



REGIONAL TRANSPORTATION COMMISSION

Metropolitan Planning • Public Transportation & Operations • Engineering & Construction

Metropolitan Planning Organization of Washoe County, Nevada

November 20, 2020

AGENDA ITEM 3.17

TO: Regional Transportation Commission

FROM: Doug Maloy, P.E.
Engineering Manager

Bill Thomas, AICP
Executive Director

SUBJECT: Change Order No. 12 for the Southeast Connector Phase 2 Project

RECOMMENDATION

Approve final Change Order No. 12 (CO 12) increasing the total amount of the construction agreement between the RTC and Granite Construction, Inc. (Granite) for the Southeast Connector Phase 2 Project, by \$2,613,563.48 for a new total amount of \$159,201,819.69; authorize the RTC Executive Director to execute CO 12.

SUMMARY

This final change order is for additional costs associated with extra work necessary to complete the project, subgrade stabilization work, and delay damages incurred by Granite during construction. In addition, deductive costs are included in the change order that will result from the assignment of a contract between Granite and Soiltech, Inc. for environmental work (wetlands maintenance and monitoring) necessary to achieve compliance with the United States Army Corps of Engineers (USACE) 404 Permit.

Execution of this change order will be contingent upon execution of a settlement agreement between RTC and Granite to settle all claims in *Granite Construction Co. v. Regional Transportation Commission of Washoe County* and to close-out the Agreement for Construction Work for Phase 2 of the Southeast Connector Project.

Previous approved change orders 1 through 11 (CO 1 – 11) resulted in a total increased contract amount of \$4,148,462.12. All previously approved change orders were the result of changes in work directed by the RTC.

FISCAL IMPACT

The original total contract amount was \$152,439,794.09. Taking into account previously approved change orders in the amount of \$4,148,462.12 and CO 12 in the amount of \$2,613,563.48, the total of all change orders if approved will be \$6,762,025.60 (approximately 4.4% of the original contract amount). The final total contract amount will be \$159,201,819.69. The additional costs associated with this change order are included in the current Fiscal Year 2021 Program of Projects budget.

PREVIOUS ACTIONS BY BOARD

March 20, 2020	Approved Change Order 11 in the amount of \$327,736 and authorized the Executive Director to execute CO 11.
February 20, 2015	Approved the Guaranteed Maximum Price and Construction Contract with Granite Construction.
Attachment	

Created 5/4/11

Project No. 532013 **CONTRACT CHANGE ORDER (C.O.) NO. 12** Sheet 1 of 2
 Change Order Requested By: Doug Maloy Date November 20, 2020

To Granite Construction Company Inc., Contractor for the Southeast Connector Phase 2

Project. You are hereby directed to make the herein described changes from the plans and specifications or do the following described work not included in the plans and specifications in accordance with the Agreement for Construction, signed by the RTC Executive Director on April 10, 2015. The net change order amount includes all labor, equipment and materials necessary to complete the work in accordance with the plans and specifications. No changes to the contract performance period result from this change order.

RTC FINANCE APPROVAL, AVAILABILITY OF FUNDS

Date: _____
Finance Manager: _____

Provide description of work, estimate of quantities, prices to be paid and changes in performance period, if any. Define additional work at contract unit price, lump sum amount and/or force account. Explain reimbursable work, if any, subject to a Board approved ICA. Use multiple sheets if necessary.

This change order results in a net increase in the Agreement amount based upon changes to the following:

Item #1

Issues 047 through 050 - Additional costs for extra work necessary to achieve suitable subgrade stabilization in specific locations due to changed conditions. Net additional cost \$2,675,000.

Item #2

Issue 069 - Additional costs associated with the fifty-four (54) day delay in providing access to specific areas of the project site identified as Segment 2. The delay resulted in a corresponding increase in the contract duration and other additional costs that were approved separately (Change Order 1). Net additional cost \$425,000.

Item #3

Issue 104 - No cost change associated with Contractor's avoidance and protection of specific areas within the limits of construction that were the result of unforeseen conditions. Net cost \$0.

RTC CONTRACT COMPLIANCE OFFICER APPROVAL

Date: _____
Compliance Manager: _____

Original Contract Amount: \$ 152,439,794.09
 Previously Approved C.O. Amounts: \$ 4,148,462.12 Net
 Increase from this C.O.: \$ 2,613,563.48
 Total Revised Contract Amount: \$ 159,201,819.69
 Total Percent Change all C.O.'s: 4.44 %

Contract time prior to this C.O.: 656
 Net increase resulting from this C.O.: 0
 New Contract Time with this C.O.: 656

Duration is Working Days unless otherwise noted

Contractor Acceptance:

Accepted Date: _____

By (Print Name): _____

Signature: _____

NOTE: This Change Order is not effective until approved by Executive Director, RTC.

RTC Approval:

Recommended by (RTC Project Manager):

Doug Maloy Digitally signed by Doug Maloy
Date: 2020.11.05 09:58:25 -08'00' Date: 11/5/20

Department Director:

Date: _____

Chief Finance Officer:

Date: _____

Executive Director:

Date: _____

Project No. 532013

CONTRACT CHANGE ORDER (C.O.) NO. 12

Sheet 2 of 2
Date November 20, 2020

Item #4 - Credit for the total cost of all remaining work included in contract item EN43 Temporary Irrigation Design, Installation and 3 year Maintenance. Completion of all remaining work shall occur following an assignment of the associated subcontract by Granite to the RTC by separate agreement, effective December 1, 2020. The credit (deductive amount) of this item is (245,479.22).

Note (Item #4) Credit amount is based on payment by Granite to SoilTech (subcontractor) for work occurring through October 31, 2020 including payment of \$20,335.55 to SoilTech for work that occurred October 1, 2020 through October 31, 2020. EN43 contract work occurring by SoilTech beginning November 1, 2020 shall be approved and paid by the RTC.

Item #5 - Credit for the cost of all remaining work included in Change Order No. 11 as of October 31, 2020. Completion of all remaining work shall occur following an assignment of the associated subcontract by Granite to the RTC by separate agreement, effective December 1, 2020. The credit (deductive amount) of this item is (\$240,957.30).

Note (Item #5): Credit amount is based on payment by Granite to SoilTech (subcontractor) for work occurring through October 31, 2020 including payment of \$44,804.50 to SoilTech for work that occurred October 1, 2020 through October 31, 2020. Change Order No. 11 work occurring by SoilTech beginning November 1, 2020 shall be approved and paid by the RTC.

SAMPLE