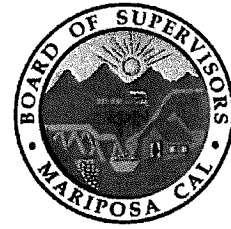




MARIPOSA COUNTY

Public Works · (209) 966-5356



RESOLUTION - ACTION REQUESTED 2016-562

MEETING: October 25, 2016

TO: The Board of Supervisors

FROM: Tony Stobbe, Public Works Director

RE: Approve West Whitlock Road Construction Change Order 4

RECOMMENDATION AND JUSTIFICATION:

Approve Change Order Number 4 to the West Whitlock Road Improvement Project Contract with Agee Construction Corporation, Increasing the Contract Amount by \$131,440, for a total not to Exceed \$2,361,861.90 and Adding 27 Calendar Days to the Project; and Authorize the Public Works Director to Sign the Change Order (Subject to Approval as to Form by County Counsel)

There have been three change orders for this project approved by the Director of Public Works. Change Order Number 1 funded rock blasting required to achieve maximum roadway width and improve traffic safety at a cost of \$20,350.00. Change Order Number 2 modified the roadway cross section and resulted in a cost reduction of \$23,348.10. Change Order Number 3 increased the project scope slightly to address a section of roadway between Blue Oak Road and Highway 49 at a cost of \$123,400.

Change Order Number 4 addresses additional earthwork and culvert replacement needs that were revealed upon commencement of excavation and opening of the road surface. The total cost of this change order is \$131,440, which brings the total change order amount to 14.2% of contract cost and therefore requires Board approval. This change order also adds 27 calendar days to the project to allow sufficient time to complete the project.

All change orders were reviewed by the Public Works Department, Road Commissioner, and Project Inspector with the goal of achieving maximum roadway improvements within the difficult topography and Right-of-Way conditions in the project envelope. Overall, this project is progressing rapidly toward completion with few items outstanding.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board Approved Resolution 2015 - 427 at their September 1, 2015, meeting which approved Plans and Specifications for bidding this Project and Authorized the Public Works Director to Award the Construction to the Lowest Responsible Bidder upon review by County Counsel.

On November 12, 2015, a contract was awarded to Agee Construction Corporation in

the amount of \$2,067,380.00 as Agee Construction Corporation was determined to be the Lowest Responsive and Responsible Bidder.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The Board could choose to not approve this change order, but it is likely the contractor would file a claim for the work performed.

FINANCIAL IMPACT:

Sufficient funding for this change order is available in the project budget.

ATTACHMENTS:

West Whitlock Construction Contract Agee Construction (PDF)
West Whitlock C O 4 (PDF)
West Whitlock C O 3 (PDF)
West Whitlock C O 2 (PDF)
West Whitlock C O 1 (PDF)

CAO RECOMMENDATION

Requested Action Recommended


Mary Hodson, CAO 10/19/2016

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Smallcombe, Jones, Long, Cann, Carrier



STATE OF CALIFORNIA – County of Mariposa
CONTRACT CHANGE ORDER

Change Requested by: Engineer Contractor

CCO No.	Suppl. No.	Contract No.	Road	Federal Number(s)
4	0	12-09	West Whitlock RD. pm 10.00 to 14.30	11-DRI-7555

To **AGEE CONSTRUCTION CORPORATION**, Contractor

You are directed to make the following changes from the plans and specifications or do the following described work not included in the plans and specifications for this contract. **NOTE: This change order is not effective until approved by the Engineer**

Description of work to be done, estimate of quantities and prices to be paid. (Segregate between additional work at contract price, agreed price and force account.) Unless otherwise stated, rates for rental of equipment cover only such time as equipment is actually used and no allowance will be made for idle time. The last percentage shown is the net accumulated increase or decrease from the original quantity in the Engineer's Estimate

Change Order #4 shall change item work quantities for the following Bid Items:

Bid Item # 4-(Earthwork Embankment Excavation and Roadway Widening)	Increase 8,500 TON to 12,740 TON
Bid Item # 10-(24" CMP Remove and Replace)	Increase from total 3 EA to a total 4 EA
Bid Item # 9-(18" CMP Remove and Replace)	Increase from total 7 EA to a total 31 EA
Bid Item # 7-(12" CMP Remove and Replace)	Decrease from total 7 EA to a total 0 EA
Bid Item # 8-(15" CMP Remove and Replace)	Decrease from total 6 EA to a total 0 EA

Earthwork Bid Item #4

The Engineers estimate for Bid Item #4 – 8,500 TON Earthwork Embankment and Road Excavation was overrun an additional 4,240 TON. The Contractor was required to excavate and remove additional cut slope embankment and unsuitable subgrade material to construct the road section. This required additional days of work.

CMP Culvert Bid Items 7 thru 9

The Engineer requested the following field changes:

Install 18" CMP in place of the (13 EA) smaller diameter culverts listed in Bid Items #7 & 8.
Install 2 -18" CMP in place of 36" CMP at Sta. 221+44 to match drainage and provide adequate depth of CMP below subgrade.
Remove & Replace at various locations an additional 9 existing CMP encountered during road construction with 18" CMP.
Remove and Replace one additional existing 24" CMP encountered during road construction.

Cost of Change Order :

Increase Bid Item #4	4,240 TON @ 31.00 / TON =	\$131,440.00
Increase Bid Item #10	1 EA @ 4,540.00 / EA =	\$ 4,540.00
Increase Bid Item #9	24 EA @ 2,675.00 / EA =	\$ 64,200.00
Decrease Bid Item # 7	<7 EA> @ 2,010.00 / EA =	\$<14,070.00>
Decrease Bid Item # 8	<6 EA> @ 2,005.00/ EA =	<u>\$<12,030.00></u>
	total	\$174,080.00

Original Contract Cost: \$2,067,380.00

CCO # 1	\$20,350.00
CCO # 2	<\$23,348.10>
CCO # 3:	\$123,400.00
CCO # 4	\$174,080.00

Total CCO's to date: \$294,481.90 Percent Change In contract: 14.2% Decrease Increase

Adjusted Contract Amount: \$ 2,361,861.90

By reason of this order the time of completion will be adjusted as follows: **27 added Calendar days**



STATE OF CALIFORNIA – County of Mariposa
CONTRACT CHANGE ORDER

Sheet 2 of 2

Change Requested by: Engineer Contractor

CCO No. 4	Suppl. No. 0	Contract No. 12-09	Road West Whitlock RD. pm 10.00 to 14.30	Federal Number(s) 11-DRI-7555
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Submitted by		
Signature 	(Print name & Title) Loren Clifton, P.E. Resident Engineer	Date 9/29/2016
Approved by Engineer / Project Manager		
Signature 	(Print name & Title) Cheryl Jay Project Manager	Date 10-11-16
Approved by Director		
Signature 	(Print name & Title) Tony Stobbe, Director	Date 10/25/16
Approved As to Form by County Counsel		
Signature 	(Print name & Title) Steven W. Dahlem, County Counsel	Date 10/25/16

We the undersigned contractor, have given careful consideration to the change proposed and agree, if this proposal is approved, that we will provide all equipment, furnish the materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above. **NOTE: If you, the contractor, do not sign acceptance of this order, your attention is directed to the requirements of the specification as to proceeding with the ordered work and filing a written protest within the time therein specified.**

Contractor Acceptance by		
Signature 	(Print name & title) John Gerwe Project Manager	Date 10/6/16