



RECEIVED

MAR 16 2020

RECEIVED

MAR 10 2020

Change Record

Contract Number 008865	Contract Title SR 202, Little Bear Creek Fish Barrier Removal <i>WSDOT Sno-King</i>	Federal Aid Number STPF-0202(055)
Change Order Number 22 <i>RI</i>	Change Description Final Contract Clear All	Date Mar 9, 2020
Region Northwest Region	Project Engineer Shawn Neil Wendt, P.E. <i>SNW</i>	Phone Number 425-225-8725

Prime Contractor / Design-Builder
Olson Brothers Excavating, Inc.

- Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications or the
- Change proposed by Contractor / Design-

Evolution & Description Of Change

Attached for review and further processing is PE recommended Change Order No. 22. This change order settles all issues and claims related to Contract No. 008865 by authorizing a clear all equitable adjustment of \$1,920,841.00. The Contract consists of replacing an existing box culvert with a new buried bridge. Final settlement is provided for the following items:

Traffic Control

Added Work to the Contract required 95 additional days of traffic control, whose costs were prorated from lump sum Bid Item Nos. 105, 108 and 110 in Change Order No. 13, Revision 1, "Added Duration Traffic Control". Traffic control paid under Change Order No. 13 will be credited as this change order provides compensation at a higher rate. WSDOT neglected to pay the Contractor for numerous traffic control labor hours. Hours for added Work are included in this change order while hours for Contract Work will be paid under existing bid items. This change order also pays a markup of 28 percent for withheld payment of traffic control hours for Contract Work.

Job Site Overhead

Added Work to the Contract required extended job site overhead for a duration of 177 working days, including 64 working days granted under Change Order No. 6, Revision 1. This change order includes compensation for job site equipment, services and project management staff.

Home Office Overhead

The Contractor incurred Extended Home Office Overhead costs during working days added throughout the Contract. These costs were calculated using the Eichleay Formula.

Extended Project Management

The Contractor incurred extended project management costs and hired a consultant to re-evaluate impacts to the project schedule related to the added shoring and platform Work. However, the Contractor never submitted project schedule updates. Therefore, due to shared responsibility, WSDOT agreed to pay half of the Contractor's extended project management and consulting costs.

Temporary Street Plates

The Contractor incurred added rental costs for temporary street plates due to the added structural shoring and drill rig platform Work. Costs were verified with all of the Contractor's street plate rental invoices, which are assumed to be correct. This change order omits rental costs previously paid under existing items and includes a markup of 14 percent for the payment delay.

Transportable Attenuator

This change order pays for the cost to provide two Transportable Attenuators during 95 added days of traffic control.

Distribution By:

Project Office

- Copy of Change Records & Change Order w/Backup - Project Engineer
- Copy of ONLY Change Order - Prime Contractor / Design-Builder
- Electronic Copy of Change Records & Change Order w/Backup - State Construction Office
- Original of Change Records & Change Order w/Backup - Region Construction Office

