

CHANGE ORDER(s)

AND /OR

LETTER(s) OF EXTENSION

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**CONTRACT CHANGE ORDER NO. 005
DATED JULY 17, 2017**

FILED WITH CONTRACT #34203

(POWELL CONSTRUCTORS, INC)



REVISED
8/23/17
mg

Date: August 14, 2017
To: Sean Crumby, Deputy Director of Public Works
From: mg Michael Johnston, Administrative Analyst
Subject: CONTRACT CHANGE ORDER TRANSMITTAL MEMO

PROJECT: R-6942 Convention Center – Performing Arts Center Pedestrian Bridge on Seaside Way

CONTRACTOR: Powell Constructors, Inc.

CCO#: No. 5

ORIGINATED FROM: Project Development

SOURCE OF FUNDING: CIP/Tidelands

REASON: See Attached

COST (CCO #5): \$ 107,821.86 ✓

ORIGINAL CONTRACT: \$ 8,636,496.00 ✓

APPROVED CONTINGENCY (7.5%) \$ 647,737.00 ✓

TOTAL CONTRACT PLUS CONTINGENCY (Not to Exceed): \$ 9,284,233.00 ✓

TOTAL AMOUNT OF CCO'S TO DATE (INCLUDING PROPOSED CCO'S): ~~\$ 275,713.22~~ ✓
\$ 306,598.05

PERCENT (%) OF CONTINGENCY USED IN CHANGE ORDERS TO DATE (INCLUDING PROPOSED): ~~42.56%~~ 47.33% ✓

CITY COUNCIL ACTION DATE: FEBRUARY 16, 2016 (ITEM R-11)

TIDELANDS CAPITAL IMPROVEMENT PROJECTS
Certification of Materials and Services

Vendor # Y061190-01
BP PO PW17-05
Project PW2040 Detail 5130
Index PWCIPJB Subobject 210009
Grant Detail
Authorized by

DEPARTMENT OF PUBLIC WORKS
CITY OF LONG BEACH
LONG BEACH, CALIFORNIA 90802

To: Powell Constructors, Inc
8555 Banana Ave.
Fontana, CA 92335

Date: July 17, 2017
R- 6942
Contract: 34203
Program PW2040-57

**PROJECT: R-6942 CONVENTION CENTER - PERFORMING ARTS CENTER PEDESTRIAN
BRIDGE ON SEASIDE WAY**

CONTRACT CHANGE ORDER AUTHORIZATION NO.5

PART 1 - REASON FOR CHANGE

A.- Per City's instruction the following items are eliminated from the scope of work:

Bid Item No. 66 "Precast concrete benches"
Bid Item No. 81 "Bridge level wayfinding signage"

B.- Due to landscape changes (Bulletin 2) and other field changes, the following added work is added in the contract:

1. PCO#10.1_Additional metal posts for temporary wood fence (GL22 to 49).
2. PCO#14.1/R1 and 14.2_Reconstruction of the façade after stair demolition at the Terrace Plaza.
3. PCO15_part2_Added cost due to Landscape and other changes as shown in Bulletin 2.
4. PCO#17, 17.1, 17.2, and 17.4(RFQ:Unknown 1)_Procurement and installation of revised grating supports.
5. PCO#18.1, 18.2, 18.3, 18.4, and 18.5_Adjustment to the bridge deck grades at the north edge.
6. PCO#20, 20.1, and 20.2_Overtime premium to accelerate bridge construction.
7. PCO#21_Added cost to divert storm water at Salvation Army Parking entrance.
8. PCO#22 and 22.1_Electrical and Plumbing permit application and fees.
9. PCO#23.1(RFQ:Unknown 8)_Added cost per RFI 108 - Installing cable and post on the Salvation Army deck.
10. PCO#25 and 25.1_Added cost to fill up tree tubs and planters to drainage invert elevation per RFI 107 and 119.
11. PCO#27_Added cost to install a new 6"PVC drain from Salvation Army to existing drainage inlet (DI).

PART 2 - DESCRIPTION OF CHANGE

A.- In accordance with section 3-2.5 "Eliminated Items," of the Standards Specification. The following items are eliminated from the contract:

Bid Item No. 66 "Precast concrete benches"
On 5/25/16, City of Long Beach and Convention Center expressed concerns

about the per-plan benches. The benches provides potential sleeping surface and do not match the 207-building benches (pebble concept). On 10/5/16, the Bridge design team presented a variation of the original design. City stated that the proposal did not go far enough. On 12/7/17 Ensemble (207 building) presented a proposal to the City that was found acceptable. On 1/25/17, during construction meeting, City instructed the CM team remove the benches from project scope of work. See meeting minutes No 38 dated on 1/25/17.

