



**BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS**

Requested Board Meeting Date: October 20, 2015

or Procurement Director Award

Contractor/Vendor Name (DBA): KE & G Construction, Inc,

Project Title/Description:

VALENCIA ROAD-ALVERNON WAY TO WILMOT ROAD (4VAKDP)

Purpose:

The purpose of this Change Order is to create a new line item, Roadway Excavation (Stockpile Handling). Due to the underestimated amount of the project's earthwork, additional handling of stockpile and excavated material is required. 23 construction days will also be added to the contract time due to the extra work associated with the handling of the stockpiles.

Procurement Method:

NA

Program Goals/Predicted Outcomes:

To give the contractor additional time and compensation for the additional work.

Public Benefit:

The new roadway will relieve traffic congestion and provide a safe and smooth road with improved drainage for the traveling public.

Metrics Available to Measure Performance:

The Contractor completes the project on time and within budget in accordance with the project's plans and specifications.

Retroactive:

No

OCT 13 10:40:09 PM 2015
Procure Dept 10/13/15 PM 02:10

To: COB 10-15-15 (1)
Pgs. 7 Addendum

Original Information

Document Type: _____ Department Code: _____ Contract Number (i.e., 15-123): _____

Effective Date: _____ Termination Date: _____ Prior Contract Number (Synergen/CMS): _____

Expense Amount: \$ _____ Revenue Amount: \$ _____

Funding Source(s): _____

Cost to Pima County General Fund: \$ _____

Contract is fully or partially funded with Federal Funds? Yes No Not Applicable to Grant Awards

Were insurance or indemnity clauses modified? Yes No Not Applicable to Grant Awards

Vendor is using a Social Security Number? Yes No Not Applicable to Grant Awards

If Yes, attach the required form per Administrative Procedure 22-73.

Amendment Information

Document Type: CT Department Code: TR Contract Number (i.e., 15-123): 14-048

Amendment No.: Change Order # 9 AMS Version No.: 16

Effective Date: 10/20/15 New Termination Date: _____

Expense Revenue Increase Decrease Amount This Amendment: \$ 262,588.35

Funding Source(s): RTA Funds (94%), City of Tucson (4%), 1997 HURF Bonds (DOT-41) (1%), Pima County RWRD Funds (1%)

Cost to Pima County General Fund: \$0.00

Contact: Anthony V. Schiavone

Department: Procurement, D & C Division Telephone: 724-3245

Department Director Signature/Date: [Signature] 9/30/15

Deputy County Administrator Signature/Date: [Signature] 10/1/15

County Administrator Signature/Date: [Signature] 10/1/15

(Required for Board Agenda/Addendum Items)

PIMA COUNTY DEPARTMENT OF TRANSPORTATION	
PROJECT:	Valencia Road: Alvernon Way to Wilmot Road
CONTRACTOR:	KE & G Construction, Inc. 5100 S. Alvernon Way Tucson, Arizona 85706
CONTRACT NO.:	CT-TR-14000000000000000048
CHANGE ORDER NO.:	Nine (9)
FUNDING:	RTA, City of Tucson, 1997 HURF, RWRD Funds

CONTRACT
NO. <u>CT-TR-14000000000000000048</u>
CHANGE ORDER NO. <u>09</u>
This number must appear on all invoices, correspondence, and documents pertaining to this contract.

CONTRACT TERM: 08/20/2013 - 08/19/2016	ORIGINAL CONTRACT AMOUNT:	\$	22,716,211.00
TERMINATION PRIOR AMENDMENT: N/A	PRIOR CHANGE ORDERS:	\$	293,975.01
TERMINATION THIS AMENDMENT: N/A	AMOUNT THIS CHANGE ORDER:	\$	262,588.35
	REVISED CONTRACT AMOUNT:	\$	23,272,774.36

CONSTRUCTION CONTRACT CHANGE ORDER

WHEREAS, COUNTY and CONTRACTOR have entered into the Contract referenced above; and

WHEREAS, COUNTY requires modification of the Contract Bid Schedule due to unforeseen conditions that were not apparent on the project surface arising during the regular course of construction; and

WHEREAS, these unforeseen conditions include the additional handling of stockpiled excavated materials; and

WHEREAS, COUNTY and CONTRACTOR agree to add a line item in the Bid Schedule and to increase funding to provide payment for said modification; and

WHEREAS, COUNTY and CONTRACTOR have agreed that the additional work would add 23 construction days to the project; and

WHEREAS, COUNTY and CONTRACTOR have agreed to modify this Contract to reflect these changes.