Region

- Original of Change Records & Change Order w/Backup - State Construction Office



Contract Number 008865	Contract Title SR 202, Little Bear Creek Fish Barrier Removal	Federal Aid Number STPF-0202(055)
Change Order Number 22 <i>BA</i>	Change Description Final Contract Clear All	Date Mar 9, 2020
Region Northwest Region	Project Engineer Shawn Neil Wendt, P.E.	Phone Number 425-225-8725
Prime Contractor / Design-Builder Olson Brothers Excavating, Inc.		
<input checked="" type="checkbox"/> Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications or the <input type="checkbox"/> Change proposed by Contractor / Design-		
Evolution & Description Of Change (CONTINUED FROM PREVIOUS PAGE) <p><u>Platform Procurement and Fabrication</u> Change Order No. 6, "Drill Shaft Structural Shoring", compensated the Contractor for 64 days of added Work to design and construct structural shoring for the drill rig platform; WSDOT had determined that design and construction of the platform was added Work to the Contract. The drill rig platform required 152 days to design and construct. Procurement and fabrication of materials for the drill rig platform occurred between December 1, 2016 and January 4, 2017 and consumed 16 working days.</p> <p><u>Platform Construction</u> The Contractor requested 50 working days plus compensation to construct the drill rig platform from January 5 to April 21, 2017. These working days were determined by WSDOT to be added Work to the Contract during the approval of Change Order No. 6 as explained above.</p> <p><u>Shaft Obstructions</u> The Construction Project Engineer determined that the Contract did not provide adequate information to assess the footing depth of the existing counterfort retaining wall and agreed to pay for shaft drilling through the wall's footing under existing force account Item Nos. 7 and 8. The Contractor requested 18 working days for the removal of shaft obstructions and compensation for labor and equipment hours that have not been paid under Item Nos. 7 and 8.</p> <p><u>Platform Impacts to Shaft Installation</u> For 46 working days from April 24 to July 10, 2017, approximately 1.5 hours per shift were dedicated to removal and replacement of platform structural members to allow for installation of structural shafts beneath the platform. The time for these activities is equal to approximately nine days of added Work.</p> <p><u>Girder End Pad Delay</u> The Contractor experienced a 12-hour delay waiting for direction on how to proceed with installing shims at the girder end pads. The Contract included an unconstructible detail for the Work. At the same time, the Contractor did not have shims on site during the weekend closure. Therefore, WSDOT agreed to pay half of the costs associated with the 12-hour delay.</p> <p><u>Street Cleaning</u> The Contractor incurred additional street cleaning costs during added Work to the Contract.</p> <p><u>Removal and Disposal of Platform Materials</u> This added Work occurred after the weekend closure on August 1 and 2, 2017 and consumed two working days.</p>		

Distribution By:

Project Office

- Copy of Change Records & Change Order w/Backup - Project Engineer
- Copy of ONLY Change Order - Prime Contractor / Design-Builder
- Electronic Copy of Change Records & Change Order w/Backup - State Construction Office
- Original of Change Records & Change Order w/Backup - Region Construction Office

Region

- Original of Change Records & Change Order w/Backup - State Construction Office



Contract Number 008865	Contract Title SR 202, Little Bear Creek Fish Barrier Removal	Federal Aid Number STPF-0202(055)
Change Order Number 22 <i>21</i>	Change Description Final Contract Clear All	Date Mar 9, 2020
Region Northwest Region	Project Engineer Shawn Neil Wendt, P.E.	Phone Number 425-225-8725
Prime Contractor / Design-Builder Olson Brothers Excavating, Inc.		
<input checked="" type="checkbox"/> Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications or the <input type="checkbox"/> Change proposed by Contractor / Design-		
Evolution & Description Of Change (CONTINUED FROM PREVIOUS PAGE)		
<p><u>Removal and Disposal of Soldier Piles</u> The drill rig platform design required soldier piles to be cast in structural concrete. This resulted in 16 days of added Work from May 14 to June 22, 2018 for the Contractor to remove the soldier piles and dispose of structural concrete waste.</p>		
<p><u>April 2018 Remobilization</u> WSDOT suspended Work from October 24, 2017 to April 27, 2018 due to winter weather and the in-water Work window being closed until July 1, 2018. The suspension resulted in two added days of mobilization during the week of April 30, 2018.</p>		
<p><u>Replace Red Cedar Trees</u> In April of 2019, it was discovered that beavers had damaged Red Cedar plants. WSDOT directed the Contractor to replace the plants and agreed to pay the invoiced cost of the plants since labor and equipment are already paid under the existing Bid Item No 78.</p>		
<p><u>Liquidated Damages</u> The Contractor incurred liquidated damages for the late opening of SR 202 during the July 2017 weekend closure. After execution of this change order, the Contractor will have 27.5 outstanding working days. Liquidated damages for these working days were calculated in accordance with Standard Specifications Section 1-08.9.</p>		

Distribution By:

Project Office

- Copy of Change Records & Change Order w/Backup - Project Engineer
- Copy of ONLY Change Order - Prime Contractor / Design-Builder
- Electronic Copy of Change Records & Change Order w/Backup - State Construction Office
- Original of Change Records & Change Order w/Backup - Region Construction Office

