

CHANGE ORDER(s)

AND /OR

LETTER(s) OF EXTENSION

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**CONTRACT CHANGE ORDER NO. 003
DATED DECEMBER 13, 2018**

FILED WITH CONTRACT #34867

(SULLY MILLER CONTRACTING CO)



City of Long Beach

Working Together to Serve

Memorandum

Date: December 13, 2018
To: Alvin Papa, City Engineer
From: Marc Wright, Construction Services Officer
Subject: CONTRACT CHANGE ORDER TRANSMITTAL MEMO

PROJECT: Contract-34867, R-7064 PWT010-25, Willow St
Pedestrian Improvements

CONTRACTOR: Sully Miller Contracting Co
135 S. State College Blvd. Suite 400
Brea, CA 92821

CCO#: 003

ORIGINATED FROM: Public Works Inspection

SOURCE OF FUNDING: Federal / Prop A / CIP Projects

REASON: See Attached

COST (CCO #003): \$ 186,436.62

ORIGINAL CONTRACT: \$ 2,614,750.00

**ORIGINAL APPROVED
CONTINGENCY (10%):** \$ 261,475.00

**ORIGINAL CONTRACT +
CONTINGENCY** \$ 2,876,225.00

REVISED CONTINGENCY ^{ADD CONTRACT} \$ 918,210.00
(Per Council Mtg 12/4/18):

**ORIGINAL CONTRACT +
REVISED CONTINGENCY (NOT
TO EXCEED):** \$ 3,532,960.00

**TOTAL OF ALL CCOs TO DATE
(INCLUDING THIS CCO):** \$ 431,030.07

**TOTAL PERCENT (%) OF
CONTINGENCY USED TO
DATE:** 37.69%

**CONTINGENCY REMAINING
TO DATE:** 62.31% (\$487,179.93)

OFFICE OF THE CITY MANAGER
CITY OF LONG BEACH
LONG BEACH, CA 90802

Sully Miller Contracting Co
135 S. State College Blvd, Suite 400
Brea, CA 92821

Date: December 13, 2018
R-7064
Contract No.: 34867
Program No.: PWT010-25

PROJECT: Willow St Pedestrian Improvements

CONTRACT CHANGE ORDER AUTHORIZATION NO. 003

PART 1 Reason for Change

- 1.1 Change Order required to cover costs associated with additional pot holing adjacent to street light poles within project limits to identify potential underground utilities that may be in conflict with revised street light foundation detail. Contractor encountered unforeseen communication conduit in conflict with street light poles in Phase 1 (South Willow St, Golden Ave to Eucalyptus Ave) that is cost prohibitive to be relocated, and which will require a redesigned footing. City directed Contractor to investigate potential utility conflicts at remaining street light poles in order to ensure the footing redesign can account for other potential conflicts. (COR 013)
- 1.2 Change Order required to cover costs associated with additional site maintenance performed by Contractor in Phase 1 limits (South Willow St, Golden Ave to Eucalyptus Ave) at City direction. Contractor forces were on stand down while City design team addresses utility conflicts, and provided site maintenance. Costs in this change order are associated with additional restorative/maintenance actions above and beyond typical maintenance, at request of council district or to satisfy special requests from public and adjacent businesses. (COR 015)
- 1.3 Change Order required to cover cost associated with Site Maintenance during Project Delay. Contractor forces on stand down while City design team determined how to address utilities in conflict with new street light foundations in Phase 1 limits (south Willow st, Golden Ave to Eucalyptus Ave). Contractor provided daily labor to maintain traffic control devices and accessible paths of travel. (COR 016)
- 1.4 Change Order required to cover costs associated with placement of additional temporary AC cold mix pavement at slot cuts at bottom of recently reconstructed ADA curb ramps at City direction. Permanent AC pavement cap has not been furnished at slot cuts as City to determine limits of grind/overlay at each location. Contractor had previously furnished temporary AC cold mix at these locations to satisfy minimum safe accessible path, and had been maintaining during project design delay. City requested additional cold mix be furnished to satisfy concerns raised by residents / businesses within the project limits. (COR 017)
- 1.5 Change Order required to cover costs associated with placement of PCC concrete cap around new street light pole foundations at finish surface level (at all 53 locations). The first revision to the street light foundation design identified an incorrect foundation depth below finish PCC, and a new detail was issued indicating the correct top of foundation depth. (COR 009)
- 1.6 Change Order required to cover costs associated with custom street light foundation detail to accommodate existing communication conduits in conflict with typical foundation detail. On October 3, 2018, Contractor encountered six 3in concrete communication conduits at a depth from 40in to 50in below finish surface, preventing placement of new street light foundations in Phase 1 (South Willow St, Golden Ave to Eucalyptus) per revised detail which increased foundation depth from 3 ft (in bid documents) to 5 ft. Contractor stopped all work as of October 4, 2018 while City investigated solutions to conduit conflicts. City determined relocation of these conduits was cost prohibitive due to volume of fiber optic and telecom service, and the City's design team issued an updated detail which required additional foundation width, additional reinforcing bar, and foam

