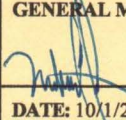
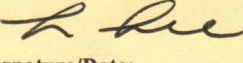
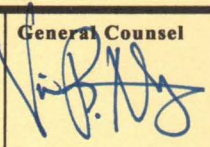
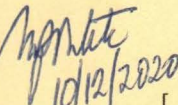
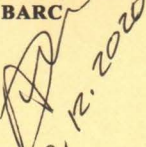




EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  DATE: 10/1/2020		GENERAL MANAGER ACTION REQ'D: Approve			
Originator/Prepared by: Linda Lee Dept: Strategic Engineering  Signature/Date: Oct 9, 2020		General Counsel  10/9/20 []	Controller/Treasurer  10/12/2020 []	District Secretary []	BARC  10/12/2020 []

Authorize the General Manager to Execute Change Order No. 26 to Contract No. 15CQ-110, C35 Interlocking Renewal

PURPOSE: To authorize the General Manager to execute Change Order No. 26 to Contract No. 15CQ-110, C35 Interlocking Replacement Project, in the amount of \$596,364 to compensate the Contractor for revisions to the proposed train control layout.

DISCUSSION:

In May 2018, the Board authorized the General Manager to award Contract No. 15CQ-110 to DMZ Builders, for the bid amount of \$13,271,300. The scope of this Contract is to provide all labor, equipment, materials and services necessary to replace six (6) mainline turnouts and to extend the pocket track to store and provide turnback capabilities for a ten (10) car train.

In June 2018, a survey of existing utilities noted discrepancies of existing field conditions compared to the record drawings and Bid Documents. The train control plans were redesigned to reflect the current layout of cables and to ensure new installation was proper and maintained functionality of the system. This redesign included additional material and labor associated with the new layout.

The forecast amount of Change Order No.26 is \$596,364:

Total Base Bid Amount	\$13,271,300
Change Order No. 26	\$596,364
Revised Contract Amount:	\$13,867,664

This contract is in the closeout stage and was successfully completed on time and with the elimination of two of the six planned weekend shutdowns. In addition, this project will be completed 4.84% above the original contract amount which is 5.16% under the 10% Board notification limit (contingency) for this construction contract.

Pursuant to Board Rule 5-2.3, Change Orders involving expenditures greater than \$200,000 require Board approval. The Procurement Department will review this Change Order prior to execution for compliance with procurement guidelines. The Office of General Counsel will approval the Change Order as to form prior to execution.

FISCAL IMPACT:

The total amount of \$596,364.00 for Change Order No. 26 will be funded from two projects. \$511,170.88 is included in the total budget for 15CQ005-C35 Interlocking Renewal, and \$85,193.12 is included in the total budget for 49GH002-Enabling Works.

The table below lists funding assigned to the referenced project and is included to track funding history against spending authority. Funds needed to meet this request will be expended from the following sources:

Project	Fund Source	Fund code	Amount
15CQ005 Track Renewal C35	Measure RR GOB #1 & #2	802A/B	\$20,809,874
49GH002 Enabling Works	Measure RR GOB #1 & #2	802A/B	\$13,600,000
49GH002 Enabling Works	FY2017 Opertng Capital Alloc	8531	\$1,278,000
	Total Combined		\$35,687,874

As of 09/21/2020, \$20,809,874.44 is the total budget for project number 15CQ005. BART has expended \$18,046,161.41 and committed \$1,409,893.23 to date. This action in part will commit \$511,171 leaving an available fund balance of \$842,649 in the fund source for project 15CQ005.

As of 09/21/2020, \$14,878,000 is the total budget for project number 49GH002. BART has expended \$9,727,623 and committed \$2,581,574 to date. This action in part will commit \$85,193 leaving an available fund balance of \$2,483,610 in the fund source for project 49GH002.

The Office of the Controller/ Treasurer certifies that funds are currently available to meet this obligation.

This action is not anticipated to have any Fiscal Impact on unprogrammed District Reserves.

Obtain Board Authorization for the General Manager to execute Change Order No. 26 to Contract No. 15CQ-110, C-35 Interlocking Renewal

ALTERNATIVE: The Board may elect not to authorize the General Manager to execute Change Order No.26 Revisions to the Proposed Train Control Layout. Failure to issue this Change Order will likely lead to claims from DMZ and increase the final cost to the District.

RECOMMENDATION: That the Board adopt the following motion:

MOTION: The General Manager is authorized to execute Change Order No. 26 Revisions to the Proposed Train Control Layout for Contract No. 15CQ-110, C35 Interlocking Renewal, in the amount of \$596,364.00.

EXECUTIVE DECISION DOCUMENT

ATTACHMENT #1

CHANGE ORDER SUMMARY

BACKGROUND

Name of Contractor: DMZ Builders

Contract No./NTP: 15CQ-110 / June 25, 2018

Contract Description: C35 Interlocking Renewal

Percent Complete as 10/07/2020: 100%

<u>COST</u>	<u>% of Award</u>	<u>CO Totals</u>	<u>Contract Amount</u>
Original Contract Award Amount:			\$13,271,300.00
Change Orders:			
Other than Board Authorized COs:	0.35%	\$45,454.66	
Pending Change Order #26	4.49%	\$596,364.00	
Subtotal of all Change Orders:	4.84%	\$641,818.66	<u>\$641,818.66</u>
Revised Contract Amount:			\$13,913,118.66

SCHEDULE

Original Contract Duration: 600 Days

Time Extension to Date: 0 Days

Time Extension Due to Approved COs: 0 Days

Revised Contract Duration: 600 Days

SUMMARY REASON FOR THIS CHANGE ORDER:

After receiving notice to proceed in June 2018, a survey of existing utilities noted discrepancies of existing field conditions compared to the record drawings and Bid Documents. The train control plans were redesigned to reflect the current layout of cables and ensure new installation was proper and maintained functionality of the system. This redesign included additional material and labor associated with the new layout that was not accounted for in the base bid.