

CHANGE ORDER(s)

AND /OR

LETTER(s) OF EXTENSION

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**CONTRACT CHANGE ORDER NO. 004
DATED APRIL 15, 2019**

FILED WITH CONTRACT #34867

(SULLY MILLER CONTRACTING CO)



City of Long Beach
Working Together to Serve

Memorandum

Date: April 15, 2019
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#: 004

ORIGINATED FROM: Public Works Inspection

SOURCE OF FUNDING: Federal / Prop A / CIP Projects

REASON: See Attached

COST (CCO #004): \$ 115,764.10

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):** \$ 546,794.17

**TOTAL PERCENT (%) OF
CONTINGENCY USED TO
DATE:** 59.55%

**CONTINGENCY REMAINING
TO DATE:** 40.45% (\$371,415.83)

DEPARTMENT OF PUBLIC WORKS
Certification of Materials or Services

PO#/Object 28309014 / 830600
Project # 3003060009
Level 2-3 CONSTRUCT
By WAL R L Date 5-23-19

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: April 15, 2019
R-7064
Contract No.: 34867
Program No.: PWT010-25

PROJECT: Willow St Pedestrian Improvements

CONTRACT CHANGE ORDER AUTHORIZATION NO. 004

PART 1 Reason for Change

- 1.1 Change Order required to cover revised costs associated with revised street light foundation including field modifications to detail based on field conditions. (COR 14.1)
- 1.2 Change Order required to cover credit associated with deletion of Contractor Change Order Request 14, which was previously executed in Contract Change Order 003. (COR14)
- 1.3 Change Order required to cover costs associated with additional site maintenance required to maintain pedestrian path of travel in Phase 1 limits (Golden Ave to Eucalyptus Ave / South Side) during project stand down, removal and storage of existing bike racks in within Phase 5 (Eucalyptus Ave to Long Beach Blvd / North Side) and Phase 6 (Golden Ave to Eucalyptus Ave / North Side), as well as costs associated with repair/restoration of existing roof drains within Phase 1 limits. (COR 019)
- 1.4 Change Order required to cover costs associated with removal and installation of additional PCC thickness (colored and standard gray) at various areas throughout the project limits, in excess of existing and new PCC thicknesses called out in Bid Documents. (COR 20.1)
- 1.5 Change Order required to cover costs associated with repair/restoration of existing roof drains between Magnolia Ave and Eucalyptus Ave (South side), replacement of existing deteriorating water meter boxes in Phase 5 (Eucalyptus Ave to Long Beach Blvd / North Side), removal of CMB and AC Cold Mix in Phase 1 (Golden Ave to Eucalyptus Ave / South Side) that had previously been installed at City direction during project stand down, repair of existing street light conduit preventing installation of new street light conductors, and additional PCC removals in Phase 1 beyond approved layout. (COR 21)
- 1.6 Change Order required to cover costs associated with form/pour of high-early mix PCC sidewalk between Daisy Ave and Magnolia Ave to satisfy business owner request, grind/patch existing PCC curb between Daisy and Magnolia to mitigate water ponding, remove additional 5inch PCC sidewalk/parkway between Earl Ave and Long Beach Blvd (North side) which exceeded compliant cross slope, grade/compact/form for additional PCC sidewalk between Earl Ave and Long Beach Blvd (North side), repair of existing damaged roof drains in Phase 2 (Eucalyptus Ave to Long Beach Blvd / South Side) and Phase 4 (Long Beach Blvd to Atlantic Ave / North Side), and replacement of existing water meter boxes in Phase 2 and Phase 4. (COR 022)
- 1.7 Change Order required to cover costs associated with additional mobilization to complete relocation of salvaged street light poles from Contractor laydown yard to City approved location. (COR 023.1)
- 1.8 Change Order required to cover costs associated with repair and restoration of existing irrigation and grass between Long Beach Blvd and Pine Ave (North side), and removal/grading of dirt/grass parkway between Linden Ave and Pasadena Ave (North Side) and between Elm Ave and Pasadena Ave (South Side). (COR 024)