NOW, THEREFORE, it is agreed as follows:

CHANGE: The second paragraph in **ARTICLE I – TERM AND EXTENSION/RENEWAL/CHANGES**, as follows:

- From: "Construction completion time for the work to be performed under this Contract shall be 400 working days from the date of Notice to Proceed."
- To: "Construction completion time for the work to be performed under this Contract shall be 423 working days from the date of Notice to Proceed."

CHANGE Exhibit A – Bid Schedule as follows:

1. **Add Item #2030300A, Roadway Excavation (Stockpile Handling)**, for a quantity of 44,991 C.Y. at the New Unit Price of **\$5.84/CY**. for a total AMOUNT of \$262,588.35.

CHANGE: The third paragraph in **ARTICLE III – COMPENSATION AND PAYMENT**, as previously amended in Change Order # 8, as follows:

From: "Total Payment for the Contract shall not exceed Twenty-three Million, Ten Thousand, One Hundred, Eighty-six Dollars and one cent. (\$23,010,186.01)"

To: "Total payment for the Contract shall not exceed Twenty-three Million, Two Hundred Seventy-two Thousand, Seven Hundred Seventy-four Dollars and Thirty-six Cents. (\$23,272,774.36)

This Change Order shall be effective on October 20, 2015.

All other provisions of the Contract, not specifically changed by this Change Order, shall remain in effect and be binding upon the Parties.

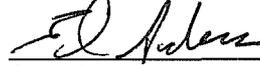
IN WITNESS THEREOF, the parties have affixed their signatures to this Change Order on the dates written below.

APPROVED:

Chair, Board of Supervisors

Date

CONTRACTOR:



Signature

Ed Anderson, Vice President

Name and Title (Please Print)

9-29-15

Date

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:



Deputy County Attorney

ANDREW FLAGG

Name (Please Print)

“CHANGE ORDER /AMENDMENT REQUEST”
From
TRANSPORTATION / FIELD ENGINEERING
REQUEST OF 9/22/15 “EXHIBIT A”

1. Contractor: K E & G Construction
5100 S Alvernon Way
Tucson, AZ 85706
2. Contract No.: CT-TR-14**0048
Project No. W.O. 4VAKDP: Valencia Road: Alvernon Way to Wilmot Road
3. Change Order/Amendment No.: Nine (9)
4. Change in contract working day or calendar day (+/-): (23) Working Days
5. Termination Date: (No Change)
6. Amount of this Change Order/Amendment (+/-): \$262,588.35
7. See detailed description of work and Justification below.

DESCRIPTION of WORK and JUSTIFICATION:

REQUEST:

1. **Create Item # 2030300A, Roadway Excavation (Stockpile Handling)**, for a quantity of 44,991 C.Y. at a new unit price of \$5.84, for a TOTAL AMOUNT of \$262,588.35.
2. **Add** Twenty-three work days to the contract with no change to the termination date.

REASON:

1. Creating this item, Roadway Excavation (Stockpile Handling), is necessary to complete earthwork on the project. Due to differences in the earthwork balance, additional handling of stockpiled, excavated materials is required.
2. Additional contract days are needed to facilitate the extra work associated with handling the stockpiles.

COST ANALYSIS:

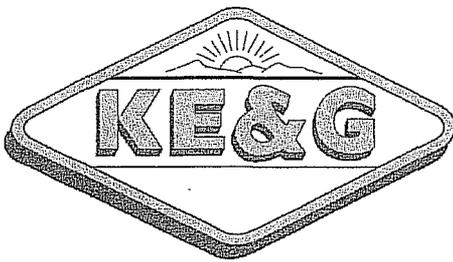
ITEM No.	DESCRIPTION	UNIT	BID / ADJ QTY	THIS C.O.	PRICE	AMOUNT
2030300A	Roadway Excavation (Stockpile Haul-off)	C.Y.	0	44,991	\$5.84	\$262,588.35

Desired Effective Date: October 20, 2015

Requested by: James Cunningham 9-17-15
James Cunningham, P.E., S.E., R.L.S.,
Field Engineering Manager Date

COPY TO DESIGN ENGINEERING: Sept. 3, 2015

ATTACHMENTS: Letter and analysis from contractor.