Bid Item No. 81 "Bridge level wayfinding signage"

The bid documents do not provide details for the wayfinding signage to be placed on the bridge. Contractor requested a detail several times. The City informed that the design of the wayfinder is being handled citywide and has to be approved by the upper management. On 3/28/17, I recommended the City remove this bid item from the scope of work due to the unknowns of the design, potential added cost, and potential delays due to lead time. On 3/28/2017, via email, City approved the elimination of this item.

B.- This Change Order provides payment for adjustment in compensation due to added scope of work as shown in Bulletin 2, RFIs, and requested by the Engineer and in accordance with Standard Specification section 3-3.1:

1. PCO#10.1_Procure and install additional metal posts for the temporary wood fence between bridge grid lines 22 and 49 as requested by the Engineer. On 2/1/2016, during the weekly meeting, Resident Engineer requested additional 28ea posts to enhance the capacity of the temporary fence. On 2/3/17, Powell presented quotation and City approved it on 2/23/17.
2. PCO#14.1/R1 and 14.2_Reconstruction of the existing façade after stair demolition at the Terrace Plaza in accordance with RFI 33. Construction plans do not address the existing overcrossing façade at the Terrace Plaza after the demolition work. Contractor submitted an extra work payment request. On 3/23/17, during a settlement meeting, City agreed to pay for this added work (see attached record of negotiation).
3. PCO#15_part2_Added cost due to Landscape and other changes as shown in Bulletin 2. Contractor provided labor, material, and equipment for the following added work:
 - 15.3 RFI 61 - planter detail
 - 15.7 Falsework added design cost
 - 15.11 6" Concrete wall for grating opening
 - 15.16 Added reinforcing steel #4
 - 15.18 Bridge end diaphragms for PT access
 - 15.19 RFQ:Unknowns 4,5 - 6" pipe work at bent caps
 - 15.20 RFQ:Unknown 3 - Planter slab bars into stem wall
 - 15.22 RFQ:Unknown 6 - Irrigation sleeves on columns

This added work is included in the revised construction plans issued by the Designers on 6/19/2016 (Bulletin 2). The City agreed to pay on 3/23/17, during a settlement meeting (see attached record of negotiation).

4. PCO#17, 17.1, 17.2, and 17.4(RFQ:Unknown 1)_Provide labor, material, and equipment to install the revised grating supports in accordance RFI 86, 96, and field conditions. Original plans do not provide supporting detail for the W8x13s. Additionally, Design Engineer added reinforcing steel around the grate openings between the C8x11.5 members. Contractor submitted an extra work payment request. The City agreed to pay on 3/23/17, during a settlement meeting (see attached record of negotiation).
5. PCO#18.1, 18.2, 18.3, 18.4, and 18.5._Provide labor and material to adjust the bridge deck Grades at the north edge as instructed by the Design Engineer via RFI 45, changes on Bridge Camber, and field adjustments as requested by the Engineer. Contractor submitted payment

requests and City agreed to pay on 3/23/17, during a settlement meeting (see attached record of negotiation).

- 6. PCO#20, 20.1, and 20.2_The City instructed Powell to accelerate bridge construction ahead of the Grand Prix race. This included overtime work to install rebar and pour the bridge deck. Thus, temporary falsework structure can be removed from Seaside Way before the race. The City agreed to pay on 3/23/17, during a settlement meeting (see attached record of negotiation).
- 7. PCO#21_Provide labor, material and equipment to divert storm water at Salvation Army Parking entrance. The 4ea-4" pipes are shown in the plans to be protected. However, Contractor stated that the location on the plans was incorrect, pipes were damaged, and pipes needed to be relocated to performed contract work. The City agreed to pay on 3/23/17, during a settlement meeting (see attached record of negotiation).
- 8. PCO#22 and 22.1_Electrical and Plumbing permit application and fees in accordance to Special Provision section 7-5. This section states that the City will pay all the fees for permits.
- 9. PCO#23.1(RFQ:Unknown 8)_Provide labor, material, and equipment as required to complete added work in accordance to RFI 108 - installing cable and post at the south-east corner of the Salvation Army deck. Bid documents show the bridge railing connecting to a concrete parapet on the SA deck. This parapet is not existing. Therefore, the additional posts and cabling railing were instructed. The City agreed to pay on 3/23/17, during a settlement meeting (see attached record of negotiation).
- 10. PCO#25 and 25.1_Provide labor, material, and equipment to fill up tree tubs and planters to drainage invert elevation with cellcrete and grout material as per RFI 107 and 119. The City agreed to pay on 3/23/17, during a settlement meeting (see attached record of negotiation).
- 11. PCO#27_Provide labor, material, and equipment to install a new 6"PVC drain from the existing 8" down drain at the Salvation Army entrance to the existing Drainage Inlet (DI) at Locust Ave in accordance to RFI 125. On 3/8/17, during the weekly meeting No 44, City instructed to connect the storm drain to D.I. in lieu of the original thru cub side drain to avoid future maintenance issues. This CCO provides payment for added work outside bid items 52, 58a, 61a. The City agreed to pay on 3/23/17, during a settlement meeting (see attached record of negotiation).

