

## Legislation Text

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**File #:** BILL NO. 20-141, **Version:** 1

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An Ordinance approving Change Order No. 4 to the contract with B. Dean Construction, LLC, for the Fire Station Number 3 project, an increase of \$3,933.24 for a revised contract price of \$5,542,241.43 and an increase of 37 calendar days to reach substantial and final completion. (PWC 8/3/20)

### Issue/Request:

An ordinance approving Change Order #4 to the contract with B. Dean Construction, LLC, for the Fire Station Number 3 project, an increase of \$3,933.24 for a revised contract price of \$5,542,241.43 and an increase of 37 calendar days to reach substantial and final completion.

### Key Issues:

- 37 Calendar days are being added to account for project impacts related to the collapse of the apparatus bay trusses, delivery impacts related to COVID-19, and the impacts adverse weather had on the project.
- Various quantity adjustments were made as a result of minor design changes.

### Proposed City Council Motion:

FIRST MOTION: I move for second reading of an ordinance approving Change Order No. 4 to the contract with B. Dean Construction, LLC, for the Fire Station Number 3 project, an increase of \$3,933.24 for a revised contract price of \$5,542,241.43 and an increase of 37 calendar days to reach substantial and final completion.

SECOND MOTION: I move for adoption of an ordinance approving Change Order No. 4 to the contract with B. Dean Construction, LLC, for the Fire Station Number 3 project, an increase of \$3,933.24 for a revised contract price of \$5,542,241.43 and an increase of 37 calendar days to reach substantial and final completion.

### Background:

The key item of this Change Order is the addition of the 37 calendar days to account for project impacts related to the collapse of the apparatus bay trusses, delivery impacts related to COVID-19, and the impacts adverse weather had on the project. Due to the difficult nature of determining the exact number of days these combined issues had on the overall completion of the project, it was agreed to negotiate the final settlement of additional time. After reviewing all impacts to the project, and taking into consideration the contractors continued prosecution and progress displayed during these issues, it was agreed by all parties to add 37 calendar days to the contract. There is no cost associated with these delays.

In addition to changes in contract time, this change order also authorizes changes in construction. This authorizes payment for additional items or changes in items that were recommended and approved by the

project Architect.

Based on the contract modification criteria set forth in the City's Procurement Policy, Change Orders are typically approved by the City Manager and the appropriate Department Director. Under any one of the following conditions, City Council approval is required:

- Contracts \$500,000 and greater:
  - Any single Change Order exceeding \$100,000.00.
  - Any change in contract scope.
  - Any non-change of contract scope exceeding a cumulative increase of 5% of the original contract amount.
  - Any single Change Order increasing contract time by 30 days or more.
  - Any increase in contract time due to a change in contract scope.
  - Any change in contract time not associated with a change of contract scope exceeding a cumulative increase of 10% of the original contract time.
  
- Contracts less than \$500,000.00
  - Any single Change Order exceeding \$50,000.00.
  - Any non-change of contract scope exceeding a cumulative increase of 10% of the original contract amount.
  - All other requirement listed for contracts \$500,000.00 or greater.

Impact/Analysis:

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Timeline:

Start: \_\_\_\_

Finish: \_\_\_\_

Other Information/Unique Characteristics:

[Enter text here]

Michael Anderson, Construction Manager

Recommendation: Staff recommends approval.

Committee Recommendation: The Public Works Committee voted unanimously 4-0 to recommend to City Council approval of an ordinance approving Change Order No. 4 to the contract with B. Dean Construction, LLC, for the Fire Station Number 3 project, an increase of \$3,933.24 for a revised contract price of \$5,542,241.43 and an increase of 37 calendar days to reach substantial and final completion.