1601 PASEO SAN LUIS, SUITE 202
SIERRA VISTA, ARIZONA 85635
(520) 458-9594
FAX (520) 458-2362

5100 S. ALVERNON WAY
TUCSON, ARIZONA 85706
(520) 748-0188
FAX (520) 748-8975

July 6, 2015

Pima County Department of Transportation
1313 S. Mission Rd.
Tucson, AZ 85713

Attn: Tom Kilargis

Valencia Road – Alvernon Way to Wilmot Road
PCDOT Project No: WO #4VAKDP
KE&G Project No. 130288
PCDOT – L072

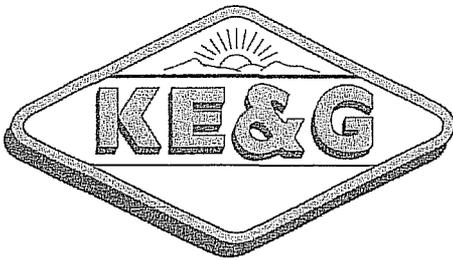
RE: Extra Work Request No. 32
Excessive Dirt

Mr. Kilargis,

As you are aware, there was a serious error in the dirt quantities on this project's bid schedule. As a result, while constructing the project we were forced to build stockpiles throughout the project in an effort to manage the excess material and not impede our work areas. After it was apparent that the project would not utilize the Borrow item and there would be excess material to handle, KE&G was directed by Pima County to build slopes wider than the planned roadway prism in the following locations:

- 1) The NW corner of the UPRR Bridge.
- 2) The NE corner of the UPRR Bridge.
- 3) The South side Valencia slope from approximately 221+00 to the SE corner of the UPRR Bridge.
- 4) Both entrances located at approximately 221+00 on the North and South side of Valencia.

Overall, KE&G had to build 12 different stockpiles in an effort to manage the additional material. Handling the excess material multiple times, building stockpiles, additional hauling and compacting efforts has increased our overall project cost. In addition to the material cost, the time to perform this extra work increased our duration on the project and extended our General Condition cost as well.



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Please be advised that the place & compact costs that KE&G seeks reimbursement for is applied to all of the material that was used to build the above mentioned slopes wider than the original roadway prism.

KE&G Construction is seeking reimbursement for the following items and costs:

1) Excess dirt stockpiling/handling	44,991 CY	\$244,856.12
2) Extended project duration GC's	5 Days	<u>\$19,930.00</u>
		\$264,786.12

Also, please be advised that Pima County has reimbursed KE&G for the removal of some of the stockpiles that were built. This change order request has accounted for those items and is seeking reimbursement for the work that was not covered by the previous Pima County reimbursement.

Attached please find a summary of contents that outlines all of the backup information to substantiate this request.

Thank you for your consideration in this matter and please feel free to contact me with any questions that you may have.

With Regards
KE&G Construction, Inc.

Ed Anderson
Vice President

\$262,578.35

Per agreement

**PIMA COUNTY DEPARTMENT OF TRANSPORTATION
FIELD ENGINEERING CHANGE ORDER / AMENDMENT**

stamp here

PROJECT NAME: Valencia Road: Alvernon Way to Wilmot Road
 CONTRACT NO: CT-TR-14*0048
 PROJECT NO: 4VAKDP
 FUNDING: RTA: COT: 1997 HURF: RWRD

CONTRACTOR:
 K E & G Construction
 5100 S. Alvernon Way
 TUCSON, AZ 85706
 PH: (520) 748-0188

Change Order / Amendment # 9

Original Contract Time: 400 Working days Total Adjusted Time: 423 Working Days Contract Termination Date: 19-Aug-16
 NTP Date: 6-Jan-14

The following modification(s) are to be made to elements of the work:

ITEM No.	DESCRIPTION	UNIT	QUANTITIES		UNIT PRICE	AMOUNT	BID / ADJ ITEM VARIATION	CATEGORY
			BID / ADJ QTY	THIS C.O.				
2030300A	Roadway Excavation (Stockpile Handling) (includes five (5) days of General Conditions)	C.Y.	0	44,991	\$5.84	\$262,588.35	0.00%	UC
						\$262,588.35		

Previous Change Orders / Amendments: \$293,975.01

This Change Order / Amendment \$262,588.35

1.16%

Total Change Orders / Amendments: \$556,563.36

2.45%

Original Contract Amount: \$22,716,211.00

Current Contract Amount: \$23,272,774.36

Adjusted Contract Time: 23 Work Days

CATEGORY KEY:

OR = Owner-Requested Changes	VE = Value Engineering
DE = Design E/O	UI = Utility Impacts
UC = Unforeseen or Changed Conditions	QA = Quantity Adjustment