- 1.9 Change Order required to cover costs associated with replacement of existing Water Meter, Street Lighting and Traffic Signal boxes, which were in deteriorating condition and could not be protected in place during PCC demolition activities. (COR 25)
- 1.10 Change Order required to cover costs associated with installation of additional Type 5 pull box adjacent to new light pole at NW corner of Willow St and Maine Ave to support new street light circuit conductors (COR 26)
- 1.11 Change Order required to cover cost associated with engineering related to new City Entry Sign footing/foundation. (COR 27)
- 1.12 Change Order required to cover costs associated with additional labor required to remove existing street light foundations impacted by existing unforeseen utilities, and to repair section of existing street light conduit that was damaged by others. (COR 028)
- 1.13 Change Order required to cover cost associated with installation of additional contactors in existing street light service cabinets to accommodate new street light circuit configuration. (COR 029)

PART 2 Description of Change

- 2.1 Provide all labor, equipment and material required to furnish and install field modified rebar cage to address field conditions. Original revised detail approved in COR 14, and executed in CCO 003 assumed significant excavation of soil would be required to expose the conflicting utility lines in Phase 1 (Golden Ave to Eucalyptus Ave / South Side). During excavation activities it was discovered that exposure of utilities on south side of sidewalk would not be required, more than half of the total excavation priced in COR 14. Comet electric proposed a field modification to detail which was approved by Albert Grover and Associates. This change covers costs associated with the actual level of effort required to install the modified foundations. Refer to Contractor Change Order Request 14.1 for additional information.
- 2.2 Credit total amount approved in Contractor Changer Order Request 014, executed via Contract Change Order 3. Revised detail documented in COR 14 was not used due to differing field conditions, and field modifications to the street light foundations were made with approval by Albert Grover and Associates. Actual level of effort required to install foundations in Phase 1 (Golden Ave to Eucalyptus Ave / South Side) are documented in Contractor Change Order Request 014.1, and per this document, COR 14 shall be voided.
- 2.3 Provide all labor, equipment and material required regrade and compact pedestrian paths of travel within Phase 1 limits (Golden Ave to Eucalyptus Ave / South Side) on 12/19/18, during project stand down between October 2018 and December 2018. Also, provide all labor, equipment and material required to remove 9 existing bike racks within Phase 5 (Eucalyptus Ave to Long Beach Blvd / North Side) and Phase 6 (Golden Ave to Eucalyptus Ave / North Side) not identified in project plans or specs, and store in City yard located at De Forest Ave and 26th Way. Activity occurred on 01/07/19. Additionally, provide all labor, equipment and material required to repair and restore existing roof drains under sidewalk in Phase 1 between Golden Ave and Magnolia Ave. Roof drains not identified in project plans, and drains were damaged during PCC removals due to existing deteriorating condition of roof drains; could not be protected in place. Contractor furnished new pipe and couplings as needed; matching existing material of damaged drains, including unusual 3"x9" to 5" dia. Iron pipe between Daisy Ave and Magnolia Ave. Activities occurred on 01/10/19 and 01/11/19. Refer to Contractor Change Order Request 019 for additional information.
- 2.4 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 1 (Golden Ave to Eucalyptus Ave / South), Phase 4 (Eucalyptus Ave to Long Beach Blvd / North) and removals in Phase 2 (Eucalyptus Ave to Long Beach Blvd / South) and Phase 4 (Long Beach Blvd to Atlantic Ave / North). Additional thicknesses in remaining phases to be documented in separate change order. Refer to Contractor Change Order Request 020.1 for additional information.

