

CHANGE ORDER(s)

AND/OR

LETTER(s) OF EXTENSION

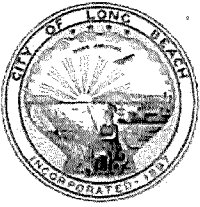
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**CONTRACT CHANGE ORDER AUTHORIZATION NO. 1
DATED AUGUST 9, 2018**

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FILED WITH CONTRACT # 34867

(SULLY MILLER CONTRACTING CO)



City of Long Beach

Working Together to Serve

Memorandum

Date: August 9, 2018

To: Alvin Papa, Acting City Engineer

From: Marc Wright, Construction Services Officer

Subject: CONTRACT CHANGE ORDER TRANSMITTAL MEMO

PROJECT: CONTRACT- 34867, R-7064 Willow St Pedestrian Improvements

CONTRACTOR: Sully-Miller Contracting Co,

CCO#: 001

ORIGINATED FROM: Project Development

SOURCE OF FUNDING: Federal / Prop A / CIP Projects

REASON: See Attached

COST (CCO #001): \$ 47,503.16

ORIGINAL CONTRACT: \$ 2,614,750.00

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

ORIGINAL CONTRACT + CONTINGENCY (NOT TO EXCEED) \$ 2,876,225.00

TOTAL OF ALL CCO'S TO DATE (INCLUDING THIS CCO) \$ 47,503.16

TOTAL PERCENT (%) OF CONTINGENCY USED TO DATE 18%

CONTINGENCY REMAINING TO DATE 82% (\$ 213,971.84)

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

Vendor ID# V027174
 POPW 18000014
 Proj/Proj detail PW/4230-6630
 Index/Subobject PHCIPCA/210009
 Grant/Grant detail _____
 User Code _____
 By [Signature] 9/4/18
 DATE

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

SULLY-MILLER CONTRACTING CO.
135 S. STATE COLLEGE BLVD., STE 400
BREA, CA 92821

DATE: 08/09/2018
R-7064
CONTRACT NO.: 34867
PROGRAM NO.: PWT010-25

PROJECT: WILLOW STREET PEDESTRIAN IMPROVEMENTS

CONTRACT: CHANGE ORDER AUTHORIZATION NO. 001

PART 1 REASON FOR CHANGE

- 1.1 Change order for incurred cost increase due to project start delay, per contractor Change Order Request No. 001. Prevailing wage labor rates and material costs rose between date of contract award and date of Notice to Proceed. The increase in labor/material costs will be handled as an agreed lump sum.
- 1.2 Change order to increase quantity of existing street light foundations to be removed, per contractor Change Order Request No. 002.1. Bid schedule did not accurately document the number of foundations to be removed as identified in the project plans. The increase in cost will be tracked via increase in quantity for associated line item.
- 1.3 Change order to decrease the quantity of decorative tiles, per Change Order Request 002.2. Total quantity of tiles in the bid schedule did not accurately count the number of tiles to be furnished and installed. Costs associated with this change will be tracked via a decrease in the quantity for the associated line item.
- 1.4 Change order to decrease the quantity of bus shelters to be removed/replaced, per Change Order Request 002.2. Quantity of shelters in the bid schedule was in error. Costs associated with this change will be tracked via a decrease in the quantity for the associated line item.
- 1.5 Change order for costs associated with revisions to irrigation material, per contractor Change Order Request No. 005. Irrigation material changes were requested by City Parks dept. during submittal review, after bid was awarded. Costs associated with this change will be handled as an agreed lump sum.
- 1.6 Change order to capture costs associated with fabrication and installation of new City Entry sign, per contractor Change Order Request No. 006. Bid schedule and specifications specified an allowance for fabrication/construction of a City Entry sign, while details of the signs construction were provided after bid award. Costs associated with this change will be handled as an agreed lump sum.
- 1.7 Change order for costs associated with field investigation of existing street light pole foundation dimensions, per contractor Change Order Request No. 007. City requested contractor to field investigate existing street light pole foundations to determine if existing foundations could be reused in lieu of removal/replacement. Costs associated with this change to be tracked via Time and Materials and will be handled via Force Account.
- 1.8 Change order for costs associated with revised street light foundation detail, per contractor Change Order Request No. 008. Designer determined footing detail in construction plans would not support approved light pole design. Costs associated with this change will be handled as an agreed lump sum.
- 1.9 Change order to address removal of Bulb-Out scope of work from contract, as described in conceptual drawings issued during bid process, further detailed in Drawing No C-6131, and estimated in Bid Items A-1 through A-19 (Additive Bid Section C), per negotiation between Public Works and Contractor. Costs associated with this change will be handled via agreed lump sum.

