



## Legislation Details (With Text)

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**Title:** Approve Contract Change Order 18 in the amount of \$0.00 to Klassen Corporation to increase contract time by seventy-eight (78) working days for the Police Department Southeast Substation, Project ID FA00007 (Council District 5)  
**Sponsors:** Public Works Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. FA00007 CCO No. 18.pdf

Date	Ver.	Action By	Action	Result
1/7/2021	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**January 7, 2021**

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

**THROUGH:** WILLIAM C. HERR, Assistant Director  
Public Works Department

**BY:** KARL LENHOF, Chief Engineering Inspector  
Public Works Department

## SUBJECT

Approve Contract Change Order 18 in the amount of \$0.00 to Klassen Corporation to increase contract time by seventy-eight (78) working days for the Police Department Southeast Substation, Project ID FA00007 (Council District 5)

## RECOMMENDATIONS

Staff recommends that City Council approve Contract Change Order 18 in the amount of \$0.00 to Klassen Corporation on behalf of the City of Fresno to increase Contract Time by seventy-eight (78) working days for delays in completion of the project due to the COVID-19 Pandemic.

## EXECUTIVE SUMMARY

The COVID-19 Pandemic, which was been declared a national emergency by President Trump on March 13, 2020 and California local authorities, has caused unanticipated delays to the project, specifically to the fabrication and delivery of 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-eight (78) working days. Klassen Corporation (Klassen), the General Contractor who was awarded the referenced project, has 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. 18 allows for resolution of Notice of Claim No. 2, and will not increase the Contract amount.

## **BACKGROUND**

On December 6, 2018, a Contract was awarded in the amount of \$6,405,000 to Klassen for the Police Department Southeast Substation project. The Notice to Proceed was issued with starting date March 18, 2019, and completion date of April 24, 2020. There have been (17) Contract Change Orders executed to date totaling \$154,096, resulting in a Revised Contract Price in the amount of \$6,559,096. There have also been twenty two (22) days added to the Contract Time by executed Contract Change Orders and four (4) approved weather days resulting in a Revised Contract Completion Date of June 2, 2020.

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 fabrication and delivery of materials. These delays have had an impact on the completion of the Police Department Southeast Substation project.

In one instance, the wrought iron fencing subcontractor experienced extended delays to the fabrication and delivery of the metal security fence and gate materials manufactured in Aurora, Illinois, which resulted in a delay for the completion of the wrought iron security fence and entrance gates portion of the project.

In another instance, the restroom partition subcontractor experienced extended delays to the fabrication and delivery of the restroom partitions manufactured in Hollister, California which resulted in a delay for the completion of the restroom partition installations.

Contract Change Order No. 18 will add seventy-eight (78) working days to the Contract Time with no change to the Contract Price. Contract Change Order No. 18 will also provide resolution to Notice of Claim No. 2 received from Klassen on June 17, 2020.

Staff recommends that City Council approve Contract Change Order Number 18 on behalf of the City of Fresno.

## **ENVIRONMENTAL FINDINGS**

This is not a project for the purposes of CEQA pursuant to CEQA guidelines section 15378(b)(5), as it is an administrative action that will not result in direct or indirect changes to the environment.

## **LOCAL PREFERENCE**

Local Preference was not considered because this action does not include a bid or an award of a City

construction contract.

## **FISCAL IMPACT**

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

Attachment:  
Contract Change Order No.18