



CHANGE ORDER FORM

Project Information

Change Order #:	TWO			Date:	April 15, 2022
Project Name:	12th Street Storm Outfall Phase 1B Design Services				
Bid Number:	FD20-10-145			Dept/Division:	Public Works/Stormwater Management
Original Budget Unit #:				PO #:	
New Oracle Charge Number:	432-1060-58501	Project Number:	11121	Oracle PO:	20210020
Oracle Expenditure Type:	8229 - Professional Services		Expenditure Organization:	Capital Improvement	
Project Manager:	Andrew T Fisher			Title:	Civil Engineer III

Contractor/Consultant Information

Contractor/Consultant:	ICON Engineering, Inc.	Phone /Extension:	303.221.0802
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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 **5** 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:	\$24,160.00
The contract sum prior to this change order was:	\$565,360.00
The contract sum will be: (See List) Increased	\$299,700.00
The new contract sum, including this change order is:	\$865,060.00
The contract time will be: (See List) Unchanged	
The new date for project completion is:	

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 \$323,860 for a total of 59.8%.

CHANGE ORDER FORM



Project Information

Change Order #: **TWO**

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

Date: **4/15/2022**

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>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.</p>
Budget Impact/Funding	<p>This Change Order will result in an increase of \$299,700 for Professional Services. However, the original contract executed was well below the originally estimated and budgeted amount for Professional Services, and the balance of Phase 1A Professional Services was transferred to Phase 1B in early 2021. Consequently, this project has sufficient budget to execute this Change Order will no further required transactions.</p>
Impact to project schedule	<p>None.</p>

<p>Detailed Explanation Of Change Order</p>	<p>1) Enhanced Water Quality Design: This project is proposed to construct a Water Quality facility to treat stormwater runoff in Downtown Greeley prior to discharge to the Cache la Poudre River. The design specifications were initially chosen to reflect typical industry standards. However, after design commenced, the industry has shifted with additional scrutiny on treatment and removal of E Coli from stormwater runoff. A required discharge Total Maximum Daily Load (TMDL) may become a regulatory requirement, and we recommend designing this critical facility to address anticipated regulatory requirements. In addition, a structure fire occurred during design within the tributary area, highlighting an opportunity to remove initial discharge volumes from the Water Quality facility. This change in approach will decrease future maintenance and cleanup efforts on the facility. This constitutes approximately 35% of this Change Order (\$105k).</p> <p>2) River Restoration Design: The outfall location is in an area of significant river degradation, with poor sediment transport and limited ecological value. Preliminary evaluations within the existing contract confirmed that river restoration efforts would vastly improve river function, decreasing future maintenance, increasing aesthetics and ecological function. This project already will require a contractor to construct within the Cache la Poudre River and coordinate permits through the Army Corps of Engineers and Federal Emergency Management Agency. Added scope to include alternatives for channel concepts, additional survey, wetland mitigation alternatives, and CLOMR/LOMR submittals are required to fully execute river restoration efforts. This constitutes approximately 25% of this Change Order (\$73k). The improved river section is anticipated to reduce annualized maintenance costs by approximately \$50,000.</p> <p>3) Pre-construction Services: Re-evaluation of the design approach and complexity of the project highlighted the opportunity for decreasing construction schedule and budget risk by moving to a Construction-Manager-at-Risk delivery method. This approach involved contracting with a construction contractor prior to design completion and utilizing their expertise to select materials and ensure constructability of the project. This additional coordination necessitates additional meetings and coordination with the design consultants. By decreasing risk in construction, this approach will decrease overall Project cost to the City in construction. This constitutes approximately 31% of this Change Order (\$93k).</p> <p>4) Phase 1A and 1B combination: Phase 1 was designed by different consultants in sub-phases (1A - Kimley-Horn and 1B - ICON). Phase 1A was initially planned as a Design-Bid-Build with construction in early 2022. Delays in procurement of bond funding resulted in the planned construction coinciding with Phase 1B construction in late 2022. As a result, coordination between Phase 1A and Phase 1B is paramount. The CMAR model involves a collaborative team between the Owner, Design Consultant and Construction Contractor. With two Engineering Firms of Record on Phase 1, we instructed Kimley-Horn to operate as a</p>
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