



Legislation Details (With Text)

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**Title:** Approve the award of Change Order #5 to Contract 21-141, Julian Street Improvements, to Copenhaver Construction for an additional 61 days

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment

Date	Ver.	Action By	Action	Result
10/19/2021	1	City Council	approved	

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Approve the award of Change Order #5 to Contract 21-141, Julian Street Improvements, to Copenhaver Construction for an additional 61 days

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** William J. Novack, Director

**BOARD/COMMISSION REVIEW:**

N/A

**BACKGROUND:**

The City Council awarded Contract 21-141 to Copenhaver Construction on May 4, 2021 for an amount not to exceed \$3,113,187.98 and a completion date of October 1, 2021 for the purpose of bringing Julian Street, from Gartner Road to Prairie Avenue, up to city collector street standards. This includes adding storm sewers to improve drainage, extending watermain and sanitary sewers, improving pedestrian connectivity by adding sidewalks, installing street lights, installing a box culvert, and installing curb and gutters. At the north end of the project, between Prairie Avenue and Porter, a 36-inch storm sewer will be installed to address flooding issues.

Since the May 2021 award, the city manager has approved the following four change orders:

1. Change Order #1 of Contract 21-141 to Copenhaver Construction on July 1, 2021 for an amount not to exceed \$6,910.00 and a total award of \$3,120,097.98.
2. Change Order #2 of Contract 21-141 to Copenhaver Construction on July 9, 2021 for an amount not to exceed \$3,994.00 and a total award of \$3,116,103.98.

3. Change Order #3 of Contract 21-141 to Copenhagen Construction on August 18, 2021 for an amount not to exceed \$4,500 and a total award of \$3,120,603.98.
4. Change Order #4 of Contract 21-141 to Copenhagen Construction on August 20, 2021 for an amount not to exceed \$68,300 and a total award of \$3,188,903.98 and an additional 29 days which moved the substantial completion date from October 1, 2021 to October 30, 2021.

The amount of this change order increases the original contract expiration date by 61 days from October 1, 2021 to December 1, 2021.

### **DISCUSSION:**

This change order to account for the delays associated with receiving underground storm structures (oversized manholes and custom-made inlets) from concrete suppliers, aeration of excavated material, removing existing trees, and design and casting of precast wingwalls. A more detailed description of each component is shown below.

#### *Storm Structures*

The storm structures were put on production schedule the same day Copenhagen received submittal approval but there was a substantial backup at the production facilities. Copenhagen considered alternate production locations but those facilities were experiencing the same lead times. All delays were related to orders delayed from last year's pandemic and a shortage of material from production stalls.

#### *Aeration of Excavated Materials*

Excavated material was sampled in advance of construction and was found to have no contaminants. However, during the time of excavation an unknown odor was discovered that caused the dump sites to reject the material despite the testing showing no levels of contaminants. Clean demolition debris sites reserve the right to reject material based on a number of factors including odor. Upon further testing, the material was confirmed to not be contaminated. However, the dump sites would no longer take the material. To avoid dumping material at a non-special waste site, or further rejection from clean demolition debris sites, the dirt was to be hauled and aerated until the odor has dissipated.

#### *Removal of Existing Trees*

Copenhagen experienced delays when coordinating the second phase of tree removals. Due to the tornado that occurred this summer, subcontractor schedules were backlogged between six to eight weeks. Despite Copenhagen's ongoing effort to utilize alternative tree removal companies, the earliest schedule still caused a five-week delay.

#### *Design and Casting*

The preparation and casting of the precast wingwalls took much longer than anticipated. After a subsequent submittal between the structural engineer at Copenhagen and the City's consulting structural engineer, the structural design of the wingwalls was approved and moved to production. However, due to the ongoing material shortages and production delays at Old Castle, Norwalk Tanky, and other precast manufacturers the wingwalls could not be cast until the end of September. The wingwalls then required a curing period of two weeks before they could be handled and transported.

This contract was approved with contingency in the amount of 3% (\$93,395.64) of the original

contract value and 29 days. Staff requests the use of all 29 days in the original contract plus an additional 32 days (for a total of 61 days) for the change order in order to move the final completion date from October 1, 2021 to December 1, 2021. A summary of the award and contingency information is provided in the tables below.

**Contract Award**

Original Contract Value	\$3,113,187.98
Prior Cumulative Approved Change Orders	\$75,716.00
Subtotal	\$3,188,903.98
(+/-) This Change Order	\$0
Total Contract Value	\$3,188,903.98

**Contingency**

Authorized Contingency	Days	Dollars
<i>Original Amount</i>	29	\$93,395.64
(-) Previously Authorized	29	\$75,716.00
Subtotal	0	\$17,679.64
(-) This Change	32	\$0
Balance Left	-32	\$17,679.64

**FISCAL IMPACT:**

CIP #: SC216 & SW038

This change order solely affects the term of the award and does not change the overall award amount of \$3,188,903.98.