

Document 00941

CHANGE ORDER No. 7

PROJECT: Abandonment of Willow Run WWTP flow diversion for W.Mount Houston & Rutherford LS

CONTRACT No.: 4600012775 PROJECT No.: R-000267-0112-4 (R-000267-0112)TO: S.J. Louis Construction of Texas Ltd.520 Sixth Avenue SouthContractor and
Address for Written NoticeMansfield, TX 76063

1.01 DESCRIPTION OF CHANGES

CONTRACT CHANGE

Amount

Time

ITEM 1 SCOPE: Claim No.1 - MH-A17 Storm Sewer Leak (Concealed or Unknown Condition).

\$27,829.28

16 Days

JUSTIFICATION: S.J. Louis Construction of Texas, Ltd. (S.J. Louis) submitted a request to the City of Houston (City) on January 5, 2018, requesting Engineer's Decision to resolve an outstanding claim for the project. The claim was heard by the City Engineer on March 21, 2018 and the Engineer's Decision was rendered on April 10, 2018.

S.J. Louis submitted a claim for \$195,540.29 and a 83 day time extension due to an impact caused by the leak from an existing storm sewer pipe encountered adjacent to the MH-A17 work pit excavation at station 16+67. The City Engineer reviewed the claim and concluded that the Contract Specification Section 01578 does not call for a separate payment to be made for control of surface water and that maintaining the ground water control is the Contractor's responsibility. City Engineer believes it is the contractor's responsibility to control the groundwater during the construction, and determined that the offer in the amount of \$27,829.28 from the City for repairing the City owned storm line is a fair adjustment for the additional work performed. City Engineer finds merit in Contractor's claim for \$27,829.28.

The City recommends adding this scope of work to the contract. Sixteen (16) additional calendar days are requested to be added to the contract.

Unit Item No	Unit Item Description	Unit	Add/Deduct Qty	Unit Price	Add/Deduct Amount
66	Claim #1 MH-A17 Storm Sewer Leak	LS	1.00	\$27,829.28	\$27,829.28

00941-1

[LCM]
Contractor Initial

CITY OF HOUSTON
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ITEM 2 SCOPE: Claim No. 3 - Force Main Conflict at MH-A30. \$10,567.32 1 Days

JUSTIFICATION: S.J. Louis Construction of Texas, Ltd. (S.J. Louis) submitted a request to the City of Houston (City) on January 5, 2018, requesting Engineer's Decision to resolve an outstanding claim for the project. The claim was heard by the City Engineer on March 21, 2018 and the Engineer's Decision was rendered on April 10, 2018.

S.J. Louis submitted a claim for \$16,081.89 due to an impact caused by an existing 4-inch sewer force main pipe encountered adjacent to the work pit excavation of manhole A30. S.J. Louis accepts the City's previous offer in the amount of \$10,567.32.

The City recommends adding this scope of work to the contract. One (1) additional calendar day is requested to be added to the contract.

Unit Item No	Unit Item Description	Unit	Add/Deduct Qty	Unit Price	Add/Deduct Amount
67	Claim #3 Force Main Conflict at MH-A30 Pit	LS	1.00	\$10,567.32	\$10,567.32

00941-2

Print Date: 05/24/2018

[LCM]
Contractor Initial

CITY OF HOUSTON
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ITEM 3 SCOPE:

Claim No. 5 Additional Cleaning and Disposal of Solids at Willow Run WWTP.

\$182,097.00

140 Days

JUSTIFICATION:

S.J. Louis Construction of Texas, Ltd. (S.J. Louis) submitted a request to the City of Houston (City) on January 5, 2018, requesting Engineer's Decision to resolve an outstanding claim for the project. The claim was heard by the City Engineer on March 21, 2018 and the Engineer's Decision was rendered on April 10, 2018.

