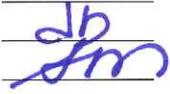


EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

**PROJECT TITLE:**

Riverfront Development	_____	Briefing	COUNCIL BILL #	_____
Sanitary Sewer Lift Station	_____	Proposed Action	Originating Department	Public Works
Improvements Project- Change	_____	Consent	Contact Person	Tom Fuchs
Order No. 6 with McClure & Sons, Inc.	X	Action	Phone Number	425-257-8931
	_____	First Reading	FOR AGENDA OF	August 24, 2016
	_____	Second Reading		
	_____	Third Reading		
	_____	Public Hearing		
	_____	Budget Advisory	Initialed by:	
			Department Head	_____
			CAA	
			Council President	_____

<u>Location</u>	<u>Preceding Action</u>	<u>Attachments</u>	<u>Department(s) Approval</u>
Riverfront Site at 36 <sup>th</sup> Street and on Landfill	3/3/2015 Bid 3/25/2015 Award CO #1 1/22/2016 CO #2 2/1/2016 CO #3 4/8/2016 CO #4 5/9/2016 CO #5 6/8/2016	Change Order No. 5	Public Works

Amount Budgeted	\$6,800,000.00	Account Number(s): UP 3597 / RD 3314
Expenditure Required	\$127,940.00	
Budget Remaining	\$200,000.00	
Additional Required	\$0.00	

**DETAILED SUMMARY STATEMENT:**

The Riverfront Development Sanitary Sewer Lift Station Improvements Project includes construction of a new sewage lift station - Lift Station 43 (LS43) and reconstruction of an existing lift station - Lift Station 33 (LS33). The lift station sites are: LS33 at 36th Street and Eclipse Mill Road; and LS43 at 41st Street extension and roundabout.

Change Order No. 6 adds seven new bid items to the contract and adds money to two force account bid items as described in pages 3-5 of this change order. These new bid items are for changes in the following areas: electrical, nighttime yard piping, painting & coating, sand backfill material, and landfill liner repair work.

25 working days are added to the contract with Change Order No. 6.

**RECOMMENDATION** (Exact action requested of Council):

Authorize the Mayor to sign Change Order No. 6 with McClure & Sons, Inc. for the Riverfront Development Sanitary Sewer Lift Station Improvements Project in the amount of \$127,940.00.

**CITY OF EVERETT  
Change Order**

*Project Title* Riverfront Development Sanitary Sewer Lift Station Improvements

*Department* Public Works Construction Management

*Work Order No.* RD 3314-21, UP 3597-3

*Contractor:* McClure & Sons, Inc.

*Contract Award Date:* March 25, 2015

*City Staff Contact:* Keith Alewine

*Change Order No.* 6

*Change Order Effective Date* July 18, 2016

**CONTRACT PRICE (exclusive of Wash. State Sales Tax)**

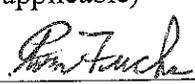
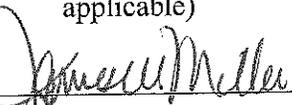
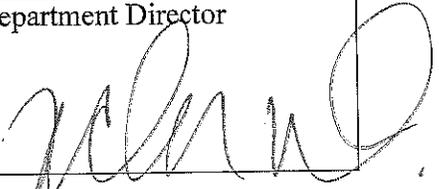
Original Contract Price	\$5,372,126.00
Cumulative Amount of prior change orders	\$684,711.67
<b>Total Contract Price including prior change orders</b>	<b>\$6,056,837.67</b>
<b>Amount of this Change Order</b>	<b>\$127,940.00</b>
<b>Total Contract Price including this Change Order</b>	<b>\$6,184,777.67</b>

**CONTRACT TIME**

Original Contract Duration 275	Working Days <input checked="" type="checkbox"/>
Date of Notice to Proceed	May 11, 2015
Cumulative adjustment to duration by <i>prior</i> Change Orders	44
Adjustment to duration by <i>this</i> Change Order	25
<b>New Contract Duration (including this Change Order)</b>	<b>344</b>

**Contractor and City agree as follows:**

1. The scope of Work shall be changed to the extent described in Exhibit A.
2. With the exception of Washington State sales tax, the amount of the change order for the changes described in Exhibit A represents complete compensation for the changes described in Exhibit A, including all direct and indirect costs and impacts. The contract price shall be adjusted as described in this Change Order.
3. Everett Municipal Code 3.80.050 sets forth the threshold amounts below which the Mayor or his designee is authorized to direct Contractor to perform additional work. In calculating such threshold amounts, Washington State sales tax, if applicable to the Work, has been considered.
4. The duration of the Contract shall be adjusted to the extent described in this Change Order.
5. Contractor waives and releases any and all claims arising out of, or related to, this Change Order, the work described in Exhibit A, and all work and actual or constructive changes that occurred or began prior to the date of this Change Order, including, but not limited to, claims for equitable adjustment of time and compensation, delay, impact, overhead, or inefficiencies. This provision does not apply to requests for equitable adjustment of time or price for which the Contractor timely and properly provided notice of a differing site condition, protest, dispute, claim or Contract Claim as required by the Contract Documents. If the Contract Documents establish a time period for notice of a differing site condition, protest, dispute, claim, or Contract Claim that ends after the date of this Change Order, but relates to work performed prior to the date of this Change Order, then this provision does not apply if the Contractor timely and properly submits such notice
6. This Change Order only changes the Contract between Contractor and City to the extent explicitly provided herein.

