

PORT OF SEATTLE
MEMORANDUM

COMMISSION AGENDA

Item No. 5a

Date of Meeting November 3, 2009

DATE: October 22, 2009

TO: Tay Yoshitani, Chief Executive Officer

FROM: Ralph Graves, Managing Director, Capital Development Division

SUBJECT: Change Order #005 for the Transportation Security Administration
C-1 Building Tenant Improvements Project, Contract MC-0315270

ACTION REQUESTED:

Requests authorization for the Chief Executive Officer to execute Change Order Number 005 for the Transportation Security Administration (TSA) C-1 Building Tenant Improvements Project to add the additional time required (302 days) to complete the project.

SYNOPSIS:

This project completed the tenant improvements to the C-1 Building for the TSA. The project achieved beneficial use on 11/25/08 and the TSA lease began on 1/22/09. Due to difficulties the Port had with consultant contracts on this project, several construction contract related activities were delayed and resulted in a contractual completion date of 9/23/09, 302 days beyond the original contract end date of 11/25/08. We are requesting CO #005 be issued for the additional 302 days needed to reconcile the original completion with the actual days expended to complete the project. This is a no-cost change order. No additional project funds are being requested as part of this change order.

CHANGE ORDER DESCRIPTION AND JUSTIFICATION:

The following information relates to the pending change order scope and cost:

Change Order No. 005

- **Scope of work:** The original contract completion date is 11/25/08. CO #005 will add an additional 302 calendar days for the completion of the commissioning activities and O&M Manual preparation and review.
- **Justification:** With the changing procurement procedures, the Port of Seattle was unable to execute consultant contracts to hire a commissioning agent in time to perform the commissioning activities required by contract (and building permit) prior to the end of the contract duration. As the tenant was not ready to move in yet, the contractor agreed that they could perform the commissioning activities at a later date for no additional cost. Incorporating the commissioning report into the O&M Manuals and subsequent Port and Designer of Record review consumed the remaining time. Substantial completion was issued on 9/23/09.

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- **Consequences of not proceeding:** The contractor would be responsible for liquidated damages due to no fault of their own. The Port was responsible for the delay in completion.

FINANCIAL ANALYSIS: This is a no-cost change order. No additional project funds are being requested as part of this change order.

CONTRACT INFORMATION: The following information relates to the contract and competitive award:

Contract award date:	April 29, 2008
Original period of performance:	210 Days
Previous contract extensions:	0 Days
Current Contract Completion Date:	November 25, 2008
Contract extension this change order:	302 Days
Revised Contract Completion Date:	September 23, 2009
Original contract amount:	\$1,678,273.00
Previous Change Order Nos. 001 – 004:	\$48,634.00
<u>Current contract amount</u>	<u>\$1,726,907.00</u>
<u>This request, Change Order No. 005</u>	<u>\$0.00</u>
Revised contract amount:	\$1,726,907.00