around existing conduits, as well as additional PCC demolition and removals to accommodate larger footing size. (COR 014)

- 2.7 Change Order required to cover cost and delay associated with City investigation and redesign of new street light foundation detail to address existing unforeseen conduits in conflict with planned street light foundations within Phase 1 project limits, between the period of October 4, 2018 and January 13, 2018. (COR 018)

PART 2 Description of Change

- 2.1 Provide all labor, equipment and material required to pot hole adjacent to 46 existing street light poles, including PCC demolition, hand excavation of native soil to a depth of approx. 4 ft, probing in/around excavation an additional +/- 2 ft, back fill and compaction, and documentation of all utilities encountered that may be in conflict with new street light foundations. No additional working days will be added as a result of this change as these activities did not impact the project critical path. Refer to contractor change order request 013 for additional documentation.
- 2.2 Provide all labor, equipment and material required to effect additional site maintenance including import, backfill and compaction of CMB at path of travel and all PCC removal areas (previously backfilled with native soil), import and placement of temporary AC cold mix pavement at select locations determined by the City, and fabrication / placement of additional signage indicated businesses are open during construction, which will be turned over to the City at the end of the project. Activities occurred on 10/23/18, 10/29/18, 11/02/18, and 11/05/18. No additional working days will be added as a result of this change as these activities did not impact the project critical path. Refer to contractor change order request 015 for additional documentation.
- 2.3 Provide all labor, equipment and material required to maintain a safe and accessible work area during project stand down, including adjustment and replacement of traffic control devices and temporary construction signage, touch up and compaction of temporary accessible paths, maintenance of stormwater BMPs, and general site clean up. No additional working days will be added as a result of this change as these activities did not impact the project critical path. Refer to contractor change order request 016 for additional documentation.
- 2.4 Provide all labor, equipment and material required to import and place new temporary AC cold mix at slot cuts at bottom of reconstructed ADA ramps at 18 locations (Golden - SW, Oregon - SW, Oregon - SE, Eucalyptus- SW, Eucalyptus- SE, Chestnut - SW, Chestnut - SE, Cedar - SW, Cedar - SE, Pine - SW, Earl - SW, Earl - SE, Elm - SW, Elm - SE, Cedar - NW, Oregon - NE, Oregon - NW, Golden - NE) No additional working days will be added as a result of this change as these activities did not impact the project critical path. Refer to contractor change request 017 for additional information.
- 2.5 Provide all labor, equipment, and material required to remove additional soil to achieve revised foundation depth, and furnish new standard grey PCC caps around street light poles at 53 locations. Contract duration to be increased by six (6) working days (one WD per Phase) to account for additional phasing of PCC placement required to affect this change. Refer to contractor change order request 009 for additional documentation.
- 2.6 Provide all labor, equipment and material required demolish and remove PCC sidewalk, excavate native soil, furnish modified rebar cage, furnish foam wrapping, place PCC foundation (in two pours), backfill and compact soil, and restore PCC sidewalk, at (up to) seven locations to accommodate conflicting communication conduits. Contract duration will be increased by seven (7) working days to account for additional labor and phasing required to affect this change. Refer to contractor change order request 014 for additional detail.
- 2.7 Provide all labor, equipment and material to cover overhead costs incurred by contractor during project delay. Contract time will be increased by fifty-nine (59) working days to account for the delay associated with City design of revised detail. Working days calculated based on duration between stand down on October 4, 2018, and contractor's schedule update dated 12/10/18 indicating a

remobilization date of January 3, 2019. Refer to contractor change request 018 for additional documentation.