Region

- Original of Change Records & Change Order w/Backup - State Construction Office

Contract Number 008865	Contract Title SR 202, Little Bear Creek Fish Barrier Removal	Change Order Number 22 <i>21</i>
Basis of Cost & Justification: <p>Reimbursement for the new item of Work "CO#22 Final Contract Clear All" will be paid at the agreed lump sum amount of \$1,920,841.00.</p> <p>The Contractor is entitled to additional compensation under Standard Specifications Section 1-04.4, Item 5, because WSDOT determined the design, procurement, construction and removal of the drill rig platform as well as shaft obstructions and remobilization in April of 2018 to be added Work.</p> <p>The net amount for this change order is \$1,920,841.00. This pricing is appropriate because the Project Engineer's office used certified payrolls, Inspectors' Daily Reports, the Rental Rate Blue Book and existing lump sum bid pricing to calculate the compensation and verify the labor and equipment hours listed on Records of Protested Work. Hours paid under previous change orders and force account Contract items are excluded from this change order.</p>		
Contract Time: <p>This change order adds 113 working days to the Contract. Please see the attached Working Day Assessment for further information and justification of the added days.</p>		
Prior Approvals: <p>Edward W. Kane, Project Engineer, gave his approval to proceed on July 18, 2019. Messay Shiferaw, NWR Assistant Regional Administrator, gave his approval on October 10, 2019. Craig McDaniel, Deputy State Construction Engineer, gave his approval on March 5, 2019.</p>		
List Attachments: Working Day Assessment Checklist Estimate Approvals		

Distribution By: **Project Office**
 Copy of Change Records & Change Order w/Backup - Project Engineer
 Copy of ONLY Change Order - Prime Contractor / Design-Builder
 Electronic Copy of Change Records & Change Order w/Backup - State Construction Office
 Original of Change Records & Change Order w/Backup - Region Construction Office
Region
 Original of Change Records & Change Order w/Backup - State Construction Office


**WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER**

DATE: 02/27/20
Page 1 of 3

CONTRACT NO: 008865 FEDERAL AID NO: STPF-0202 (055)
 CONTRACT TITLE: SR 202, LITTLE BEAR CREEK FISH BARRIER REMOVAL
 CHANGE ORDER NO: 22 R1 FINAL CONTRACT CLEAR ALL


PRIME CONTRACTOR: [REDACTED] OLSON BROTHERS EXCAVATING, INC.
 6622 112TH ST E
 PUYALLUP WA 98373-4630

- Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications
 Change proposed by Contractor

<p>ENDORSED BY:</p>  <p>CONTRACTOR</p> <p>3/6/20 DATE</p>	<p>SURETY CONSENT:</p> <hr/> <p>ATTORNEY IN FACT</p> <hr/> <p>DATE</p>
---	--

ORIGINAL CONTRACT AMOUNT: 4,995,036.50
 CURRENT CONTRACT AMOUNT: 5,898,251.75
 ESTIMATED NET CHANGE THIS ORDER: 1,920,841.00
 ESTIMATED CONTRACT TOTAL AFTER CHANGE: 7,819,092.75

Approval Required: Region Olympia Service Center Local Agency

<p><input checked="" type="checkbox"/> APPROVAL RECOMMENDED</p> <p>Shawn Neil Wecht PROJECT ENGINEER</p> <p>3/9/2020 DATE</p>	<p><input type="checkbox"/> EXECUTED</p> <p>EXECUTED:</p>  <p>STATE CONSTRUCTION ENGINEER</p> <p>March 16, 2020 DATE</p>	
<p><input checked="" type="checkbox"/> APPROVAL RECOMMENDED</p> <p>REGIONAL ADMIN:</p> <p>Edward W. Kane BY:</p> <p>3/12/2020 DATE</p>	<p><input type="checkbox"/> EXECUTED</p> <p>OTHER APPROVAL WHEN REQUIRED</p> <p>SIGNATURE _____ DATE _____</p> <p>REPRESENTING _____</p>	

**WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER**

DATE: 02/27/20
Page 2 of 3

CONTRACT NO: 008865

CHANGE ORDER NO: 22 R1

All work, materials, and measurements to be in accordance with the provisions of the Standard Specifications and Special Provisions for the type of construction involved.

