

**CONTRACT CHANGE ORDER NO. 9**

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. 9 incorporates the following modifications: 1) Contract Bid Adjustment 2) Compensation for Claims

**Contractor and City agree that this Contract Change Order completely resolves and settles all issues, impacts, and disputes associated with the Contractor's claims on this project.**

**II. CONTRACT PRICE**

A. Contract Change Order No. 9 results in a net increase of \$2,207,730.00 to the contract value.

**III. CONTRACT TIME**

B. This Contract Change Order No. 9 adds 156 additional days to the contract time.

STATEMENT OF CONTRACT PRICE			STATEMENT OF CONTRACT TIME		
				Calendar Days	Contract Dates
Original Contract Price	\$	45,583,750.00			
Approved Cost Change Orders to Date	\$	403,259.48	Contract Notice to Proceed		6/27/2016
Cost of this Change Order	\$	2,207,730.00 See (Pg 2)	Calendar Days to Substantial Completion	515	
<b>Total of all Contract Cost Change Orders including this Change Order</b>	<b>\$</b>	<b>2,610,989.48</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		5.73%	Time extension days this CCO	156	
			Total time extension days previous CCO's	200	
			Total Time Extension Days To Date	356	
			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 Contract Price</b>	<b>\$</b>	<b>48,194,739.48</b>	<b>Revised Final Completion Date</b>		<b>1/17/2019</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: 6-21-19 Contractor: Garney Construction  
Accepted By: [Signature] Title: Exec U.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.*

Submitted By: <u>[Signature]</u> Gentry D. Karr, Construction Manager	Recommended By: <u>[Signature]</u> Martin Wendels, Project Manager	Date: <u>6/25/19</u>
Approved By: <input checked="" type="checkbox"/> Public Utilities Manager	<u>[Signature]</u> Dejan Pavic, PE	Date: <u>06/26/2019</u>
Approved By: <input checked="" type="checkbox"/> Public Utilities Director	<u>[Signature]</u> Michael Carbajal	Date: _____
Approved By: <input checked="" type="checkbox"/> 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. 9  
Change Order Details

Items	Description	Amount	Time
1	Contract Bid Item Adjustment: Bid Item No. 2 Mediator - Credit for unused Mediator allowance. Credit \$47,270.00	\$ (47,270.00)	-
2	Compensation for claims filed by Contractor as detailed in the Settlement Agreement.	\$ 2,255,000.00	156
		<b>\$ 2,207,730.00</b>	<b>156</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>