

CHANGE ORDER(s)

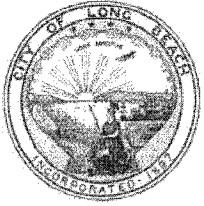
AND /OR

LETTER(s) OF EXTENSION

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**CONTRACT CHANGE ORDER NO. 001
DATED JUNE 25, 2018**

**FILED WITH CONTRACT #34811
(SULLY MILLER CONTRACTING CO)**



Date: June 25, 2018
To: Sean Crumby, Deputy Director/City Engineer
From: Marc Wright, Construction Services Officer
Subject: **CONTRACT CHANGE ORDER TRANSMITTAL MEMO**

PROJECT:	Contract-34811, R-7080 Daisy-Myrtle Bicycle Boulevards
CONTRACTOR:	Sully-Miller Contracting Co,
CCO#:	001
ORIGINATED FROM:	Project Development
SOURCE OF FUNDING:	CIP Projects
REASON:	See Attached
COST (CCO #001):	\$ 17,072.63
ORIGINAL CONTRACT:	\$ 3,926,400.00
ORIGINAL APPROVED CONTINGENCY (10%)	\$ 392,640.00
ORIGINAL CONTRACT + CONTINGENCY (NOT TO EXCEED)	\$ 4,319,040.00
TOTAL OF ALL CCO'S TO DATE (INCLUDING THIS CCO)	\$ 17,072.63
TOTAL PERCENT (%) OF CONTINGENCY USED TO DATE	4.35%
CONTINGENCY REMAINING TO DATE	9.57% (\$ 375,567.37)

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: 06/25/2018
R-7080
CONTRACT NO.: 34811
PROGRAM NO.: PWT010-16

PROJECT: DAISY-MYRTLE BICYCLE BOULEVARDS

CONTRACT: CHANGE ORDER AUTHORIZATION NO. 001

PART 1 REASON FOR CHANGE

- 1.1 Change order for longer traffic signal mast arms on two poles at Daisy and Willow to avoid unforeseen underground obstructions found when potholing the per plan location. The increase in mast arm length will be handled as an agreed lump sum.
- 1.2 Change order work required to remove a tree, stump and root tendrils deemed necessary by the City Arborist, due to poor health, in the median on the north side of the intersection of Daisy Avenue and 28th Street. Additional work included tree falling, stump grinding and root pruning under proposed curb & gutter; which necessitated time and materials tracking of labor, materials and equipment so as not to delay the Contractor.
- 1.3 Change order required to revise traffic control measures at Daisy Avenue and 10th Street to open the closed intersection for the weekend under City emergency direction; which necessitated time and materials tracking of labor, materials and equipment.
- 1.4 Change order work required to remove one (1) tree for health concerns per the City Arborist at Linden Avenue and Bixby Road, and two (2) trees that conflicts with improvement work at Harding Street and Myrtle Avenue. Replacement trees will be furnished and installed for the two (2) trees removed at Harding and Myrtle. This work will be done at an Agreed Lump Sum.
- 1.5 Change order work to provide eight (8) Changeable Message Sign (CMS) trailers on-site for the duration of the project to alert motorists to construction operations. The trailers shall be paid per Each.

PART 2 DESCRIPTION OF CHANGE

- 2.1 The traffic signal foundations for poles 1 and 5 at the northwest and southeast corner of Daisy and Willow has to be installed in a different location from that stated on the plans to avoid previously unknown underground utility conflicts. The conflict was discovered during preconstruction potholing and prior to ordering the materials. The change was addressed by the Designer of Record in Response to RFI #01 and Response to Submittal #009.
- 2.2 The plans did not require the removal of a tree at the south end of the center median on Daisy Avenue on the north side of the intersection of Daisy Avenue and 28th Street. The tree was deemed unhealthy and necessary to be removed by the City Arborist. The Contractor was directed in Change Directive #03 to remove the tree at Bid Item work. The Contractor submitted Request For Information (RFI) #037 for direction on stump and root tendril removal. The Designer of Record was consulted a response to RFI was provided. The Contractor responded with a Change Notice claiming the nature of the work had changed and this tree removal was not consistent with the tree removal Bid Item work and also claimed that removal of the tree was holding up curb and gutter work or would require a second move in for median curb replacement. The Project Manager (PM) found merit in this claim and ordered the work to proceed under Extra Work.
- 2.3 Traffic Control Measures were modified at the direction of City staff to open the closed intersection at Daisy Avenue and 10th Street to allow traffic to enter safely for the weekend of May 5th, 2018. This change accounts for the additional efforts to remove road closure signs and furnish and deploy traffic control devices and signs to allow traffic to enter the intersection and travel in the correct direction.