This contract is revised as follows:

DESCRIPTION

This change order settles all issues and claims related to Contract No. 008865 by authorizing a clear all equitable adjustment of \$1,920,841.00.

MEASUREMENT

No specific unit of measurement shall apply to the new lump sum item "CO#22 Final Contract Clear-All".

PAYMENT

Reimbursement for the new item of Work "CO#22 Final Contract Clear All" will be paid at the agreed lump sum amount of \$1,920,841.00.

Upon payment of this change order, Olsen Brothers Excavating, Inc., has been fully compensated for any and all known and unknown issues and claims pertaining to, Contract No. 008865. The State of Washington is released from any further claims or extra compensation pertaining to this Contract.

CONTRACT TIME

This change order adds 113 working days to the Contract.

**WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER**

DATE: 02/27/20
Page 3 of 3

CONTRACT NO: 008865 CHANGE ORDER NO: 22 R1

ITEM NO	GROUP NO	STD ITEM	ITEM DESCRIPTION	UNIT MEASURE	UNIT PRICE	EST QTY CHANGE	EST AMT CHANGE
1016	01		CO#22 FINAL CONTRACT CLEAR ALL	L.S.	0.00	0.00	1,920,841.00

1,920,841.00

Change Order Checklist

Cont. No. : <u>008865</u>	Cont. Title: <u>SR 202, Little Bear Creek Fish Barrier Removal</u>
C.O. No.: <u>22 R1</u>	C.O. Title: <u>Final Contract Clear All</u>

I. Executed by the State Construction Office			
1. Cost or credit equal to or exceeding \$500,000. *1, *3	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, State Construction Office Approval Required.
2. Change in the contract documents beyond the scope, intent, or termini of the original contract. *2	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
3. Any proposed revision or deletion of work that affects the Condition of Award requirements. (Must be coded "CO" in CCIS, Includes changes to goal or commitment)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
4. Change in contract time greater than 30 working days, or a change in contract time not related to any change order. *1	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
II. Executed by the Region (Per Delegation)			
5. Determination of impacts and/or overhead.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, State Construction Office Approval Required.
6. Change to Contract Provisions or Standard Plans.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
7. Material or product substitution. (Excludes materials associated with Std. Specification Sections 6-07, 8-01, 8-02, 8-12, 8-18, & 8-20)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
8. Structural design change in the roadway section. (Requires concurrence from designer)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
9. Determination of changed condition. (Section 1-04.7 of the Standard Specifications)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
10. Settlement of a claim. (Section 1-09.11(2) of the Standard Specifications)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
11. Repair of Damage regarding "acts of God" or "acts of the public enemy or of government authorities". (Section 1-07.13 of the Standard Specifications)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
12. Structural change to structures.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

Approvals obtained:

Project Engineer: <u>Edward W. Kane, P.E.</u>	Date: <u>7/18/2019</u>
Region: <u>Messay Shiferaw, P.E.</u>	Date: <u>10/10/2019</u>
State Construction Office: <u>Craig McDaniel, P.E.</u>	Date: <u>3/5/2020</u>
Other (Local Agency, FHWA, Surety, etc.): _____	Date: _____

To be completed by the Project Engineer:

CO reason(s) (See "2008 Codes and Definitions" on State Construction Office web page): AB-01, PM, AW, SA

Change Order Prepared by: Brendan Byron Date: 9/30/2019

Is this project under full FHWA stewardship oversight? *1 Yes No

To be completed by the Region:

Is the change eligible for Federal participation where applicable? Yes No

Change Order Reviewed by: Candy Master Date: 3/10/2020

- *1. Change (Cost or Credit) greater than \$200,000 or greater than 30 days on Full Federal Stewardship Oversight requires FHWA approval [See Construction Manual Ch. 1.2.4C(3), Ch 1-3.4]
- *2. Per RCW 47.28.050, any change beyond \$7,500 that is beyond the original scope shall go through the competitive bidding process.
- *3. Engineering error changes over \$500,000 require reporting (See reporting instructions and template on State Construction Office web page)

This form represents the minimum information required by the State Construction Office. If you wish to supplement this information, you may do so on a separate sheet of paper.