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Title: Approve Contract Change Order 07 in the amount of \$0.00 and seventy-one (71) additional calendar days for delays of contract time to Klassen Corporation for Fresno Fire Station No. 18, Project ID FS00018 (Council District 1)

Sponsors: Public Works Department

Indexes:

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Attachments: 1. 21-517 Contract Change Order No. 07

Date	Ver.	Action By	Action	Result
4/22/2021	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

April 22, 2021

FROM: SCOTT L. MOZIER, PE, Director
Public Works Department

THROUGH: WILLIAM C. HERR, Assistant Director
Public Works Department, Facilities and Construction Management Divisions

BY: KARL LENHOF, Chief Engineering Inspector
Public Works Department, Construction Management Division

SUBJECT

Approve Contract Change Order 07 in the amount of \$0.00 and seventy-one (71) additional calendar days for delays of contract time to Klassen Corporation for Fresno Fire Station No. 18, Project ID FS00018 (Council District 1)

RECOMMENDATION

Staff recommends that City Council approve Contract Change Order 07 in the amount of \$0.00 to Klassen Corporation on behalf of the City of Fresno to increase Contract Time by seventy-one (71) calendar days for delays in completion of the project due to the COVID 19 Pandemic.

EXECUTIVE SUMMARY

The COVID-19 Pandemic, which was declared a national emergency by the President of the United

States on March 13, 2020, and California local authorities, has caused unanticipated delays to the Fire Station 18 project, specifically to the manufacturing and delivery of concrete masonry unit (CMU) block materials resulting from stay at home orders and business lockdowns. The impacts of these delays resulted in an overall delay in completion of the project by seventy-one (71) calendar days. Klassen Corporation (Klassen), the General Contractor who was awarded the referenced project, submitted a Notice of Claim to the City regarding the delays to the project which Klassen asserts the delays caused as a result of the COVID-19 pandemic were out of their control. City Council approval of Contract Change Order No. 07 allows for resolution of Notice of Claim No. 1, and will not increase the Contract amount.

BACKGROUND

On November 14, 2019, a contract was awarded in the amount of \$6,260,000 to Klassen, for the Fresno Fire Station No. 18 Project, and the Notice to Proceed was issued with a start date of February 18, 2020, and completion date of March 26, 2021. There have been six (6) Contract Change Orders executed to date totaling \$55,439, resulting in a Revised Contract Price in the amount of \$6,315,439. The project remains well within the approved construction contingency budget. There have also been twelve (12) days added to the Contract Time by executed Contract Change Orders and twelve (12) approved weather days resulting in a Revised Contract Completion Date of April 29, 2021.

On March 13, 2020, the COVID 19 pandemic was declared a national emergency by President Trump. Governors of certain states issued “stay at home” orders and “business lockdown” orders which have resulted in delays in the manufacturing and delivery of materials. These delays have had an impact on the completion of the Fire Station 18 project.

Basalite Concrete Products, the supplier of the special order CMU block for the project, experienced unforeseen impacts to their production process which included plant shutdowns and the reduction in labor forces as a result of the ongoing COVID 19 pandemic. This resulted in two-and-half month delay in the manufacturing and delivery of the CMU block which delayed the construction of the fire station apparatus bays, and also contributed to the delay in the overall construction of the fire station building.

Klassen submitted a Notice of Claim related to the CMU block delay with an accompanying proposal requesting a seventy-one (71) calendar day time extension zero cost to the City. This Contract Change Order resolves Notice of Claim No. 1 at no additional cost to the City, and extends the Contract Completion Date to July 9, 2021.

Contract Change Order No. 07 will add seventy-one (71) calendar days to the Contract Time with no change to the Contract Price, and will result in a revised Contract Completion date of July 9, 2021. Contract Change Order No. 07 will also provide resolution to Notice of Claim No. 1 received from Klassen on February 16, 2021.

Staff recommends that City Council approve Contract Change Order Number 07 on behalf of the City of Fresno.

ENVIRONMENTAL FINDINGS

This project was previously found to be categorically exempt based on Class 32 Section 15332 of the

CEQA Guidelines. No substantial changes to the project are being made as this is a substitution of a contractor to perform work already included in the project's scope and contemplated in the categorical exemption.

LOCAL PREFERENCE

Local preference was not implemented because this is a change order for an existing construction contract.

FISCAL IMPACT

There will be no impact to the General Fund or the project budget by this substitution.

Attachment:

Contract Change Order No. 07