CITY			
_____ Mayor Date: _____	Attest: _____ City Clerk Date: _____	Approved As to Form: _____ City Attorney Date: _____	
<b>Recommended By:</b>			
Construction Manager (if applicable) 	Project Engineer (if applicable) 	Engineering Manager (if applicable) 	Department Director 

<i>P. F. Fuchs</i> Date: <u>8/1/16</u>	Date: _____	Date: _____	Date: _____
<b>CONTRACTOR</b>			
By <i>J. M. Plun</i> Officer		Date: <u>7/26/2016</u>	

**Exhibit A—Description of Changed Work**

This change order # 6 adds four (4) new bid items to Schedule “A”, adds three (3) new bid items to Schedule “B”, modifies one (1) existing bid item in Schedule “A”, and modifies one (1) existing bid item in Schedule “B” as shown below.

**Added Bid Items**

**Schedule “A” Bid Item # 208 – Lift Station 33-City of Everett Provided Sand.** Add new bid item # 208, entitled “Lift Station 33-City of Everett Provided Sand” at the agreed cost credit of \$10,000.00, resulting in a \$10,000.00 decrease to the Contract price.

**Schedule “A” Bid Item # 209 – Lift Station 33-Eliminate Painting and Coating.** Add new bid item # 209, entitled “Lift Station 33-Eliminate Painting and Coating” at the agreed cost credit of \$1,400.00, resulting in a \$1,400.00 decrease to the Contract price.

**Schedule “A” Bid Item # 210 – Lift Station 33-Eliminate Nighttime Yard Piping.** Add new bid item # 210, entitled “Lift Station 33-Eliminate Nighttime Yard Piping” at the agreed cost credit of \$9,000.00, resulting in a \$9,000.00 decrease to the Contract price.

**Schedule “A” Bid Item # 211 – Lift Station 33-Geotextile Liner Repair.** Add new bid item # 211, entitled “Lift Station 33-Geotextile Liner Repair” at the agreed to lump sum price of \$10,700.00, resulting in a \$10,700.00 increase to the Contract price.

**Schedule “B” Bid Item # 109 – Lift Station 43-PUD Power Installation.** Add new bid item # 109, entitled “Lift Station 43-PUD Power Installation” at the agreed to lump sum price of \$78,810.00, resulting in a \$78,810.00 increase to the Contract price.

**Schedule "B" Bid Item # 110 – Lift Station 43-Eliminate Painting and Coating.** Add new bid item # 110, entitled "Lift Station 43-Eliminate Painting and Coating" at the agreed cost credit of \$450.00, resulting in a \$450.00 decrease to the Contract Price.

**Schedule "B" Bid Item # 111 – Lift Station 43-City of Everett Provided Sand.** Add new bid item # 111, entitled "Lift Station 43-City of Everett Provided Sand" at the agreed cost credit of \$720.00, resulting in a \$720.00 decrease to the Contract price.

### **Modified Bid Items**

**Schedule "A" Bid Item # 22 – Force Account.** Modify existing bid item # 22 entitled, "Force Account" by adding \$35,000.00 to the Contract, resulting in a \$35,000.00 increase to the Contract price.

**Schedule "B" Bid Item # 104 – Force Account.** Modify existing bid item # 104 entitled, "Force Account" by adding \$25,000.00 to the Contract, resulting in a \$25,000.00 increase to the Contract price.

### **Exhibit B—Justification**

**Schedule "A" Bid Item # 208 – Lift Station 33-City of Everett Provided Sand.**

**Schedule "B" Bid Item # 111 – Lift Station 43-City of Everett Provided Sand.**

The City of Everett provided sand material for the Contractor's backfilling operations. These bid items are being added to the Contract to provide the City of Everett an equitable adjustment cost credit for the use of this sand.

**Schedule "A" Bid Item # 209 – Lift Station 33-Eliminate Painting and Coating.**

**Schedule "B" Bid Item # 110 – Lift Station 43-Eliminate Painting and Coating.**

The painting and coating of the Gypsum Wallboard was eliminated because the Gypsum Wallboard was eliminated in a previous change order. The painting was eliminated from the interior ductwork because it was not necessary to paint the galvanized steel material of the ductwork.

These bid items are being added to the Contract to provide an equitable adjustment cost credit to the City of Everett for the elimination of this painting and coating.

**Schedule "A" Bid Item # 109 – Lift Station 43 PUD Power Installation.**

Snohomish County PUD required the installation of electrical conduit, transformer, junction boxes, and vaults before they would provide power to Lift Station 43. This bid item is being added to the Contract to account for costs to pay for work required by PUD.

**Schedule "A" Bid Item # 210 – Lift Station 33-Eliminate Nighttime Yard Piping.** The Contractor was able to perform yard piping work without the need to work around the clock, 24/7, as was previously thought and required by change order # 1. The Contractor provided an equitable adjustment

cost credit to the City of Everett to account for being able to accomplish this work during normal business hours.

**Schedule "A" Bid Item # 211 – Lift Station 33-Geotextile Liner Repair.** The contractor damaged the landfill geotextile liner during excavation for the construction of lift station 33. The geotextile liner was not shown on the plans and the Contract did not provide a method of payment for the Contractor to repair the liner. This bid item is being added to account for costs required to pay for the repair of the geotextile liner.

**Schedule "A" Bid Item # 22 – Force Account.**

**Schedule "B" Bid Item # 104 – Force Account.**

These bid items have overrun their plan quantities and are being modified to account and pay for costs incurred by quantity overruns plus future increases to these bid items.

**This Change Order # 6 results in an increase to the Contract price of \$127,940.00.**

### **Exhibit C—Contract Time**

**Fifteen (15) working days are added to the Contract time to account for the time to install Lift Station 43 electrical work for PUD. An additional ten (10) working days are added to the Contract time to account for additional electrical and piping work paid for under force account bid items. A total of 25 working days are being added to the Contract by change order # 6.**