PART 2 DESCRIPTION OF CHANGE

- 2.1 For COR 001, prevailing wage labor rates for various trades were scheduled for an increase during the bid period. Bids were submitted to the City on August 16, 2017, but before the contract was signed and executed on December 19, 2017. Additionally, the prime contractor was notified by their subcontractor's and vendors, in the months of February, March, April and May of 2018, that costs for light poles, masonry material, and colored PCC concrete were due to increase. A Notice to Proceed was not immediately issued to the contractor due to development/completion of the plans and specifications associated with the Bulb Out scope of work referenced in Bid Section C. Plans for this work were not provided to the contractor until March 26, 2018, and a contract amendment incorporating these plans was

- issued on March 27, 2018. A Notice to Proceed authorizing the contractor to begin procurement of material was not issued to the contractor until May 11, 2018.
- 2.2 For Bid Item 11, (COR 002.1) the Bid Schedule identified a total quantity of one (1) existing street light foundation to be removed. Demolition Note 10 in the project plans identified two (2) foundations to be removed; while only one foundation exists at the location(s) indicated. Street Lighting Note 2 calls for removal of existing street light pole foundations and installation of new street light pole foundations in place. There are a total of 53 new street light poles to be installed in this project, and this change documents the adjustment to the scheduled quantity for Bid Item 11.
 - 2.3 For Bid Item 23, (COR 002.2) the bid schedule identified a total of 390 decorative tiles to be installed. The number of tiles to be installed per the construction drawings appeared significantly higher than the 390 tiles identified in Bid Item 23, and the 20 tiles identified in Bid Item 56. Response to RFIs 3 and 3.1 stated the decorative tiles in the medians would not be installed, and clarified the revised quantity of decorative tiles shall be 391 total. This change documents the reduction of the schedule quantity in Bid Item 23 from 390 tiles, to 371 tiles, such that the total number of tiles between Bid Items 23 and 56 meets the quantity identified in RFI 3 and 3.1 response.
 - 2.4 For Bid Item 54, (COR 002.2) the bid schedule identified a total of 7 bus shelters to be removed and reinstalled. Response to RFI 5 indicated the shelter on the North West corner of Magnolia Ave and Willow St would not be replaced, as this shelter had recently been addressed through another project. This change documents the adjustment to the scheduled quantity for Bid Item 54 from 7 shelters to 6 shelters.
 - 2.5 For COR 005, during the review of Submittal No 009 – Landscaping and Irrigation, the designer determined the specified and submitted Master Valve and Controller option (Griswold) should be revised to an alternate brand (Superior) to coincide with City Parks department's efforts to standardize irrigation materials throughout the City. The designer found the revised master valve and controller option submitted to be acceptable.
 - 2.6 For Bid Item 36 (COR 006), the bid documents identified a City Entry sign was to be fabricated and installed per City Standards. Addendum No 1, issued August 10, 2017, revised Bid Item 36 and associated specifications to direct the contractor to include an allowance amount of \$18,000 for construction of this sign. During the bid period, no 'City Standards' for entry sign construction were available for contractor review. Final sign plans and details were issued to the contractor on May 16, 2018 via response to RFI 006. These plans detail requirements for concrete foundation and a new electrical connection to power sign up-lighting fixtures, of which there is no existing electrical available in the median at the planned signed location, which requires crossing of Willow St to tap into closest electrical service. The contractor submitted a quote from their signage vendor, and the associated labor and material required to install the sign as detailed. The contractor also requested 15 working days be added to the contract duration to accommodate fabrication and installation of this sign. The City does not agree with the additional days in this request as this item does not affect the critical path of the project.
 - 2.7 For COR 007, in an effort to offset the potential additional cost associated with removals of existing street light pole foundations, the City opted to investigate the dimensions of the existing pole foundations to determine if they could be retrofitted or reused. The City requested the contractor pothole at two locations to verify existing foundation conditions. Costs associated with this direction will be tracked via Time and Materials.
 - 2.8 For COR 008, during investigation of the dimensions of the existing street light foundations, and the possibility of reusing the existing foundations, the project team was notified by the design engineer that the City's standard street light foundation detail included in the project plans would not be adequate to support the new light poles with the proposed banner arms. City internally reviewed and determined that banners would indeed be furnished on these poles, and requested the designer provide a revised engineered detail. The designer issued a revised detail which required a rebar cage and additional footing depth. The contractor issued a COR documenting the additional labor and material required to furnish and install the revised footing detail. The contractor also requested five (5) additional working days per each of the six street light circuit phases as identified in the approved baseline schedule, for a total of an additional thirty (30) working days.
 - 2.9 For Bid Items A-1 through A-19 (Additive Bid Section C), the estimated quantities provided in the bid documents were generated based on conceptual drawings for 16 total Bulb-Outs on Willow St at Magnolia Ave, Pacific Ave, Long Beach Blvd, Atlantic Ave, and a price of \$346,273 was submitted by the contractor. During the bid review process, no additional funding was identified to cover the cost of the additive alternates, and the City determined they would like to proceed with only 4 of the 16 Bulb-Outs on Willow at NE Magnolia Ave, SE Chestnut Ave, SW Cedar Ave, and NW Pacific Ave. The City awarded a lump sum of \$87,685 (one fourth of original bid amount) and notified the Contractor that final construction drawings

