

**CHANGE ORDER(s)**

**AND/OR**

**LETTER(s) OF EXTENSION**

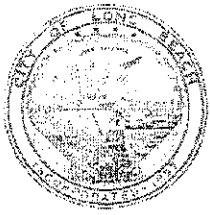
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**CONTRACT CHANGE ORDER AUTHORIZATION NO. 005  
DATED JUNE 26, 2019**

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**FILED WITH CONTRACT #34867**

**(SULLY MILLER CONTRACTING CO)**



**City of Long Beach**

*Working Together to Serve*

**Memorandum**

**Date:** June 26, 2019

**To:** Alvin Papa, City Engineer

**From:** Marc Wright, Construction Services Officer

**Subject:** **CONTRACT CHANGE ORDER TRANSMITTAL MEMO**

**PROJECT:** Contract-34867, R-7064 3003060009 Willow St Pedestrian Improvements

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

**CCO#:** 005

**ORIGINATED FROM:** Public Works Inspection

**SOURCE OF FUNDING:** Federal / Prop A / CIP Projects

**REASON:** See Attached

**COST (CCO #005):** \$ 138,691.84

**ORIGINAL CONTRACT:** \$ 2,614,750.00

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

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

**REVISED CONTINGENCY (Per Council Mtg 12/4/18):** \$ 918,210.00

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

**TOTAL OF ALL CCOs TO DATE (INCLUDING THIS CCO):** \$ 824,177.85

**TOTAL PERCENT (%) OF CONTINGENCY USED TO DATE:** 89.76%

**CONTINGENCY REMAINING TO DATE:** 10.24% (\$94,032.15)

DEPARTMENT OF PUBLIC WORKS  
 Certification of Materials or Services  
 PO#/Object 28309014 / 830600  
 Project # 3003060009  
 Level 2-3 CONSTRUCT  
 By Marc Wright Date 10-10-19

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: June 26, 2019  
R-7064  
Contract No.: 34867  
Program No. 300306009

**PROJECT: Willow St Pedestrian Improvements**

CONTRACT CHANGE ORDER AUTHORIZATION NO. 005

**PART 1 Reason for Change**

- 1.1 Change Order required to replace existing traffic signal loops at the intersection of Earl Ave and Willow St which are in conflict with restoration of AC slot cuts at reconstructed curb ramps on the SW and SE corners. (COR 30.1)
- 1.2 Change Order required to install new Type 5 pull box at NW corner of Maine Ave and Willow St per response to RFI 32, and repair damaged section of existing street light conduit at Maine Ave and Willow St (COR 31)
- 1.3 Change Order required to repair damage to new low planter seat, caused by a public vehicle, at the NE Corner of Willow St and Eucalyptus Ave adjacent to Fox Coffee House. (COR 32)
- 1.4 Change Order required to cover cost associated with additional labor needed to furnish steaks for PCC form boards through unforeseen AC pavement under medians between Golden Ave and Long Beach Blvd. (COR 33)
- 1.5 Change Order required to grind and cap AC pavement slot cuts at the bottom of reconstructed corner curb ramps at 17 locations between Golden Ave and Atlantic Ave (COR 34)
- 1.6 Change Order required to cover costs associated with additional demolition, removal, disposal, and replacement of additional PCC thickness in excess of thickness identified on project plans in Phase 3, Phase 6. (COR 35)
- 1.7 Change Order required to cover costs associated with loading and disposal of lead-contaminated soil removed from median areas between Golden Ave and Atlantic Ave (COR 36)
- 1.8 Change Order required to cover costs associated with loading and disposal of fuel-contaminated soil removed from median and parkway areas between Golden Ave and Atlantic Ave (COR 37)
- 1.9 Change Order required to cover costs associated with grind and cap of AC slot cuts at the bottom of new curb ramps on SW and SE Earl Ave/Willow St (COR 38)

