Change Order Number
32

Contract Title
468th Ave. SE to W Summit Rd. Rehab. Conc/Deck

Change Description
Br 90/97.2 3RD Partial EA

Region
South Central Region

Project Engineer
Scott Golbek

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.
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.

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
WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER

DATE: 02/14/19
Page 1 of 3

CONTRACT NO: 009036
CONTRACT TITLE: I-90, 468TH AVE SE TO W SUMMIT RD CONCRETE, DECK,
CHANGE ORDER NO: 32
PRIME CONTRACTOR: IMCO GENERAL CONSTRUCTION, INC.

2116 BUCHANAN LOOP
FERNDALE WA 98248-9801

FEDERAL AID NO: N-HP-0901(490)

(X) Ordered by Engineer under the terms of Section 1.04.4 of the Standard Specifications

( ) Change proposed by Contractor

ENDORSED BY:

SURETY CONSENT:

CONTRACTOR:

ATTORNEY IN FACT

DATE

ENDORSED BY:

DATE

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

WSDOT ORG 454301
FEB 26 2019

CCIS ENTRY DATE 2/27/19

( ) EXECUTED

EXECUTED:

STATE CONSTRUCTION ENGINEER

DATE

OTHER APPROVAL WHEN REQUIRED

SIGNATURE

DATE

REPRESENTING

( ) EXECUTED

APPROVAL RECOMMENDED

PROJECT ENGINEER

DATE

APPROVAL RECOMMENDED

REGIONAL ADMIN:

BY:

DATE

W.Brian White

3/1/17
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 IMCD 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.
## Contract No: 009036

### Change Order No: 32

<table>
<thead>
<tr>
<th>Item No</th>
<th>Group No</th>
<th>Std Item</th>
<th>Item Description</th>
<th>Unit Measure</th>
<th>Unit Price</th>
<th>Est Qty Change</th>
<th>Est Amt Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1028</td>
<td>07</td>
<td></td>
<td>C.O. 32; Bridge 90/97.2 Third Partial EA</td>
<td>L.S.</td>
<td>0.00</td>
<td>0.00</td>
<td>700,000.00</td>
</tr>
</tbody>
</table>

**Total:** 700,000.00

**--------**

---