- 2.5 Provide all labor, equipment and material required to repair and restore existing roof drains under sidewalk in Phase 1 between Magnolia Ave and Eucalyptus Ave. Roof drains not identified in project plans, and drains were damaged during PCC removals due to existing deteriorating condition of roof drains; could not be protected in place. Contractor furnished new pipe and couplings as needed; matching existing material of damaged drains. Additionally, provide all labor, equipment and material required to replace existing water meter boxes in Phase 5 between Eucalyptus Ave and Long Beach Blvd at five locations as identified by Long Beach Water dept inspector. Existing concrete boxes were in deteriorating condition, and during field walk with LB Water inspector after PCC removals, 5 boxes were identified for replacement to new City standard boxes. LB Water provided boxes to contractor for installation on 01/21/19. Additionally, provide all labor, equipment and material required to remove and dispose of CMB and AC Cold Mix in Phase 1 (Golden Ave to Eucalyptus Ave / South Side). 4inch of CMB in pedestrian path of travel was furnished at City direction during project delay associated with footing light pole foundation redesign due to unforeseen utility conflict. AC cold mix was furnished between Daisy Ave and Magnolia Ave at City direction to accommodate request from adjacent business. CMB and AC cold mix was removed and disposed of, and areas were regraded and compacted for new PCC, on 01/23/19 and 01/24/19. Additionally, provide all labor, equipment and material required to repair approx. 20LF of existing 1 inch street light conduit at station 90+00 to 89+00, which was preventing installation of new street light conductors per plan. Contractor located damaged section, removed existing conductors stuck in conduit, furnished new approx. 20LF of new SCH 80 PVC conduit and backfilled/compacted over repair on 01/25/19. Additionally, provide all labor, equipment and material required to remove and dispose of additional existing PCC sidewalk at stations 70+00, 70+50, and 73+50 (South side). PCC at these areas had settled between original removals per approved layout in September 2018, and remobilization in January 2019, causing noncompliant cross slopes (exceeding 2%) or reverse fall from curb posing water ponding. PCC removal occurred on 01/29/19 and 01/30/19. Refer to Contractor Change Order Request 021 for additional information.
- 2.6 Provide all labor, equipment and material required furnish high-early PCC sidewalk (mix design National S75532) in front of Long Beach Beer Lab at request of City Engineer to ensure business accessible by end of work shift on 01/30/19, including any overtime required to complete finishing of PCC. Additionally, provide all labor, equipment and material required to grind and patch approx. 10LF of PCC curb in front of Long Beach Beer Lab to mitigate water ponding in front of business entrance. After PCC was placed at this location and water ponding was identified, contractor replaced approx. 100SF of PCC (at no cost to City) to attempt to correct the issue. Water ponding remained due to near 0% slope between business egress and existing PCC curb. Curb was grinded and patched to push water ponding out of path of travel (02/09/19). Additionally, furnish all labor equipment and material required to remove additional PCC sidewalk/parkway, and grade/compact/form for new PCC sidewalk between Earl Ave and Long Beach Blvd. After PCC was removed per approved layout, City identified remaining PCC section exceeded 3% cross slope. Contractor removed noncompliant 5inch PCC, cut grade and compacted, and furnished forms for new PCC sidewalk at compliant slopes. Activities occurred on 02/06/19, 02/08/19, and 02/09/19. Finally, provide all labor, equipment and material required to repair and restore existing roof drains under sidewalk in Phase 2 (Eucalyptus Ave to Long Beach Blvd / South Side) and Phase 4 (Long Beach Blvd to Atlantic Ave / North side). Roof drains not identified in project plans, and drains were damaged during

PCC removals due to existing deteriorating condition of roof drains; could not be protected in place. Contractor furnished new pipe and couplings as needed; matching existing material of damaged drains. Refer to Contractor Change Order Request 022 for additional information.