S.J. Louis submitted a claim for \$305,410.39 due to an impact caused by the alleged additional cleaning and disposal of solids at Willow Run WWTP. After reviewing the details of the claim presented by the contractor in the meeting, S.J. Louis assumed a reasonable quantity of sludge when bidding the item. Had the contractor visited the site prior to the bidding, and viewed or measured the sludge level, the cost would have been bid significantly higher, as the contractor said. Even though it is the contractor's responsibility to conduct the project as per the contract documents with or without inspection, it is reasonable to expect that cost due to site conditions will be normally higher than when such conditions are known prior to bid. For that reason, City Engineer believes the contractor is due compensation for the disposal costs he suffered because of unseen conditions. The contractor will be paid an amount of \$182,097.00, towards compensation for the additional sludge disposal associated with the Willow Run WWTP abandonment.

During the course of the work, the contractor experienced time delay related to rain, and Hurricane clean-up (Harvey). The City acknowledges that the contractor did actively perform work throughout the course of the project to complete the work. The City acknowledges that this delay was out of the control of the contractor.

The City recommends adding this scope of work to the contract. One hundred and forty (140) additional calendar days are requested to be added to the contract.

Unit Item No	Unit Item Description	Unit	Add/Deduct Qty	Unit Price	Add/Deduct Amount
68	Additional Cleaning and Disposal of Solids at Willow Run WWTP.	LS	1.00	\$182,097.00	\$182,097.00

TOTALS: \$220,493.60 157 Days

00941-3

[LCM]
Contractor Initial

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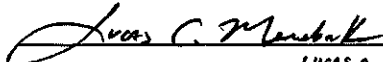
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1.02 ACCEPTANCE BY CONTRACTOR

Contractor agrees to perform change(s) included in this Change Order for the price and time indicated. The prices for changes include all costs associated with this Change Order.


Contractor Signature and Title LUCAS C. MENEGRO
AREA MANAGER

5/25/18
Date

1.03 ACCEPTANCE BY THE CITY


Project Manager 5-29-18
Date

Deputy Director - Required for COs to Council Date

Managing Engineer Date

Director - Required for COs to Council Date

City Engineer Date

Mayor - Required for COs to Council Date

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EXECUTIVE SUMMARY

1.01 CONTRACT PRICE SUMMARY

	DOLLAR AMOUNT	PERCENT
A. Original Contract Price	\$9,272,292.00	100.00%
B. Previous Change Orders	\$10,528.88	0.11%
C. This Change Order	\$220,493.60	2.38%
D. Contract Price	\$9,503,314.48	102.49%

1.02 CONTRACT TIME SUMMARY

	DURATION	COMPLETION DATE
A. Original Contract Time	690 Days	Saturday, July 23, 2016
B. Previous Change Orders	157 Days	Tuesday, December 27, 2016
C. This Change Order	157 Days	Friday, June 2, 2017
D. Contract Time	1004 Days	Friday, June 2, 2017

NOTE: OVERRUNS ON THE CONTRACT UNIT PRICES ARE NOT
CAPTURED IN THE CHANGE ORDER MODULE OF THE CIPMS.
THE ACTUAL CONTRACT PRICE IS AS FOLLOW:

(a) OVERRUN FOR CONTRACT UNIT PRICES \$366,728.27 3.96%
(b) ACTUAL CONTRACT PRICES \$9,870,042.75 106.45%

For completion
6/4/18

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1.03 TOTAL VALUE OF INCREASES OUTSIDE OF GENERAL SCOPE OF WORK

- A. Including this Change Order, the following table is provided to track conditions related to Paragraph 7.1.2.3 of Document 00700 - General Conditions.

<u>CHANGE ORDER</u> <u>No.</u>	<u>AMOUNT ADDED</u>	<u>PERCENT OF ORIGINAL</u> <u>CONTRACT PRICE</u>
1	\$0.00	0.00%
2	\$0.00	0.00%
3	\$0.00	0.00%
4	\$0.00	0.00%
5	\$10,528.88	0.11%
6	\$0.00	0.00%
7	\$220,493.60	2.38%
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TOTALS	\$231,022.48	2.49%