PART 3 CHANGE IN CONTRACT AMOUNT

A. BID ITEM QUANTITY ADJUSTMENTS

No Bid Item Quantity Adjustments in this Change Order

B. EXTRA WORK/AGREED PRICE

In accordance with procedures for changes in the work established in the specifications, you are authorized to do the following under Force Account pursuant to Section 3-3 of the Standard Specifications of Public Works Construction (2012 Edition):

1. Provide all labor, material and equipment to pothole and investigate potential utility conflicts, as directed by the Project Manager,
for the FORCE ACCOUNT cost of \$ 27,070.25
2. Provide all labor, material and equipment to provide additional site maintenance at City direction as directed by the Project Manager,
for the FORCE ACCOUNT cost of \$ 25,589.60
3. Provide all labor, material and equipment to maintain job site during design delay as directed by the Project Manager,
for the FORCE ACCOUNT cost of \$ 13,710.61
4. Provide all labor, material and equipment to furnish additional temporary AC cold mix as directed by the Project Manager,
for the FORCE ACCOUNT cost of \$ 5,179.81

In accordance with procedures for changes in the work established in the specifications, you are authorized to do the following under Extra Work pursuant to Section 3-3 of the Standard Specifications of Public Works Construction (2012 Edition):

5. Provide all labor, material and equipment to install revised street light foundations at utility conflicts in Phase 1, as directed by the Project Manager,
for the LUMP SUM cost of \$ 40,427.26
6. Provide all labor, material and equipment to furnish additional footing depth and PCC replacement as directed by the Project Manager,
for the LUMP SUM cost of \$ 29,880.00
7. Provide all labor, material and equipment to provide overhead support to this project during design delay,
for the LUMP SUM cost of \$ 44,579.09

- Net Bid Item Quantity Adjustment = \$ 0.00
- Net Extra Work / Agreed Price = \$ 186,436.62
- Net to Contract Cost = \$ 186,436.62

By signing this change order, the Contractor acknowledges that it is familiar with California Civil Code Section 1542, which reads: "A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor;" and Contractor hereby releases the City from any unknown claims and waives its rights under Section 1542.

The prices set forth herein above shall be considered full compensation for all obligations of the contractor associated with this change order, and the City will not be liable for any claim of the contractor for delays or extra compensation resulting from performance of the requirements of this change order.

PART 4 CHANGE IN CONTRACT TIME

- 4.1 Increase in contract duration.....0 Working Days
4.2 Increase in contract duration.....0 Working Days
4.3 Increase in contract duration.....0 Working Days
4.4 Increase in contract duration.....0 Working Days
4.5 Increase in contract duration.....6 Working Days
4.6 Increase in contract duration.....7 Working Days
4.7 Increase in contract duration..... 59 Working Days

TIME FOR COMPLETION OF ALL WORK UNDER THE CONTRACT WILL BE
EXTENDED SEVENTY-TWO (72) WORKING DAYS BEYOND THE CITY
ENGINEER'S SIGNATURE


Recommended by:

 12-18-18

Chief Construction Inspector (Date)

 12/18/18

Construction Services Officer (Date)

 12/18/18


Project Manager (Date)

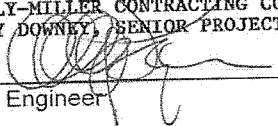
Funds are available for this purpose:

 1/3/19

Financial Management (Date)

Approved by:

 12/14/18

Contractor (Date)
SULLY-MILLER CONTRACTING COMPANY
GARY DOWNEY, SENIOR PROJECT MANAGER
 12/24/18

City Engineer (Date)

DEPARTMENT OF PUBLIC WORKS
CAPITAL IMPROVEMENT PROJECTS
Certification of Materials or Services

Vendor ID# V027174
POPW 18-14
Proj/Proj detail PWT010-2530
Index/Subobject PWCIAB-210009
Grant/Grant detail PWTDA

By  1/19/18

DATE