

## Legislation Details (With Text)

**File #:** BILL NO. 21-44  
**Name:**  
**Type:** Ordinance  
**Status:** Passed  
**File created:** 2/21/2021  
**In control:** City Council - Regular Session  
**On agenda:** 3/9/2021  
**Final action:** 3/9/2021  
**Title:** An Ordinance approving Change Order No. 1 to the contract with MegaKC Corporation for the Jefferson Street Improvements project, an increase of 128 calendar days to reach substantial completion for a revised substantial completion date of May 25, 2021. (PWC 3/1/21)  
**Sponsors:** Public Works Admin & Engineering

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Change Order 1, 3. Weighted Time Table - No Winter Shutdown

Date	Ver.	Action By	Action	Result
3/9/2021	1	City Council - Regular Session	for second reading	Pass
3/9/2021	1	City Council - Regular Session	adopted and numbered	Pass
3/1/2021	1	Public Works Committee	approved	Pass

An Ordinance approving Change Order No. 1 to the contract with MegaKC Corporation for the Jefferson Street Improvements project, an increase of 128 calendar days to reach substantial completion for a revised substantial completion date of May 25, 2021. (PWC 3/1/21)

Issue/Request:

An Ordinance approving Change Order No. 1 to the contract with MegaKC Corporation for the Jefferson Street Improvements project, an increase of 128 calendar days to reach substantial completion for a revised substantial completion date of May 25, 2021.

Key Issues:

- Delayed Notice to Proceed pushed the end of the project into the winter, requiring more time to be added to the contract
- Ongoing utility conflicts and change order items affected anticipated construction production rates
- Abnormal weather conditions significantly reduced the time available to work on the project
- The City’s procurement policy requires Council approval for adding more than 30 days and/or adding time that exceed 10 % of the original contract time

Proposed City Council Motion:

FIRST MOTION: I move for second reading of an Ordinance approving Change Order No. 1 to the contract with MegaKC Corporation for the Jefferson Street Improvements project, an increase of 128 calendar days to reach substantial completion for a revised substantial completion date of May 25, 2021.

SECOND MOTION: I move for adoption of an Ordinance approving Change Order No. 1 to the contract with MegaKC Corporation for the Jefferson Street Improvements project, an increase of 128 calendar days to reach substantial completion for a revised substantial completion date of May 25, 2021

Background:

This Change Order addresses all issues related to time thru February 21, 2021. These issues include the following:

1. Delayed Notice to Proceed: The contractor intended to start the project on July 27, 2020. This would have set the Substantial Completion Date (SCD) at December 12, 2020. Using MoDOT's weighted timetable for projects without a winter shutdown, these dates would have provided the contractor with 395 Work Units (WU) to complete the project. Because of various conflicts, the contractor was unable to start productive work until August 31, 2020. In order to provide the contractor with the expected number of WU's, the SCD should be moved to March 22, 2021. This results in the addition of 63 calendar days.
2. Ongoing Utility Conflicts: Multiple utility conflicts have been documented that affected 78 days of construction. While these conflicts did not shut down the project, anticipated construction production was significantly impacted. It was agreed by both the City and the contractor that these days impacted the schedule by 50%. As a result, the 78 days impacted at 50% results in the addition of 39 calendar days.
3. Change Order Items: Several change order items affected 17 days of construction production. Using the same logic applied to the utility conflicts, 9 calendar days will be added to the contract for these items.
4. Abnormal Weather Conditions: Weather conditions were evaluated in accordance with contract. As a result of that evaluation, 17 calendar days are being added for abnormal weather conditions.

In all, 128 calendar days are being added to both the Substantial and Final Completion Dates. This adjustment includes all time related issues thru February 21, 2021. Conflicts arising after this date will be evaluated in accordance with the contract.

Michael Anderson, Construction Manager

Staff recommends approval of an Ordinance approving Change Order No. 1 to the contract with MegaKC Corporation for the Jefferson Street Improvements project, an increase of 128 calendar days to reach substantial completion for a revised substantial completion date of May 25, 2021.

The Public Works Committee voted unanimously 3-0 (Councilmember Carlyle "Absent") to recommend to City Council approval of an Ordinance approving Change Order No. 1 to the contract with MegaKC Corporation for

the Jefferson Street Improvements project, an increase of 128 calendar days to reach substantial completion for a revised substantial completion date of May 25, 2021.