This Change Order No. 7 does not add any additional days.

STATEMENT OF CONTRACT PRICE

| | | |
|---|-----------|------------------------|
| Original Contract Price | \$ | 15,157,862.00 |
| Approved Cost Change Orders to Date | \$ | 988,703.34 |
| Cost of this Change Order | \$ | (59,188.12) See (Pg 4) |
| Total of all Contract Cost Change Orders including this Change Order | \$ | 929,515.22 |
| Net percentage change in Contract Price from original Contract Price | | 6.13% |
| Revised Contract Price | \$ | 16,087,377.22 |

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 5) | 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: 4/27/18 Contractor: Mountain Cascade Inc.

Accepted By: [Signature] Title: Pres 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: Gentry Karr, Construction Manager Recommended By: [Signature] Date: 04/27/2018
Authorized By: ☒ Interim Assistant Director Michael Carbajal Date: _____
Approved By: ☐ Public Utilities Director Date: _____
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.)

**Friant-Kern Canal Pipeline Project
CONTRACT CHANGE ORDER NO. 7
Change Order Details**

| Items | Description | Amount | Time |
|-------|---|--------------|------|
| 1 | COR 016: This change covers the cost for the Contractor to remobilize to approximate pipeline Station 106+50. During initial work at this location, a high-voltage buried electrical cable was discovered that was not marked on the plans. The cable was in direct conflict with the pipeline and required relocation by PG&E. The relocation effort required approximately 6 months to accomplish. The additional cost associated with this change is to cover the cost of remobilizing equipment to the location as well as extra labor and equipment associated with out-of-sequence joint closures. The cost does not include the labor, materials, and equipment to perform original contract work. | \$ 32,910.45 | 0 |
| 2 | WCD 014: This change adds repair of interior cement mortar lining of an existing 60-inch diameter pipeline. The new sections of the Friant Kern Canal Pipeline connects to both ends of the existing pipeline installed 10-years ago across the Clovis High School Campus. The City's inspection of the existing pipeline revealed numerous interior mortar lining deficiencies that required repair before the new pipeline was connected. The cost includes the labor, materials, and equipment required to repair the lining. | \$ 35,086.62 | 0 |
| 3 | WCD 020: The change adds a prefabricated metal platform inside the meter vault to allow for safe access to a pitot tube flow measuring device. The US Bureau of Reclamation (USBR) uses the pitot tube to periodically verify the primary meter. The cost includes the labor, materials, and equipment required to provide and install the platform. | \$ 7,930.72 | 0 |
| 4 | WCD 022: This change adds fencing at the lay down/ storage yard on Armstrong Avenue. The existing fencing which was removed or damaged during construction is to be replaced as per contract on the west, north and east sides of the yard. The new fencing is to tie into the existing fencing on the remainder of the property. The replacement fencing will be installed at the unit price as per the bid item for fencing. | \$ 2,040.00 | 0 |
| 5 | WCD 023: This change is to furnish and install stainless steel banding for the pipe marker signs at the Northeast Surface Water Treatment Facility in replacement of the plastic cable ties which were provided with the signs. The specified plastic ties are not appropriate for long outdoor use. | \$ 1,180.41 | 0 |
| 6 | WCD 025: This change is to replace a gate for a private property on Armstrong Avenue, which was found to be affected by the construction but not shown on the contract drawings to be replaced. | \$ 1,406.00 | 0 |

| | | | |
|---|---|-----------------|---|
| 7 | <p>COR 013, COR 006a, COR 006b, WCD 013, and CITY INSPECTION OVERTIME: This item resolves the disputed costs associated with five change items: 1) COR 013 – Clean-out Trench from Stop Work Notice; 2) COR 006a – Nesting Birds in Work Zone (05/03/17 to 05/30/17); 3) COR 006b -- Nesting Birds in Work Zone (06/013/17 to 07/14/17); WCD 013 – NESWTF Buttstraps; and Reimbursement of City Inspection Overtime. The net result of this resolution is a \$145,000 cost increase to the Contract. A summary of each of the five items follows:</p> <p>COR 013 – Clean-out Trench from Stop Work Notice: An environmental Stop Work Notice was issued on December 02, 2016 due to discovery of a CTS in the work zone. Environmental agencies required the shutdown to adjust mandatory exclusion fencing. The stoppage extended into a period of extreme weather, during which time the trench was flooded with mud. The Contractor was required to remove the mud (unsuitable soils), before backfilling. Contractor claimed this event was beyond their control.</p> <p>COR 006a & 006b -- Nesting Birds in Work Zone (05/03/17 to 07/14/17): Nesting migratory birds were found within the work zone, and all activity was precluded within 150 feet in all directions. The Contractor had equipment within the exclusion area and could not proceed until the birds fledged. Within a few days of the first fledging, a new migratory bird next was found. This amounted to a period of approximately 2 ½ months. Contractor claimed this event was beyond their control.</p> <p>WCD 013 NESWTF Buttstraps: Contractor was required to connect newly installed pipe to an existing pipeline. The location shown on the Contract drawings was based on City records, and it was approximately 5-feet off in a horizontal direction. Extra work was required to make the connection. Contractor claimed this event was beyond their control.</p> <p>Reimbursement of City Inspection Overtime: The Contract requires the Contractor to reimburse the City for all overtime charges for City Inspectors on the project. Contractor claimed that all City Inspection Overtime time may not be directly related to actual Contractor work.</p> | \$ 145,000.00 | 0 |
| 8 | <p>Contract Bid Item Adjustments:</p> <p>RFP 015: Bid Item No. 8 - Pothole Existing Utilities - There were twenty-one (21) pothole locations included in the contract. The Contractor received approval from the Construction Manager to bill Bid Item No. 8 for an additional 15 pothole locations. Total amount to exceed the original Bid Item is \$11,250.</p> <p>RFP 016: Bid Item No. 13 - 60" Diameter Raw Water Pipeline - This change item deletes 22 linear feet of 60 inch diameter welded steel pipe, which was originally part of the quantity estimated in the bid documents. Substantial Completion for the project has been recorded as 11/17/2017, total quantities installed 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. Credit \$7,892.32</p> | \$ (284,742.32) | 0 |

RFP 017: Bid Item No. 32 - Access Drive Gate for Barbed Wire Fence - This line item allows the Construction Manager to direct the Contractor to install additional gates as needed. The Construction Manager approved the Contractor to bill Bid Item 32 for an additional seven (7) gates based on field determination of need. Total amount to exceed the original Bid Item is \$11,900.00

RFP 018: Bid Item No. 38 - Supplemental Work - This item was established for completion of authorized extra work in accordance with Section 3, "Changes in Work", of the Standard Specifications. Substantial Completion for the project has been recorded as 11/17/2017, total quantities installed and 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.

\$ (59,188.12) 0

Note 1: Complete backup information is attached to this Contract Change Order.

Inclement Weather Delay Days

Agreed Inclement Weather Delay 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.