



County of El Dorado

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Legislation Text

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Department of Transportation recommending the Board approve and authorize the Chair to sign Contract Change Order No. 36 with DeSilva Gates - Viking, A Joint Venture in an estimated amount of \$243,008.20 to provide additional overhead sign structural steel for the US 50/Missouri Flat Road Interchange Improvements - Phase 1B Project (JN 71336).

FUNDING: State Transportation Improvement Program regional grant funds; State Highway Operations and Protection Program state operation funds; American Recovery and Reinvestment Act Transportation Enhancement federal grant funds; Transportation, Community, and System Preservation federal grant funds; Congestion Mitigation and Air Quality regional grant funds and Missouri Flat Master Circulation and Funding Plan local funds.

BUDGET SUMMARY:		
Total Estimated Cost		\$243,008.20
Funding		
Budgeted*	\$243,008.20	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$243,008.20	
Change To Net County Cost		\$0

*Included in the Department's Fiscal Year 2010/2011 budget and the adopted 2010 Capital Improvement Program.

Fiscal Impact/Change to Net County Cost:

The estimated cost of this Contract Change Order (CCO) is \$243,008.20. Payment for this proposed CCO will come from the contingency budget for the US 50/Missouri Flat Road Interchange Improvements - Phase 1B Project (Project). There is no Net County Cost associated with this agenda item.

Background:

On October 21, 2009, the Department of Transportation (Department) opened bids for the Project. The construction estimate for the Project was \$32 million and the low bid submitted by DeSilva Gates - Viking, A Joint Venture (DSG-V) was \$23,834,107. On November 9, 2009, the Board awarded construction of the Project to DSG-V. As a part of the award, the Board also authorized a contingency budget of \$2,400,000. The Project is currently expected to be completed in summer 2012.

Reason for Recommendation:

During construction, errors have been discovered in the contract documents which have resulted in the need for this CCO. The original Proposal Pay Items and Bid Price Schedule (Bid List) upon which DSG-V based its bid included Item 99 - Furnish Sign Structure (Truss). Item 99 compensates DSG-V for fabrication and delivery of structural steel for large overhead signs that inform motorists the number of miles to upcoming exits. The Project's Bid List provided a quantity of 11,300 kilograms (24,912 pounds) for Item 99. However, this quantity was incorrect, as the work shown on the contract plans actually required 30,845 kilograms (68,002 pounds).

All construction contract documents issued by the Department include very specific language to address changes to contract item quantities on the Bid List. When an item's actual quantity is between 75% and 125% of the quantity shown on the Bid List, the Contractor is paid at the Contractor's bid price. Standard Specification 4-1.03(B)1 states that when the actual quantity of an item exceeds 125% of the quantity shown on the Bid List, the Contractor must still be paid the Contractor's bid price up to 125% of the original quantity, but for that portion of the quantity above 125%, the Contractor is paid an adjusted item price. In this case, the Contractor asked that the adjustment be waived and that the Department compensate him above 125% at his bid price of \$25/kg. Instead, the Department has determined the adjusted item price to be the average 2009 bid price for this work in Caltrans District 3 (including El Dorado County and the Sacramento metropolitan area), which is \$10.31/kg. This results in the proposed CCO that will pay for 2,825 kg at \$25.00/kg and 16,720 kg at \$10.31/kg, resulting in a total of \$243,008.20.

Action to be taken following Board approval:

- 1) The Board Clerk will obtain the Chair's signature on the original of the subject CCO.
- 2) The Board Clerk will forward one copy of the fully-executed CCO to the Department for further processing.

Contact:

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