for the four locations will be issued at a later date, including updated estimated quantities associated with the final design. Final design drawings (C-6131) were issued to the contractor in March of 2018. The Contractor requested the updated schedule of values based on these drawings, and it was issued via RFI 007. The contractor submitted a new cost estimate based on the revised schedule of values, and the City determined the new estimate was cost prohibitive, and through negotiations with the Contractor, it was agreed all work associated with bulb-outs would be removed from the contract.

PART 3 CHANGE IN CONTRACT AMOUNT

A. BID ITEM QUANTITY ADJUSTMENTS	ADD	DEDUCT
• Add 53 (ea) to quantity for Bid Item 11 – Remove Existing Streetlight Foundation	\$55,756.00	
• Subtract 19 (ea) from quantity for Bid Item 23 – Accent Tiles In Paving as Shown On Plan		(\$ 3,819.00)
• Subtract 1 (ea) from quantity for Bid Item 54 – Remove and Replace Bus Shelter		(\$31,040.25)
• Subtract 1 (ea) from quantity for Bid Item 36 – Furnish and Install City Entry Sign		(\$18,000.00)
Subtotal	\$55,756.00	(\$52,859.25)
TOTAL (Add)	\$ 2,896.75	

B. EXTRA WORK AT AGREED LUMP SUM OR FORCE ACCOUNT

In accordance with procedures for changes in the work established in the specifications, you are authorized to do the following:

- 3.1 This payment for Change Order Request 001 includes costs as Extra Work pursuant to Standard Specifications 3-3, as directed by the Project Manager, for the estimated total of \$36,145.00
- 3.2 This payment for Change Order Request 005 includes costs for material change associated with revisions to three (3) irrigation master valves and associated controller options as identified in Submittal 9 review comments. The contractor to provide all labor, equipment and material needed to affect this change as Extra Work pursuant to Standard Specifications 3-3, as directed by the Project Manager, for the estimated total of \$2,292.72
- 3.3 This payment for Change Order Request 006 includes costs for all work associated with fabrication and installation of the new City Entry Sign as described via response to RFI 006. The contractor to furnish all labor, equipment and material needed to affect this change as Extra Work pursuant to Standard Specifications 3-3, as directed by the Project Manager, for the estimated total of \$49,250.00
- 3.4 This payment for Change Order Request 007 includes costs for all work associated with field investigation of existing street light pole foundations per the direction of the City. Contractor to provide all labor, equipment and material as Force Account pursuant to Standard Specifications 3-3, as directed by the Project Manager, for the estimated total of \$974.72.
- 3.5 This payment for Change Order Request 008 includes costs for all work required for fabrication and installation of new street light foundations per revised detail. The contractor to furnish all labor, equipment and material needed to affect this change as Extra Work pursuant to Standard Specifications 3-3, as directed by the Project Manager, for the estimated total of \$43,628.97
- 3.6 This payment for removal of the Bulb Out scope includes credit for all work associated with construction of Bulb Outs per the conceptual drawings and estimates provided during the bid process. The contractor to provide all labor, equipment and material needed to affect this change as Extra Work pursuant to Standard Specifications 3-3, as directed by the Project Manager, for the estimated total of \$(87,685.00)

The total of all Extra Work and Agreed Prices described above totals \$43,631.69 and includes all contractor markups.

- Net Bid Item Quantity Adjustment	=	\$	2,896.75
- Net Extra Work at Force Account	=	\$	974.72
- <u>Net Extra Work at Agreed Lump Sum</u>	=	\$	<u>43,631.69</u>
- Net to Contract Cost	=	\$	47,503.16

PART 4 CHANGE IN CONTRACT TIME

Time for completion of all work under the contract will be extended 30 Working Days beyond the Deputy Director/ City Engineer's Signature.

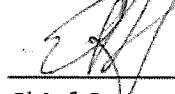
- Original Contract Duration (Working Days) = 95
- Additional Working Days (previous CCOs) = 0
- Additional Working Days (this CCO) = 30
- Revised Contract Duration = 125

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 of Long beach 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.

Recommended By:

Approved By:



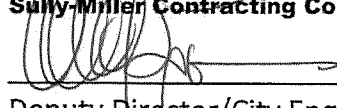
8-28-2018
Chief Construction Inspector (Date)




8/23/18
Contractor (Date)
Gary Downey, Senior Project Manager
Sully-Miller Contracting Company




8/29/18
Construction Services Officer (Date)



8/29/18
Deputy Director/City Engineer (Date)



8/29/18
Project Manager (Date)



9/13/18
Financial Management (Date)