

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

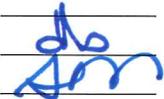
PROJECT TITLE:

Change Order No. 3 with KLB
Construction, Inc. for the East
Grand Avenue Sewer
Replacement & Storm Water
Separation Project

_____ Briefing
_____ Proposed Action
_____ X Consent
_____ Action
_____ First Reading
_____ Second Reading
_____ Third Reading
_____ Public Hearing
_____ Budget Advisory

COUNCIL BILL # _____
Originating Department Public Works
Contact Person Tom Fuchs
Phone Number 425-257-8931
FOR AGENDA OF November 30, 2016

Initialed by:
Department Head
CAA
Council President



<u>Location</u>	<u>Preceding Action</u>	<u>Attachments</u>	<u>Department(s) Approval</u>
Riverside Neighborhood in Northeast Everett	7/9/2014 Bid 9/17/2014 Award 10/22/2014 BNSF License Agreement	Change Order No. 3	Public Works

Amount Budgeted	\$6,500,000.00	Account Number(s): UP 3398
Expenditure Required	\$1,840.00	
Budget Remaining	\$149,636.21	
Additional Required	\$0.00	

DETAILED SUMMARY STATEMENT:

This project includes construction of a new pipe conveyance system to separate, collect, and treat storm-water from the existing combined sewer system along East Grand Avenue and associated locations.

Change Order No. 3 modifies two items by deleting 452 cubic yards of Control Density Fill and deleting the lump sum item to Remove and Replace the Generator Pad at Lift Station #32. Change Order No. 3 also adds four new items to the contract as follows: 1) Install 590 square yards of Pervious Concrete at intersection bulb-outs, 2) & 3) to install 18 square yards of Private Walkways and 8 each Concrete Steps, both behind existing City sidewalks and 4) to Remove and Replace the Generator Pad at Lift Station #32 at a new reduced lump sum price. Change Order No. 3 also adds 28 additional working days to contract time.

RECOMMENDATION (Exact action requested of Council):

Authorize the Mayor to sign Change Order No. 3 with KLB Construction, Inc. for the East Grand Avenue Sewer Replacement & Storm Water Separation Project in the amount of \$1,840.00 plus Washington State sales tax.

**CITY OF EVERETT
Change Order**

Project Title East Grand Ave Sewer System Repl. & Storm Water Separation
Department Public Works
Work Order No. UP 3398
Contractor: KLB Construction, Inc.
Contract Award Date: September 17, 2014
City Staff Contact: Tom Fuchs
Change Order No. 3
Change Order Effective Date November 8, 2016

CONTRACT PRICE (exclusive of Wash. State Sales Tax)

Original contract price	\$5,767,021.15
Cumulative Amount of prior change orders	\$384,310.00
Total Contract Price including prior change orders	\$6,151,331.15
Amount of this Change Order	(\$1,840.00)
Total Contract Price including this Change Order	\$6,149,491.15

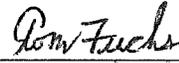
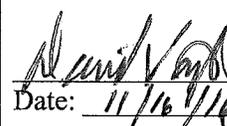
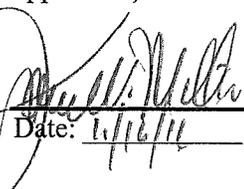
CONTRACT TIME

Original Contract Duration 260 Days	Working Days <input checked="" type="checkbox"/> Calendar Days <input type="checkbox"/>
Date of Notice to Proceed	October 20, 2014
Cumulative adjustment to duration by <i>prior</i> Change Orders	0
Adjustment to duration by <i>this</i> Change Order	28
New Contract Duration (<i>including</i> this Change Order)	288

Project: East Grand Ave Sewer System Replacement and Storm Water Separation
 Change Order No. 3
 Change Order Effective Date: November 8, 2016

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: _____	
Recommended By:			
Construction Manager (if applicable)  Date: 11/16/16	Project Engineer (if applicable)  Date: 11/16/16	Engineering Manager (if applicable)  Date: 11/16/16	Department Director  Date: 11/21/16

