



Contract Number 009036	Contract Title 468th Ave. SE to W Summit Rd. Rehab. Conc / Deck	Federal Aid Number NHPP-0901(490)
Change Order Number 32	Change Description Br 90/97.2 3RD Partial EA	Date Mar 12, 2019
Region South Central Region	Project Engineer Scott Golbek	Phone Number 509-577-1810
Prime Contractor / Design-Builder IMCO General Construction		

Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications or the RFP

Change proposed by Contractor / Design-Builder

Evolution & Description Of Change

The Contract requires the removal and replacement of the existing concrete overlay on Bridge 90/97.2. This work is divided into two stages initially to be completed in one construction season. During the course of the work for Stage One, which the Plans show to be 29 feet in width on the right side of the bridge in the westbound direction of travel, the Contractor encountered a very deteriorated bridge deck which required considerable more work than presented in the Plans. The Contractor protested and has made requests for compensation for both time and money. Entitlement was found for each.

During the course of the Stage 1 work the Contractor indicated that they anticipated similar conditions on Stage 2 and would seek compensation similar to that for Stage 1. In an effort to avoid the time and added cost to negotiate a settlement for Stage 2 work, it was agreed that an equitable adjustment for the work in Stage 2 would be provided based on the costs of Change Orders 22 and 29. This concept was agreed to by all parties at the time. When the change order was sent to the Contractor it was protested; the Contractor stated that they now had actual costs in excess of the previously agreed upon amount. The Contractor indicated that information would be forthcoming. Two separate submittals were provided to WSDOT as justification of the added costs by the Contractor, these were received on December 28, 2018 and January 25, 2019.

The unanticipated condition of Bridge 90/97.2 has affected the project in multiple ways. The most significant impact is the addition of a third construction season. Other issues are the bridge work itself, more material was removed, requiring more modified concrete to be replaced, increased labor and overhead costs have also resulted in additional costs.

This change order will provide a third equitable adjustment based on WSDOT's assessment of information provided by IMCO. The equitable adjustment is for issues associated with the increase in work on Bridge 90/97.2. These are identified by the Contractor as; Bridge 90/97.2 Additional Depth, Season A-1 Overheads, Modified Concrete Overlay quantities, Glare Screen, 2019 construction escalation costs and other minor issues. This Change Order addresses all issues to date associated with the increased concrete removal depth on Bridge 90/97.2. Entitlement is not found at this time for IMCO's issue with Waves and Cracks and Glare Screen, which occurred during the 2018 construction season, as well as the other issues that are outstanding.

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**Basis of Cost & Justification:**

The Contractor has submitted requests for additional payment in excess of \$8 million. ~~To date~~ the Project Engineer ~~has~~ found entitlement for \$3,362,335.98. This has been paid by Change Orders 16, 19, 21, 22 and 29. *Previously*

To date the Project Engineer has found entitlement for \$4,059,339.88. The difference between this amount and the paid to date amount is \$697,003.98. This amount was rounded to \$700,000.00 as additional documentation is expected from the Contractor for future entitlements. The value of this change order is based on actual costs submitted by the Contractor. Labor costs are calculated using certified payrolls, equipment costs using Blue Book rates and materials based on invoice costs. The modified concrete overlay was initially to be placed in 2017, but due to the additional depth, the work continued into 2018. the modified concrete overlay overrun costs are based on a 4% escalation between the 2017 and 2018 which is consistent with the current Construction Cost Index.

Change Order 32 will provide the Contractor a third equitable adjustment on those items the Engineer can find entitlement for to date. The amount of the equitable adjustment provided by Change Order 32 is \$700,000.00.

There may be entitlement owed the Contractor for additional costs, however without additional supporting documentation from the Contractor this amount is undetermined.

**Contract Time:**

This change order makes no revision to the number of working days on the project.

**Prior Approvals:**

Headquarters Construction; Jon Keeth - February 2, 2019  
 Region Construction; Brian White / Will Smith - February 11, 2019  
 Project Engineer; Scott Golbek - February 11, 2019

**List Attachments:**

Change Order 32  
 Engineer's Independent Estimate

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

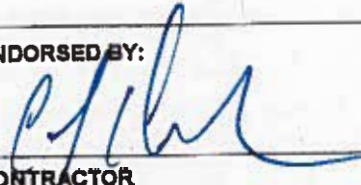
**WASHINGTON STATE  
DEPARTMENT OF TRANSPORTATION  
CHANGE ORDER**

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CONTRACT NO: 009036 FEDERAL AID NO: NHPP-0901(490)  
CONTRACT TITLE: I-90, 468TH AVE SE TO W SUMMIT RD CONCRETE, DECK,  
CHANGE ORDER NO: 32 BR 90/97.2 3RD PARTIAL EA

PRIME CONTRACTOR: [REDACTED] IMCO GENERAL CONSTRUCTION, INC.  
2116 BUCHANAN LOOP  
FERNDALE WA 98248-9801

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



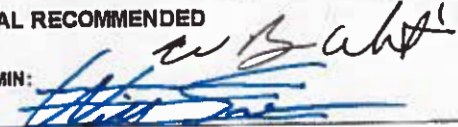
<p>ENDORSED BY: </p> <p>CONTRACTOR</p> <p>DATE: 2/19/19</p>	<p>SURETY CONSENT:</p> <hr/> <p>ATTORNEY IN FACT</p> <hr/> <p>DATE</p>
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ORIGINAL CONTRACT AMOUNT: 27,799,358.66  
CURRENT CONTRACT AMOUNT: 32,517,934.21  
ESTIMATED NET CHANGE THIS ORDER: 700,000.00  
ESTIMATED CONTRACT TOTAL AFTER CHANGE: 33,217,934.21

Approval Required:  Region  Olympia Service Center  Local Agency

WSN  
FEB 26 2019  
ORG 454301

CCIS ENTRY DATE 2/27/19  
ENTERED BY 

<p><input checked="" type="checkbox"/> APPROVAL RECOMMENDED <input type="checkbox"/> EXECUTED</p> <p> PROJECT ENGINEER</p> <p>DATE: 2/26/19</p>	<p>EXECUTED:</p> <p> STATE CONSTRUCTION ENGINEER</p> <p>DATE: 3/19/19</p>
<p><input checked="" type="checkbox"/> APPROVAL RECOMMENDED <input type="checkbox"/> EXECUTED</p> <p>REGIONAL ADMIN: </p> <p>BY: W. Brian White</p> <p>DATE: 3/1/19</p>	<p>OTHER APPROVAL WHEN REQUIRED</p> <hr/> <p>SIGNATURE _____ DATE _____</p> <hr/> <p>REPRESENTING _____</p>

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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:

This change order provides IMCO General Construction with a third equitable adjustment in accordance with Section 1-04.4 relating to the costs associated with the increased concrete removal depth on Bridge 90/97.2. Determination of the total value of the equitable adjustment is still in process.

The following new item is added to the Contract:

C.O. 29; Bridge 90/97.2 Third Partial EA

Measurement:

C.O. 29; Bridge 90/97.2 Third Partial EA; no particular unit of measurement will apply.

Payment:

"C.O. 29; Bridge 90/97.2 Third Partial EA"; lump sum.

Working Days:

This change order will make no revision to the number of working days on the Contract.

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ITEM NO	GROUP NO	STD ITEM	ITEM DESCRIPTION	UNIT MEASURE	UNIT PRICE	EST QTY CHANGE	EST AMT CHANGE
1028	07		C.O. 32; BRIDGE 90/97.2 THIRD PARTIAL EA	L.S.	0.00	0.00	700,000.00

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700,000.00  
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