

REQUEST FOR COUNCIL ACTION

SUBJECT: Approve Change Order No. 5 for the Airport Road Sewer and Storm Drain Project

SUMMARY: Approve Change Order No. 5 with Whitaker Construction for the Airport Road Sewer and Storm Drain Project for an amount not-to-exceed \$38,814.00. The project had reached total costs of 6.8% above the original contract amount prior to considering this change order. By policy, Change orders above 10% of the original contract bid amount require approval of City Council.

FISCAL IMPACT: The funds for this project are available in the Capital Storm and Sewer Accounts

STAFF RECOMMENDATION:

Staff recommends approval of Change Order No. 5 with Whitaker Construction for the Airport Road Sewer and Storm Drain Project for an amount not-to-exceed \$38,814.00.

MOTION RECOMMENDED:

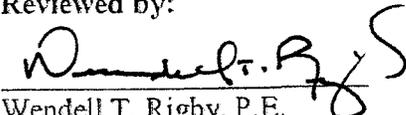
"I move to adopt Resolution No. 14-117 authorizing the Mayor to execute Change Order No. 5 with Whitaker Construction for the Airport Road Sewer and Storm Drain Project for an amount not-to-exceed \$38,814.00.

Roll Call vote required

Prepared by:


Roger Payne, P.E.
Utilities Manager for CIP

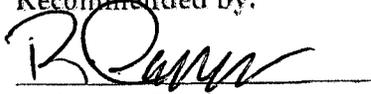
Reviewed by:


Wendell T. Rigby, P.E.
Director of Public Works

Reviewed as to Legal Sufficiency:


Jeffery Robinson
City Attorney

Recommended by:


Richard L. Davis
City Manager

BACKGROUND DISCUSSION:

The City contracted with Whitaker Construction Company for construction of the Airport Road sewer and Storm Drain Project in the summer of 2013. The project extended the sewer line along airport road allowing for the elimination of a sewer lift station, and the project included a 30-inch storm drain pipeline to eliminate an undersized pipe and complete the master planned storm drain along Airport Road.

During the course of the construction there were some design modifications and construction changes to deal with the underground conditions of existing facilities that were unknown until they were exposed by the construction excavation. The total of all construction related changes was \$47,476.33. This amounts to 6.8% changes orders. However it was discovered that the quantity of sewer pipe and storm drain pipe to be install as shown on the plans was greater than the quantity listed in the bid schedule. The shortage of 10" dia. sewer pipe quantity was 197 feet, and the shortage of 30" dia. storm drain pipe quantity was 180 feet.

A final change order No. 5 was prepared to correct the shortages. The total amount for this change order is \$38,814.00. The addition of this final change order runs the total project change orders to 12.39 %. By City policy, when project change orders exceed 10% of the original bid amount they are to be approved by City Council.

This problem was created by the consulting engineer that assembled the project plans and specifications and was not noticed by City staff. The engineering firm sent the City a letter in January 2014 outlining the problem (a copy is attached).

Staff recommends the City Council approve Change Order #5 to Whitaker Construction for the amount of \$38,814.00 allowing for the final payment to be approved and the project closed.

Attachments:

Resolution

Change Order 5

Letter from Psomas Engineers, dated Jan 2, 2014.

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

RESOLUTION NO. 14-117

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 5 BETWEEN THE CITY AND WHITAKER CONSTRUCTION

Whereas, the City Council of the City of West Jordan has a Change Order request for the Airport Road Sewer and Storm Drain Project in the amount of \$38,814.00; and

Whereas, the City Council desires to approve Change Order No.5 with Whitaker Construction, which change order shall not be binding upon the City of West Jordan unless and until the change order is fully executed by the parties; and

Whereas, the proposed Change Order No.5 between the City of West Jordan and Whitaker Construction (a copy of which is attached as **Exhibit A**) for construction of the Airport Road Sewer and Storm Drain Project in an amount not-to-exceed \$38,814.00 has been reviewed; and