**PART 2 Description of Change**

- 2.1 Provide all labor, equipment and material required to remove and replace six (6) traffic signal loops at the intersection of Earl Ave and Willow St. During AC slot cut restoration activities, it was identified that the home run for the loops on Northbound Earl Ave, and on Eastbound Willow St, are within the limits of the grind and cap of AC slot cuts at SE and SW corner curb ramps, respectively. These loops were protected in place during curb ramp reconstruction, and AC base pave, but AC cap cannot proceed without damaging existing loops. Contractor to remove existing loops, and furnish new loops in same location after AC slot cut cap is completed. Refer to Contractor Change Order Request 30.1 for additional information.
- 2.2 Provide all labor, equipment and material required to install one (1) new Type 5 pull box at NW corner of Maine Ave and Willow St, and to repair damage to existing street light conduit. Per response to RFI 32, the engineer confirmed that a new Type 5 pull box would be required at this location to accommodate the

additional conductors to be installed for new street light service. Contractor saw cut existing sidewalk PCC and installed new Type 5 pull box and conduit stub ups per CoLB Std Plan 708. Additionally, during installation of new conductors at this location, the contractor identified a damaged section of existing street lighting conduit in the intersection. Contractor opened AC pavement, replaced approx. 4LF of damaged conduit with new SCH 80 PVC conduit, backfilled and compacted excavation and capped with Cold Mix AC. These activities were tracked on a Time and Materials basis. Refer to Contractor Change Order Request 31 for additional information.

- 2.3 Provide all labor, equipment and material required to repair damage to new low planter seat wall at NE corner of Willow St and Eucalyptus. On April 15 2019, City was notified by staff of the Fox Coffee House that they have observed damage to the new seat wall. Upon investigation it appears that the wall was struck by a vehicle and a number of CMU blocks and a CMU cap was cracked and damaged. Contractor to remove damaged CMU blocks and cap and replace with two (2) new CMU blocks and one (1) new CMU cap, and required mortar and grout per approved submittal. Refer to Contractor Change Order Request 32 for additional information.
- 2.4 Provide all labor, equipment and material required to furnish steaks for PCC form boards through existing unforeseen asphalt in medians between Golden Ave and Long Beach Blvd. During removal and grading activities in the medians the contractor identified a section of AC pavement approx. 6 to 8 inches below finish surface. This section varied in width between 8 and 12 inches, and was present in all areas that were not previously landscaped with trees or shrubs. City determined presence of this unforeseen AC section had minimal impact to the new landscape, irrigation, and PCC items, and removal would not be beneficial. Due to the shallow depth of this AC section, contractor was authorized to furnish additional labor and equipment to install steaks for PCC form boards on a Time and Materials basis. Refer to Contractor Change Order Request 33 for additional information.
- 2.5 Provide all labor, equipment and material required to grind and cap AC pavement slot cuts at reconstructed corner curb ramps. Contractor to grind 18 inch wide section at bottom of new curb ramps to a depth of 2 inches and furnish C2 PG64-10 AC cap per CoLB Std Plan 122 at the following locations: SW Golden, SW Oregon, SE Oregon, NW Maine, NE Oregon, NW Oregon, NE Golden, SW Eucalyptus, SE Eucalyptus, SW Chestnut, SE Chestnut, SW Cedar, SE Cedar, SW Pine, SW Elm, SE Elm, NW Cedar. Activity was tracked on a Time and Materials basis. Refer to Contractor Change Order Request 34 for additional information.
- 2.6 Provide all labor, equipment and material required to furnish new PCC to match thickness of existing/demolished PCC. Information available in the Bid Documents indicated existing PCC thickness at 3 inches, and new PCC shall be furnished at 3 inches per City of Long Beach standard plans. During demolition and removal of existing PCC it was discovered existing PCC was actually 4 inches or 5 inches. Unit prices in bid schedule were based on remove/replace of 3 inches, and these unit prices were proportioned as needed to document cost of removal/replacement of additional thickness. This change order documents quantities associated with removals and replacement in Phase 3 (Long Beach Blvd to Atlantic Ave/South Side), Phase 6 (Golden Ave to Eucalyptus Ave/ North Side). Refer to Contractor Change Order Request 35 for additional information.
- 2.7 Provide all labor, equipment and material to load lead-contaminated soil and haul to Waste Management KHF facility. Sully Miller accumulated approx. 120CY of soil during various grading activities in medians between Golden Ave and Atlantic Ave. Samples of the soil were taken to determine where the soil could be disposed, and lab results determined the soil is Cal Hazardous Non-RCRA. In coordination with Waste Management, it was determined the nearest facility that could accept this classification of soil is at the KHF facility in Kettleman Hills, CA. This Change Order Request documents Contractor fixed cost to load the trucks for disposal, and documents a unit cost per ton of disposed soil, and an estimated tonnage. A Not To Exceed amount will be established based on fixed cost plus

unit cost, and Contractor will be payed actual disposal cost which will be determined at end of disposal activity and provided by disposal facility. Refer to Contractor Change Order Request 36 for additional information.