- 2.7 Furnish all labor, equipment and material required to relocate 53 salvaged street light poles from contractor laydown yard on NE Pasadena Ave and Willow st to City of Long Beach yard on SW Corner of DeForest Ave and 26th Way. Original location to deliver light salvaged light poles became unavailable after project award, and salvaged light poles were temporarily stored by the Contractor in their laydown yard until an alternate location was available. City was unable to identify an alternate location to deliver the light poles until March of 2019, after all existing light poles were removed and stored in contractor's yard. An additional mobilization by the contractor is required to relocate salvaged light poles to the approved City location. Refer to contractor Change Order Request 023.1 for additional information.
- 2.8 Provide all labor, equipment and material required to repair irrigation and restore grass area behind back of new PCC sidewalk between Pine Ave and Long Beach Blvd in front of Wrigley Marketplace. Plans did not call for full width of existing PCC sidewalk to be removed at this location; however, existing sidewalk exceeded compliant slopes. Existing irrigation lateral and sprinkler heads located directly along back of walk interfered with grading/compaction and installation of forms for new compliant sidewalk, and sections were temporarily cut and relocated as needed to furnish new walk. Contract repaired all impacted sections of ½ inch pvc irrigation lateral and sprinkler heads. Additionally, provide all labor, equipment and material required to remove existing grass/plants in parkways between Pasadena Ave and Linden Ave (north side) and Elm Ave and Pasadena Ave (south side) and grade/compact areas on 02/21/19. Project plans and specs did not provide a bid item for removals of non-PCC parkway areas. Refer to Contractor Change Order Request 024 for additional information.
- 2.9 Provide all labor, equipment and material required to furnish and install new water meter boxes at NW Magnolia Ave, NW Oregon Ave, Sta 64+50 (North), Pasadena Ave (South) Concrete Street Lighting Box, Linden Ave (South), Sta 113+13 (South), 114+20 (South) / Traffic Signal Box with damaged lid, 114+20 (South) / Traffic Signal. Total 5 Water Meter Boxes, 1 Street Lighting Box, 1 traffic signal Box, and 1 Street Lighting Box lid. These boxes were either damaged prior to this project or in such a condition and they could not be salvaged or protected in place.
- 2.10 Provide all labor equipment and material required to furnish and install new type 5 pull box adjacent to new street light at NW corner of Willow St and Maine Ave, including removal and replacement of existing PCC sidewalk and installation of new PVC conduit to tie into existing street light service. Per RFI 32, the number of conduits and conductors planned to be installed in this street light pole was impractical due to the side of handhole in new light poles, and the designer agreed the addition of pull box at this location is required. Refer to Contractor Changer Order Request 026 for additional information.
- 2.11 Provide all labor, equipment, and material required to furnish engineered footing/foundation design for new City Entry Sign. Approved sign design did not include calculations for require footing, and City designers were unable to complete or provide this calculations in a reasonable time frame. Due to the time associated with fabrication of the new sign, the Contractor's sign vendor proposed providing the calculations in their submittal package at additional cost. City agreed to this proposal to allow fabrication to proceed such that the sign could be installed within the approved contract duration. Refer to Contractor Change Order Request 027 for additional information.
- 2.12 Furnish all labor, equipment, and material required to remove existing street light foundation impacted by unforeseen existing utilities at Sta 114+00 and at Sta 112 +00, and to repair approx. 6LF of existing street light conduit at intersection of Elm Ave and Willow st. During excavation for removals of foundations at these locations, the contractor discovered unmarked 6 inch steel lines running parallel to back of curb, and partially poured into the existing foundations. Coordination with Long Beach Gas and Long Beach Water inspectors indicated these lines were

unmarked and they could not verify ownership. Contractor was directed to carefully remove existing concrete foundation as not to damage existing utilities, and to protect these utilities in place during construction of new street light foundation. Additionally, during installation of new street light conductors, contractor identified a damaged section of existing street lighting conduit crossing Elm Ave (south side) Contractor was authorized to investigate, and discovered conduit was likely damaged during horizontal drilling by a separate contractor. Contractor replaced approx. 6LF of damaged conduit with new PVC conduit. Refer to contractor Change Order Request 028 for additional information.

