



# CHANGE ORDER FORM

## Project Information

Change Order #:	THREE	Date:	November 16, 2022
Project Name:	12th Street Storm Outfall Phase 1B Design Services		
Bid Number:	FD20-10-145	Dept/Division:	Public Works/Stormwater Manager
Original Budget Unit #:	NA	PO #:	NA
New Oracle Charge Number:	432-1060-58501	Project Number:	11121
Oracle Expenditure Type:	8229 - Professional Services	Oracle PO:	20210020
Expenditure Organization:	Capital Improvement		
Project Manager:	Andrew T Fisher	Title:	Civil Engineer III

## Contractor/Consultant Information

Contractor/Consultant:	ICON Engineering, Inc./Craig Jacobson	Email:	cjacobson@iconeng.com
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The CONTRACTOR/CONSULTANT is hereby directed to perform the WORK described in the CONTRACT for design/construction as amended by this CHANGE ORDER.

See attached **3** sheets with full explanation for the change order.

## Compensation to Contractor/Consultant

The original contract sum was:	\$541,200.00
The net change by previous change order was:	\$323,860.00
The contract sum prior to this change order was:	\$865,060.00
The contract sum will be: (See List) Increased	\$106,730.00
The new contract sum, including this change order is:	\$971,790.00
The contract time will be: (See List) Increased	90
The new date for project completion is:	February 28, 2023

This CHANGE ORDER is intended to, and the OWNER agrees that it shall, fairly and adequately compensate the CONTRACTOR/CONSULTANT for the extra direct costs (time and materials, etc.) as well as all expenses and damages which may result from any delays, suspensions, stretch-outs, scheduling, inefficiencies and accelerations in the WORK associated with this CHANGE ORDER, and the CONTRACTOR/CONSULTANT releases the OWNER from any claims for such expenses and damages.

This CHANGE ORDER is intended to, and the CONTRACTOR/CONSULTANT agrees that it does, provide the CONTRACTOR/CONSULTANT a reasonable and adequate period of time in which to complete the WORK in accordance with the CONTRACT for establishment of policies, as amended by this CHANGE ORDER, and the CONTRACTOR/CONSULTANT releases the OWNER from any claims for additional time to perform the WORK associated with this CHANGE ORDER.

The Contract Documents may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same document. The Contract Documents, including all component parts set forth above, may be executed and delivered by electronic signature by any of the parties and all parties consent to the use of electronic signatures.

## Signatures for Council (Council minutes need to be attached)

IN WITNESS WHEREOF, the parties have caused this instrument to be executed in two (2) original counterparts as of the day and year first above written.

Approved as to Substance	Reviewed as to Legal Form
City Manager	City Attorney
Certification of Contract Funds Availability	Departmental Certification
Director of Finance	Department Director
Purchasing Official	Project Manager

## Certification of Content by Contractor/Consultant

Representative of Contractor/Consultant	Title

## Additional Approval:

Budget Supervisor CPC Finance

Cumulative change orders totalling \$430,590 for a total of 79.6%.

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## Project Information

Change Order #: **THREE**

Project Name: **12th Street Storm Outfall Phase 1B Design Services**

Date: **11/16/2022**

Project Manager: **Andrew T Fisher**

## Change Order Justification

Why was this not in original contract?	<p>There are four substantive components to this Change Order, each described in greater detail below.</p> <p><b>1) Enhanced Water Quality Design:</b> This scope is a regulatory response. Additional scope of design was requested to address water quality needs for E. Coli treatment and to address first flush illicit discharges. The need was not recognized at the time the contract was executed and was subsequently illuminated by increased regulatory literature, federal attention on the MS4 program in the form of an EPA audit, and a structure fire and resultant firefighting activities in the project area.</p> <p><b>2) River Restoration Design:</b> There is an opportunity to enhance a degraded river section and improve sediment transport in the project location. An abbreviated evaluation of river restoration design was included in the original project scope, but viability and the scale of design efforts was unknown at the time</p> <p><b>3) Pre-construction Services:</b> The original contract followed 2019 Preliminary Design, in which that project consultant recommended a Design-Bid-Build delivery approach. A shift to a Construction-Manager-at-Risk delivery approach necessitates additional pre-construction services, which we anticipate to be off-set by savings in the Construction Phase.</p> <p><b>4) Phase 1A and 1B combination:</b> This project proposes to construct Phase 1A and 1B in tandem. This Change Order includes Pre-construction and Water Quality Design fees for both the design consultant for Phase 1A and 1B.</p>
Budget Impact/Funding	<p>This Change Order will result in an increase of \$106,730 for Professional Services. However, the project has sufficient budget to execute this Change Order will no further required transactions. Additionally, this expenditure is projected to reduce the cost of construction by more than \$2 million.</p>
Impact to project schedule	<p>ICON Engineering, Inc./Craig Jacobson</p>

<p>Detailed Explanation Of Change Order</p>	<p>There are four substantive components to this Change Order, each described in greater detail below.</p> <p>1) Enhanced Water Quality Design: This scope is a regulatory response. Additional scope of design was requested to address water quality needs for E. Coli treatment and to address first flush illicit discharges. The need was not recognized at the time the contract was executed and was subsequently illuminated by increased regulatory literature, federal attention on the MS4 program in the form of an EPA audit, and a structure fire and resultant firefighting activities in the project area.</p> <p>2) River Restoration Design: There is an opportunity to enhance a degraded river section and improve sediment transport in the project location. An abbreviated evaluation of river restoration design was included in the original project scope, but viability and the scale of design efforts was unknown at the time</p> <p>3) Pre-construction Services: The original contract followed 2019 Preliminary Design , in which that project consultant recommended a Design-Bid-Build delivery approach. A shift to a Construction-Manager-at-Risk delivery approach necessitates additional pre-construction services, which we anticipate to be off-set by savings in the Construction Phase.</p> <p>4) Phase 1A and 1B combination: This project proposes to construct Phase 1A and 1B in tandem. This Change Order includes Pre-construction and Water Quality Design fees for both the design consultant for Phase 1A and 1B. This will extend design professional services to February 2023. Notice to Proceed for Construction of Phase 1B will be delayed from November 2022 to February 2023. The overall construction schedule impact to Phase 1 is delayed one month but still projected to be completed within the project schedule. Construction of Phase 1A is proposed to begin construction in December 2022 through an Early Work Amendment prior to finalization of the Guaranteed Maximum Price (GMP) contract.</p>
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