Whereas, the City Council of the City of West Jordan has determined that the attached change order with Whitaker Construction for an amount not-to-exceed \$38,814.00 is acceptable for the purpose of completing the Airport Road Sewer and Storm Drain Project.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF WEST JORDAN, UTAH:

- Section 1. The Change Order No. 5 for construction of the Airport Road Sewer and Storm Drain Project is hereby approved with Whitaker Construction, which approval shall not be binding upon the City of West Jordan until the contract is fully executed by the parties
- Section 2. After approval as to legal form by the City Attorney, the Mayor is hereby authorized to execute Change Order No. 5 between the City of West Jordan and Whitaker Construction, in an amount not to exceed \$38,814.00.
- Section 3. This Resolution shall take effect immediately.

Adopted by the City Council of West Jordan, Utah, this 25th day of June 2014.

Kim V. Rolfe
Mayor

ATTEST:

Melanie S. Briggs
City Recorder

RESOLUTION NO. 14-117

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 5 BETWEEN THE CITY AND WHITAKER CONSTRUCTION

Voting by the City Council	"AYE"	"NAY"
Jeff Haaga	_____	_____
Judy Hansen	_____	_____
Chris McConnehey	_____	_____
Chad Nichols	_____	_____
Ben Southworth	_____	_____
Justin D. Stoker	_____	_____
Mayor Kim V. Rolfe	_____	_____



CHANGE ORDER

Project: Airport Road Sewer and Storm Drain Project		No.: 05
Project No.: SS 13-02	Orig. Contr. Amt.: \$ 696,607.50	Days: 90
Contractor: Whitaker Const.	Prev. Appvd. Changes \$ 47,476.33	Days: 42
Owner: City of West Jordan	This Change: \$ 38,814.00	Days: 8
City's Res. Project Rep.: Roger Payne	Revised Contract Amt. \$ 782,897.83	Days: 140
Engineering Inspector: Psomas / City Jeremy R.	CO % of Orig Contract Amt. 12.39 %	

This Change Order covers changes to the subject contract as described herein. The Contractor shall construct, furnish equipment and materials, and perform all work as necessary or required to complete the Change Order Items for a lump sum price agreed upon between the Contractor and City of West Jordan, otherwise referred to as Owner.

Description of Changes	Increase in Contract Amount (\$)	(Decrease) in Contract Amount (\$)	Contract Time Extension (days)
1. Quantity adjustments			
2. Increase quantity of 10-inch sewer pipe due to error in Bid Schedule by 197 feet at unit bid price \$102.00/ft (197 x \$102.00 = \$20,094.00)	\$ 20,094.00		4
3. Increase quantity of 30 RCP storm drain pipe due to error in Bid Schedule by 180ft @ unit bid price \$104.00 per ft (180 x \$104.00 = \$18,720.00)	\$ 18,720.00		4
4.			
5.			
6.			
7.			
Totals	\$		8
Net Change in Contract Amount (Increase or Decrease)	\$ 38,814.00		

The amount of the Contract will be increased / by the sum of \$ 38,814.00 and the contract time shall be extended by 8 calendar days. The undersigned Contractor approves the foregoing Change Order as to the changes, if any, in the contract price specified for each item including any and all supervision costs and other miscellaneous costs relating to the change in work, and as to the extension of time allowed, if any, for completion of the entire work on account of said Change Order. The Contractor agrees to furnish all labor and materials and perform all other necessary work, inclusive of that directly or indirectly related to the approved time extension, required to complete the Change Order items. This document will become a supplement to the Contract and all provisions will apply hereto. It is understood that the Change Order shall be effective when approved by the Owner.