PART 3 - CHANGE IN CONTRACT AMOUNT

A.-Bid Item quantity adjustments at Contract Unit prices:

	ADD	DEDUCT
Bid Item No. 66 "Precast concrete benches" Eliminated item.		\$28,800.00
Bid Item No. 81 "Bridge level wayfinding signage" Eliminated item.		\$20,000.00

TOTAL	\$48,800.00
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B.-Extra work/ Adjustment in compensation at Agreed Price:

	ADD	DEDUCT
1. PCO#10.1_Procure and install additional metal posts for the temporary wood fence between bridge grid lines 22 and 49 as requested by the Engineer - Lump Sum.	\$5,979.75	
2. PCO#14.1/R1 and 14.2_Reconstruction of the existing façade after stair demolition at the Terrace Plaza in accordance with RFI 33 - Force Account.	\$6,447.33	
3. PCO#15_part2_Added cost due to Landscape and other changes as shown in Bulletin 2:	\$50,495.03	
15.3 RFI 61 - planter detail		
15.7 Falsework added design cost		
15.11 6" Concrete wall for grating opening		
15.16 Added reinforcing steel #4		
15.18 Bridge end diaphragms for PT access		
15.19 RFQ:Unknowns 4,5 - 6" pipe work at bent caps		
15.20 RFQ:Unknown 3 - Planter slab bars into stem		
15.22 RFQ:Unknown 6 - Irrigation sleeves on columns		
4. PCO#17, 17.1, 17.2, and 17.4(RFQ:Unknown 1)_Provide labor, material, and equipment to install the revised grating supports in accordance RFI 86, 96, and field directions - Force Account.	\$32,764.25	
5. PCO#18.1, 18.2, 18.3, 18.4, and 18.5_Provide labor and material to adjust the bridge deck Grades at the north edge as instructed by the Design Engineer via RFI 45-Force Account.	\$12,868.86	
6. PCO#20, 20.1, and 20.2_Added cost due to overtime premium to accelerate bridge construction as instructed by the City - Force Account.	\$21,467.79	
7. PCO#21_Provide labor, material and equipment to divert storm water at Salvation Army Parking entrance - Force Account.	\$1,278.81	
8. PCO#22 and 22.1_Electrical and Plumbing permit application and fees in accordance to Special Provision section 7-5 - Lump Sum.	\$1,959.40	
9. PCO#23.1(RFQ:Unknown 8)_Provide labor, material, and equipment as required to complete added work in accordance to RFI 108 - Lump Sum.	\$6,000.00	
10. PCO#25 and 25.1_Provide labor, material, and equipment to fill up tree tubs and planters to drainage invert elevation - Force Account.	\$12,888.04	
11. PCO#27_Provide labor, material, and equipment to install 6"PVC drain from the existing 8" drain to existing D.I. per RFI 125. Cost outside bid items 52, 58a, 61a - Lump Sum.	\$4,472.60	

TOTAL	\$156,621.86	✓
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Net Bid Item quantity adjustment =	-\$48,800.00
Net Extra work/ Agreed price =	\$156,621.86
Net to Contract cost =	\$107,821.86

TOTAL ESTIMATED INCREASE TO CONTRACT COST \$107,821.86 ✓

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 hereinabove 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.

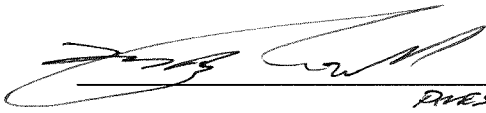
PART 4 - CHANGE IN CONTRACT TIME


ANY TIME EXTENSION DUE TO THIS CONTRACT CHANGE ORDER IS DEFERRED.

Recommended by:

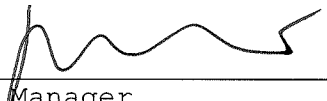
Approved by:


Eric Lowe
Chief Construction Inspector (Date) 8-10-17


Contractor-Company Officer (Date) 7-18-17


Marc Wright
Construction Services Officer (Date) 8/14/17


Sean Crumby
Deputy Director/City Engineer (Date) 8/22/17


Project Manager (Date) 7/25/17


Financial Management (Date)

CC: Auditor
Accounting
City Clerk-Originals
Contract Compliance
Engineering Records
Project Development
Powell Constructors, Inc