Project: East Grand Ave Sewer System Replacement and Storm Water Separation
Change Order No. 3
Change Order Effective Date: November 8, 2016

CONTRACTOR	
By  _____ Officer	Date: <u>11/14/16</u>

Exhibit A—Description of Changed Work

Change order #3 modifies two existing bid items and adds four (4) new items to Schedule B of the contract as follows:

Under Schedule B of the Proposal:

Modified Bid Items:

Modify existing **bid item B-14** titled, “**Control Density Fill**”, by deleting 452 cubic yards of control density fill at the unit rate of \$110.00 per cubic yard, resulting in a \$49,720.00 decrease to the contract price.

Modify existing **bid item B-58** titled, “**Remove & Replace Generator Pad**” at the lump sum price of \$18,000.00, resulting in a \$18,000.00 decrease to the contract price.

New Items:

Add new **item B-66** titled, “**Pervious Concrete**” to the contract by adding 590 square yards of pervious concrete at the unit rate of \$85.00/square yard, resulting in a \$50,150.00 contract price increase.

Add new **item B-67** titled, “**Private Walkways**” to the contract by adding 18 square yards of private walkways at the unit rate of \$205.00/square yard, resulting in a \$3,690.00 contract price increase.

Add new **item B-68** titled, “**Concrete Steps**” to the contract by adding 8 each concrete steps at the unit rate of \$255.00/each, resulting in a \$2,040.00 contract price increase.

Add new **item B-69** titled, “**Remove & Replace Generator Pad**” to the contract at the new revised lump sum price of \$10,000.00.

Net result of modifying two (2) existing bid items and adding four (4) new items to Schedule B of the contract, results in \$1,840.00 contract price decrease.

Project: East Grand Ave Sewer System Replacement and Storm Water Separation
Change Order No. 3
Change Order Effective Date: November 8, 2016

JUSTIFICATION:

Schedule B:

Modified Bid Items:

Bid Item B-14 - Control Density Fill. The quantity of control density fill was not required nearly to the extent anticipated during the design and allowed for in the bid proposal.

Bid Item B-58 - Remove & Replace Generator Pad. This bid item is being deleted as a result of the added work at Lift Station #32. A portion of the work required under this bid item was done by City of Everett forces and the rest of the work was completed by KLB Construction forces. The revised work effort required by KLB Construction is being paid under new bid item B-69 – Remove & Replace Generator Pad.

New Items:

Item B-66 – Pervious Concrete. At the intersections of 21st, 22nd, 23rd and 24th Streets and East Grand Avenue, where curb bulb-outs were added to make space for the new Stormwater treatment units, pervious concrete is being used in these areas between the sidewalk and new curb. This is in lieu of topsoil and grass which would become a maintenance burden for the City or adjacent property owners. Pervious concrete is expected to require very little maintenance and is consistent with the objectives of this project which is to reduce storm water runoff in the sewer system. The cost for pervious concrete includes the removal of existing materials to a depth of 1 foot, and placement of 4-inches of pervious concrete over 8-inches of free draining gravel.

Item B-67 – Private Walkways and item B-68 – Concrete Steps. Justification for these two items was necessary as the new curb and sidewalk grade elevations changed slightly along various areas of East Grand Avenue, requiring height adjustments to the private walkways that abut the new sidewalk grade. In certain instances new concrete steps were incorporated into these private walkways to aid in matching grade of new sidewalks.

Item B-69 – Remove & Replace Generator Pad. This bid item is being added as portion of the work required under original bid item #58 was completed by City of Everett forces, with the rest of the work completed by KLB Construction forces. The revised work effort required by KLB Construction is paid for under this new bid item.

CONTRACT TIME:

Twenty eight (28) working days are being added to the contract time by change order #3 as a result of structural modifications made to Lift Station #32 to raise the height of the existing wet well structure. The hatchways requested by the City's Technical Service Group, in the top concrete slab above the wet well of the lift station, had significant long lead procurement time frames, which resulted in the need to add these additional 28 working days.