RECOMMENDED: _____ DATE: _____

ACCEPTED: *[Signature]* (Engineer) DATE: 3/20/14

APPROVED: *[Signature]* (Contracts Administrator) DATE: 6-12-14

ACCEPTED: _____ DATE: _____
(Director of Public Works)

APPROVED: _____ DATE: _____
(City Manager)

APPROVED AS TO LEGAL FORM
West Jordan City Attorney

By: *[Signature]* Date: 6-17-14

January 2, 2014

Mr. Roger Payne, P.E.
West Jordan City Department of Public Works
8000 S. Redwood Road
West Jordan City, UT 84088

Re: Airport Road Sewer and Storm Drain Project - Construction Change Order #1 Narrative

Dear Roger,

We recently received Change Order No. 1 from the general contractor for the Airport Road Sewer and Storm Drain Project. The total change order amount is for \$86,290.33. The change order does not represent one construction activity, rather an accumulation changes during construction since the beginning of the project's construction phase. This letter is intended to categorize and describe each item in the change order for West Jordan City.

After careful review of the change order, there appears to be five causes for the changes during construction. They are detailed and quantified herein.

Item 1 - Discrepancy in the Bid Schedule Quantities

Item 1 implies an additive change to the contract construction cost as a result of a discrepancy in the bid schedule quantities for the sewer and storm drain pipe. The construction drawings accurately reflect the required quantities for the project; however the quantities in the bid schedule are low by approximately 7% for the sewer pipe and 18% for the storm drain pipe. The contractor installed the pipe based on the construction drawings; therefore the amount of installed pipe was more than the amount reflected in the bid schedule. Psomas has reviewed the bid schedule and the construction drawings and confirms the discrepancy as presented by the contractor. Although the quantities have increased, the unit cost values used to generate the change order are based on the values from the original bid schedule. The change order associated with Item 1 includes items #5 and #13 which adds up to \$38,710 (see attached).

Item 2 – Asphalt Specification Change

The project documents require compliance with American Public Works Association (APWA) specifications, including the asphalt mix. According to section 32 12 05 of the APWA specifications manual, the asphalt mix may contain up to 20% of Reclaimed Asphalt Pavement (RAP), however West Jordan City Public Works department has experienced problems with asphalt mixes that contain 20% RAP material. In order to ensure a satisfactory asphalt pavement, the City Public Works department requested that the mix design contain 15% or less RAP material in the mix. The contractor bid the project assuming allowance for 20% RAP material and decreasing the RAP material content to 15% which results in

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Mr. Roger Payne
 Page 2 of 3
 January 2, 2014

additional cost from the supplier. Therefore the cost associated upgrading the mix design per West Jordan City request is \$3,627.51.

Item 3 – Work Directive #2

Work Directive #2 includes a request by West Jordan City for the construction of an additional sewer lateral for a future new commercial customer along Airport Road. Based on the attachment, the cost associated with this directive is \$1,650.

Item 4 – Work Directive #3

Work Directive #3 includes a handful of improvements surrounding an existing catch basin that was intended to be protected while a new junction box was to be installed on an existing storm drain pipe between the existing catch basin and some existing communication lines. Upon excavating the area, the contractor found that the existing catch basin was precariously formed on top of sand bags and the communication lines were closer to the existing structure leaving less room for the new concrete junction box. Work Directive #3 includes removing the existing catch basin and all related items including re-grading the area around the existing catch basin. It also includes removal and installation of new curb and gutter, sidewalk, and asphalt. The cost associated with this work is \$43,902.82.

Item 5 – Revised Sewer Connection (Deduct)

The construction drawings show that an existing sewer line connection to an existing manhole needs to be abandoned. The drawings required the contractor to abandon the line upstream of the manhole by cutting and capping the line approximately 15 feet upstream of the existing manhole. The contractor requested to abandon the sewer line in the existing manhole, saving the work required to excavate and removing the 15 foot segment of pipe between the cut and the existing manhole. This portion of the change order is a deduction to the original contract by \$1,600.

The change order summary is as follows:

Item 1 - Discrepancy in the Bid Schedule Quantities	\$38,710.00
Item 2 - Asphalt Specification Change	\$3,627.51
Item 3 – Work Directive #2	\$1,650.00
Item 4 – Work Directive #3	\$43,902.82
Item 5 – Revised Sewer Connection (Deduct)	(\$1,600.00)
Total	\$86,290.33