- 2.4 The City Arborist reviewed a tree that will be in a planned bioswale at the end of curb return at the northeast corner of Linden Avenue and Bixby Road. The Arborist deemed the tree to be unhealthy and required its removal before construction of the bioswale. Similarly, the Arborist reviewed trees at the intersection of Harding and Myrtle and found two trees at the beginning of curb return and 50' past the end of curb return, both on the southeast corner and determined that their future stability will be compromised by the planned improvements and thus need to be removed. The Arborist also required the replacement of the trees with a new species (Brisbane) to preserve the aesthetic character of the street.
- 2.5 The CMS trailers were included in the Contract as Bid Item #57 but the Unit of Measure was incorrectly listed as Lump Sums. This Change Order will correct the Unit of Measure to be paid as Each.

PART 3 CHANGE IN CONTRACT AMOUNT

A. BID ITEM QUANTITY ADJUSTMENTS	ADD	DEDUCT
<ul style="list-style-type: none"> • Delete 8.0 LS of Bid Item 57, Changeable Message Signs 		-\$ 111,200.00
Subtotal		-\$ 111,200.00
TOTAL (Deduct)		-\$ 111,200.00

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 includes costs to increase the mast arm length of two (2) traffic signal poles at Daisy and Willow. Provide all labor, materials, equipment, and installation of longer mast arms, as directed by the Project Manager, for the Lump Sum of \$1,349.87
- 3.2 This payment includes costs for all work related to removal of tree, stump and root tendrils deemed necessary by the City Arborist, due to poor health, in the median on the north side of the intersection of Daisy Avenue and 28th Street. Contractor provided all labor, materials, and equipment as Extra Work pursuant to Standard Specifications 3-3, as directed by the Project Manager, for the estimated total of \$5,489.67.
- 3.3 This payment includes costs for all work related to revising the Temporary Traffic Control Measures at the intersection of Daisy Avenue and 10th Street. Contractor provided all labor, materials, equipment, and installation of the additional items, as Extra Work pursuant to Standard Specifications 3-3, as directed by the Project Manager, for the estimated total of \$386.21
- 3.4 This payment includes costs for all work related to removal of three (3) trees and stumps: one (1) at Linden Avenue and Bixby Road and two (2) at Harding Street and Myrtle Avenue; and furnish and install two (2) 24" box Brisbane tree at Harding Street and Myrtle Avenue. Provide all labor, materials, equipment, and installation of the additional tree, as directed by the Project Manager, for the Lump Sum of \$9,846.88
- 3.5 This payment is to furnish, deploy and maintain eight (8) CMS trailers per Specification section 7-10.1, Traffic and Access, as directed by the Project Manager, for \$13,900.00 Each and a total of \$111,200.00.

The total of all Extra Work and Agreed Prices described above totals \$128,272.63 and includes all contractor markups.

- Net Bid Item Quantity Adjustment	=	- \$ 111,200.00
- Net Extra Work at Force Account	=	\$ 5,875.88
- Net Extra Work at Agreed Lump Sum	=	<u>\$ 122,396.75</u>
- Net to Contract Cost	=	\$ 17,072.63

PART 4 CHANGE IN CONTRACT TIME

No time adjustments shall be granted for this change order.

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:

Dan Ayala for Eric Lowe 7-10-18
 Chief Construction Inspector (Date)

[Signature] 07/09/18
 Contractor (Date)

[Signature] JUL 19 2018
 Construction Services Officer (Date)

[Signature] 7/19/18
 Deputy Director/City Engineer (Date)

[Signature] 7-9-18
 Project Manager (Date)

[Signature] 7/24/18
 Financial Management (Date)

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

Vendor ID# V027174
 POPW 18000019
 Proj/Proj detail PW 1010/1630
 Index/Subobject sachelac/210009
 Grant/Grant detail see below
 User Code _____

By [Signature] 7/19/18
 DATE

PWCAPAB/PWMTAM 11802-