- 2.8 Provide all labor, equipment and material to load lead-contaminated soil and haul to Waste Management Simi Valley facility. Sully Miller accumulated approx. 55CY of soil during various grading activities in tree wells between Golden Ave and Atlantic Ave. Samples of the soil were taken to determine where the soil could be disposed, and lab results determined the soil is TPH Impacted. In coordination with Waste Management, it was determined the nearest facility that could accept this classification of soil is at the Chequita Canyon facility in Simi Valley, CA. This Change Order Request documents Contractor fixed cost to load the trucks for disposal, and documents a unit cost per ton of disposed soil, and an estimated tonnage. A Not To Exceed amount will be established based on fixed cost plus unit cost, and Contractor will be payed actual disposal cost which will be determined at end of disposal activity and provided by disposal facility. Refer to contractor Change Order Request 037 for additional information.
- 2.9 Provide all labor, equipment and material required to grind AC slot cuts at the bottom of new curb ramps at SW and SE Earl Ave / Willow St. During AC slot cut restoration activities on April 9, 2019, the slot cut at these locations could not be completed due to the presence of existing traffic signal loop home runs ending in the limits of AC grind. After the schedule for replacement of the existing loops confirmed, this intersection was put into recall by City Traffic Department, and the Contractor was authorized to proceed with completion of AC slot cut restoration. Activity was tracked on a Time and Materials basis. Refer to Contractor Change Order Request 038 for additional information.

### **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 replace six traffic signal loops at intersection of Earl Ave and Willow St, as directed by the Project Manager, for the LUMP SUM cost of .....\$ 6,574.45
2. Provide all labor, material and equipment to install new street light pull box and repair damaged street light conduit, as directed by the Project Manager, for the FORCE ACCOUNT cost of .....\$ 1,864.26
3. Provide all labor, material and equipment to repair damage to new low planter seat wall at NE Corner of Willow St and Eucalyptus Ave, as directed by the Project Manager, for the LUMP SUM cost of .....\$ 2,110.9
4. Provide all labor, material and equipment to furnish and install steaks for PCC forms through unforeseen AC pavement in medians, as directed by the Project Manager, for the FORCE ACCOUNT cost of .....\$ 3,076.15
5. Provide all labor, material and equipment to grind and cap AC slot cuts at bottom of reconstructed curb ramps, as directed by the Project Manager, for the FORCE ACCOUNT cost of .....\$ 12,391.56
6. Provide all labor, material and equipment to remove, dispose of, and install additional PCC thickness in excess of thickness identified on project plans in Phases 3, 6, and in medians, as directed by the Project Manager, for the LUMP SUM cost of .....\$ 56,074.67

7. Provide all labor, material and equipment to remove and dispose of approx. 220 Tons of Cal Hazardous Non-RCRA soil, as directed by the Project Manager, for the FORCE ACCOUNT cost of .....\$ 42,443.00
  8. Provide all labor, material and equipment to remove and dispose of approx. 75 Tons of TPH Impacted soil, as directed by the Project Manager, for the LUMP SUM cost of .....\$ 8,304.26
  9. Provide all labor, material and equipment to grind and cap AC slot cut at curb ramps on SW and SE Earl Ave and Willow St, as directed by the Project Manager, for the LUMP SUM cost of .....\$ 5,852.59
- Net Bid Item Quantity Adjustment ..... = \$ 0.00
- Net Extra Work / Force Account ..... = \$ 73,931.82
- Net Extra Work / Agreed Price ..... = \$ 64,760.02
- Net to Contract Cost ..... = \$ 138,691.84**

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**

**Approval / Rejection of additional contract days requested in individual contractor change order requests will be deferred to separate contract change order pending submission and review of project schedule detailing impact to project critical path.**

**TIME FOR COMPLETION OF ALL WORK UNDER THE CONTRACT WILL BE EXTENDED ZERO (0) WORKING DAYS BEYOND THE CITY ENGINEER'S SIGNATURE**

Recommended by:

Approved by:

Mac Wright 10/2/19  
Chief Construction Inspector (Date)

[Signature] SA P.M. 10/2/19  
Contractor (Date)

Mac Wright 10/2/19  
Construction Services Officer (Date)

[Signature] 10/2/19  
City Engineer for. (Date)

Colin Averill 10/4/2019  
Project Manager (Date)

Funds are available for this purpose:

[Signature] 10/2/19  
Financial Management (Date)