

FOR BOARD ACTION

Agenda Item # 6

Meeting Date:

12/17/09

SUBJECT:

Westside Substation Grading, Foundations & Fence Contract, Change Order No. 1

PREPARED BY:

Neil Stiller - Sr. Electrical Engineer

Bob Ledebuhr - Materials Manager

ITEM DESCRIPTION:

The RPU Board approved the contract identified as Westside Substation Grading, Foundations, and Fence with Alvin E. Benike Inc. for the site preparation and installation of foundations and fence related to the new RPU Westside Substation. The firm lump sum price of the contract was \$642,500.

This work is ongoing, with all 2009 milestones completed. All work to date has been very satisfactory. Applications for payment totaling \$526,516 have been processed to date. Remaining work including installation of crushed rock and final cleanup is scheduled for August 2010.

Staff consolidated the various scope changes and quantity changes which are defined in the attached Engineering Change Order No. 1. These changes add up to \$79,672.90. The major component of the change order is additional excavation and backfill due to unforeseen site conditions. Although there was a contract unit price of \$24.28 per cubic yard, the contractor offered to perform the additional work at a reduced price of \$16.80 per cubic yard. Attached is a recommendation from the Project Engineer concerning revised excavation and backfill quantities.

As part of the project, The RPU Board approved a contingency of \$25,000. Staff recommends that this \$25,000 contingency remain in effect to cover unforeseen issues possible for the balance of the project.

FOR CAPITAL PURCHASES/BIDS/MAJOR PROJECTS:

The work of this contract, including this change order, remains within budget and less than the Engineer's estimate.

This request is for a contract change with the scope and quantities as identified on the Engineering Change Order No. 1 and the authorized amount of the contract increased by \$79,672.90. This amount is not included in the approved project contingency, but will not increase the overall project budget.

UTILITY BOARD ACTION REQUESTED:

Staff requests Board approval of Change Order No. 1 to the Westside Substation Grading, Foundations, and Fence contract which is a change of scope and will require additional funds in the amount of \$79,672.90. The value of the contract will increase to \$722,172.90.


General Manager


Date

ROCHESTER PUBLIC UTILITIES



Engineering Change Order No. 1

Form 006363

Project Name: Westside Substation – Grading, Foundations & Fence RPU Project No. 7002783
RPU Representative: Neil Stiller RPU Contract No. 09-15-E
Contractor Representative: Aaron Benike Contractor: A.E.Benike Inc.

The following modifications to subject Contract were directed by RPU and accepted by Contractor. Prices include Contractor margin.

1. Between bidding and issuing of final construction drawings and specifications, the following changes were required:
 - The size of foundation E was reduced and the requirement for anchor bolts to be provided by contractor on foundation D was added. Net change of \$0.
 - A culvert was required for the access road at the ROW line. Material was provided by RPU, installation by Contractor. Net change +\$1,966.65
 - Additional silt fence was required around the topsoil stockpile. Net change +\$866.25
 - Check dams were required for erosion control. Net change +\$1,260.00
2. Based on geotechnical engineer's recommendation, the base preparation of foundations D and E was changed. Net change \$0.
3. Contractor discovered topsoil to a depth greater than estimated. Specification required topsoil to be removed and backfilled with approved material. Contractor submitted surveyed elevations showing actual bottom of excavation. Engineer reviewed submittal and calculated the revised volume. During these calculations, Engineer found a discrepancy in the Contractor's original estimate as compared to the data presented in the geotechnical report. Engineer's evaluation document is attached.
 - 4500 cu. yards additional excavation and backfill @ \$16.80 per cu. yd. Net change +\$75,600.00

The modifications noted above result in an increase of \$ 79,692.90 in Contract Price, the current Contract Price being:

Original Contract Price \$ 642,500.00
Total net amount of all previous Change Orders (+ or -) \$ 0
Total net amount of this Change Order (+ or -) \$ + 79,692.90
Current Contract Price including this Change Order \$ 722,192.90

The Contract Time shall be unchanged.

Original Completion Date August, 2010
Total net time adjustment of this Change Order (+ or -) 0 days
Current Completion Date including this Change Order August, 2010



December 10, 2009

Mr. Neil Stiller
Rochester Public Utilities
4000 East River Road
Rochester, MN 55906-5006

Subject: Westside Substation (Ulteig project 208.0023)

Dear Mr. Stiller,

We have reviewed the documentation for the above referenced project as requested. After reviewing the information submitted and the geotechnical reports, it is our opinion that the amount of topsoil on the site exceeded a reasonable estimate amount based on the initial data. It is our opinion that the additional topsoil is approximately 4500 cubic yards and the contractor should be compensated for the additional material that needed to be moved in order to complete the project in accordance with the project plans and specifications.

If you have any questions or need additional information, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Livgard", is written above the typed name.

Troy D. Livgard, P.E.



RESOLUTION

BE IT RESOLVED by the Public Utility Board of the City of Rochester, Minnesota, to approve Change Order No. 1 to the Westside Substation Grading, Foundations, and Fence contract with Alvin E. Benike Inc. for the Westside Substation Project, including changes of scope and quantities as identified on the Change Order No. 1, and the authorized amount of the contract increased by \$79,672.90. This amount is not included in the project contingency but will not increase the overall project budget. The value of the contract will increase to \$722,172.90.

Passed by the Public Utility Board of the City of Rochester, Minnesota, this 17th day of December, 2009.

President

Secretary