

PORT OF SEATTLE
MEMORANDUM

COMMISSION AGENDA

Item No. 5b

Date of Meeting April 14, 2009

DATE: April 3, 2009

TO: Tay Yoshitani, Chief Executive Officer

FROM: Ralph Graves, Managing Director, Capital Development Division

SUBJECT: Change Order Number 5 for the Central Mechanical Plant Chiller Expansion-Phase 2 & Boiler Expansion/Upgrade project Contract MC-0314155

ACTION REQUESTED: This memorandum requests Commission approval for the Chief Executive Officer to issue Change Order Number 005 for the Central Mechanical Plant Chiller Expansion-Phase 2 & Boiler System Expansion/Upgrade project to add the additional days required (86) to complete the project.

SYNOPSIS: The Port's pre-purchased chillers and boilers, which were installed by the contractor, did not meet the contract purchase specifications. The Port retained the contractor until it was determined that the contractor had completed the work in a manner consistent with the contract and had not caused issues with the equipment. A change order is required to extend the contract completion date for this Port direction.

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 current Contract completion date is April 30, 2008. Port of Seattle had pre-purchased the chillers and boilers for this project. The Port directed the contractor be held on contract until the Port's Facilities and Infrastructure (F&I) group was satisfied that issues observed with the Port furnished/contractor installed chillers and boilers were not caused by the work the contractor had performed. Finding no deficiency in the contract work performed by the contractor, F&I signed the facility transfer on June 27, 2008. The remaining time until July 25, 2008 was required to close out the permit, approve the as-built drawings and accept the O&M manuals. A no-cost time extension of 86 calendar days is required to reconcile the contract completion date.

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T. Yoshitani, Chief Executive Officer

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- **Justification.** Since F&I found no deficiency in the contractor's work, the contractor was not deemed responsible for delay.
- **Consequence of not proceeding:** The project documentation would be incomplete to provide justification for the contractor exceeding the contract completion date.

FINANCIAL ANALYSIS:

This is a non-compensatory Change Order.

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

CONTRACT TIME

Contract award date:	March 15, 2007
Original period of performance:	March 15, 2007 to February 13, 2008
Original Contract completion date	February 13, 2008
Previous contract extensions:	77 Days
<u>Current Contract Completion Date:</u>	<u>April 30, 2008</u>
This request Change Order No. 005	86 Days
Final Contract Completion Date	July 25, 2008

CONTRACT PRICE

Original contract amount	\$1,583,333.00
Previous Change Order Nos. 1 - 4	\$134,008.00
Current Contract Amount	\$1,717,341.00
This request Change Order No. 005	\$0.00
Final Contract Amount	\$1,717,341.00