- 2.13 Furnish all labor, equipment, and material required to remove one existing 3-pole contactor from six service cabinets (6 total) and install two new 4-pole contactors at six service cabinets (12 total) to accommodate new street light circuit configuration. Existing electrical service contactors could only accept 3 wires, while new street light circuits require a total of 8 wires. Response to RFI 33 confirmed replacement of existing contactors is required. Refer to contractor Change Order Request 029 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 (2015 Edition):

1. Provide all labor, material and equipment to furnish field modified street light foundations at utility conflicts in Phase 1, as directed by the Project Manager, for the LUMP SUM cost of \$ 11,688.93
2. Credit total cost previously approved for modified street light foundations in phase 1 due to differing field conditions, as directed by the Project Manager, for the LUMP SUM cost of \$ (40,427.26)
3. Provide all labor, material and equipment to maintain pedestrian path of travel, remove and store existing bike racks, and repair/restore damaged roof drains, as directed by the Project Manager, for the FORCE ACCOUNT cost of \$ 8,349.83
4. Provide all labor, material and equipment to remove and replace gray and colored PCC to match existing PCC thicknesses at various locations project wide, as directed by the Project Manager, for the LUMP SUM cost of \$70,825.17
5. Provide all labor, material and equipment to repair/restore damaged roof drains, replace existing water meter boxes, repair existing damaged street light conduit, remove CMB and AC cold mix, and remove additional PCC sidewalk, as directed by the Project Manager, for the FORCE ACCOUNT cost of \$ 18,438.88
6. Provide all labor, material and equipment to furnish alternate PCC sidewalk mix, grind/patch PCC curb, remove additional 5 inch PCC, grade/compact/form for additional PCC, and repair/restore damaged roof drains, as directed by the Project Manager, for the FORCE ACCOUNT cost of \$ 17,041.72
7. Provide all labor, material and equipment to relocate 53 salvaged street light poles from contractor laydown yard to City approved location, as directed by the Project Manager, for the LUMP SUM cost of \$ 8,610.30
8. Provide all labor, material and equipment to repair irrigation lateral and restore grass area, and remove/dispose of non-PCC parkway, as directed by the Project Manager,

- for the FORCE ACCOUNT cost of \$ 7,816.96
9. Provide all labor, material and equipment to furnish and install replacement water meter, street lighting and traffic signal boxes, as directed by the Project Manager, for the FORCE ACCOUNT cost of \$ 2,223.66
10. Provide all labor, material and equipment to install new type 5 pull box, tie into existing street light circuit, and replace affected PCC, as directed by the Project Manager, for the LUMP SUM cost of \$ 1,579.09
11. Provide all labor, material and equipment to provide engineered detail for new City Entry Sign footing/foundation, as directed by the Project Manager, for the LUMP SUM cost of \$ 522.17
12. 028 Provide all labor, material and equipment to remove existing street light foundations around unforeseen utilities, and repair existing street light conduit, as directed by the Project Manager, for the FORCE ACCOUNT cost of \$ 4,710.64
13. 029 Provide all labor, material and equipment to replace existing 3-pole contactors with new 4-pole contactors at street lighting services, as directed by the Project Manager, for the LUMP SUM cost of \$ 4,384.01

- Net Bid Item Quantity Adjustment = \$ 0.00

- Net Extra Work / Force Account = \$ 58,581.69

- Net Extra Work / Agreed Price = \$ 57,182.41

- Net to Contract Cost = \$ 115,764.10

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.

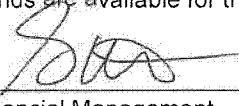
TIME FOR COMPLETION OF ALL WORK UNDER THE CONTRACT WILL BE EXTENDED ZERO (0) WORKING DAYS BEYOND THE CITY ENGINEER'S SIGNATURE

Recommended by:

 4-17-19
Chief Construction Inspector (Date)

 4/20/19
Construction Services Officer (Date)

 4/15/2019
Project Manager (Date)
Funds are available for this purpose:

 6-6-19
Financial Management (Date)

Approved by:

 SRM 5/1/19
Contractor (Date)

 5/8/19
City Engineer (Date)