



**DATA SHEET**  
**Agenda Item No. 13.A.**

**Meeting Date: May 4, 2017**

**Agenda Item:**

Consider authorizations related to completion of contracts for Southwest Pipeline Phase 3 and Inline Booster Pump Stations.

- A. Resolution authorizing acceptance of completed work, approval of final change order, final payment and release of retainage for construction contract awarded to Lewis Contractors, Inc.

<b>Placement:</b> <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Individual Consideration <input type="checkbox"/> Executive Session
<b>Vote:</b> <input type="checkbox"/> Non-Weighted <input checked="" type="checkbox"/> Weighted Capital
<b>Recommending Department: Engineering</b>

**Background:**

On January 10, 2013, the Board authorized award of a contract in the amount of \$4,548,548.70 to Lewis Contractors, Inc. (LCI) for construction of Southwest Pipeline Phase 3 between US 377 and FM 407.

The project included approximately one mile of 36" ductile iron pipeline, one mile of 30" ductile iron pipeline and a booster pump station. The pipelines passed testing and were put into service in August of 2014. The pump station was put into limited service in January of 2015. The project was several months behind schedule for completion: the pump station had not passed its performance testing requirements. The pump station passed limited performance testing on March 16, 2016. On February 2, 2017, the Board authorized Executive Director to execute a settlement agreement for remaining required tests.

Proposed Final Change Order (No. 8) balances quantities and includes a time extension. Liquidated damages in the amount of \$132,380 will be assessed at final payment. The liquidated damages will be used to compensate District's consultant, CH2M Hill, Inc. (CH2M) for additional time spent on the project as well as repairing some erosion within District's easement. Pending Board approval, the amount due for final payment, including release of retainage and assessment of liquidated damages, is \$229,630.19.

Work has been completed in accordance with the plans, specifications and change orders. Further, District's consultant, CH2M Hill, Inc. and staff recommend that the Board approve Change Order No. 8, accept the project as complete, and authorize final payment, including release of retainage and assessment of liquidated damages.

**Financial:**

Original Contract Amount	\$ 4,548,548.70
Previous Change Orders	\$ 275,939.73
Change Order No. 8 (Final)	\$ (41,378.01)
Revised Contract Amount	\$ 4,783,110.42

**Recommendation:**

Staff recommends approval of enclosed Resolution and Final Change Order No. 8

**Enclosures:**

Resolution with Engineer's recommendation and Draft Change Order No. 8 (Final)

Submitted By:



\_\_\_\_\_  
Jody Zabotio, Acting Director of Engineering & Construction

Date: April 28, 2017



# RESOLUTION

## RESOLUTION # 2017- \_\_\_\_\_

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE UPPER TRINITY REGIONAL WATER DISTRICT AUTHORIZING ACCEPTANCE OF CONSTRUCTION OF SOUTHWEST PIPELINE PHASE 3 AND IN-LINE BOOSTER PUMP STATION, PROVIDING FOR FINAL PAYMENT AND RELEASE OF RETAINAGE TO LEWIS CONSTRUCTORS, INC.**

**WHEREAS**, on January 10, 2013 the Board of Directors of Upper Trinity Regional Water District approved Resolution No. 2013-04 authorizing the contract with Lewis Constructors, Inc. to construct the Southwest Pipeline Phase 3 and In-Line Booster Pump Station; and,

**WHEREAS**, the construction contract was subsequently executed and full notice to proceed was issued on March 18, 2013; and,

**WHEREAS**, Lewis Constructors, Inc. has completed work on Southwest Pipeline Phase 3 and In-Line Booster Pump Station in accordance with the contract plans, specifications and approved change orders; and,

**WHEREAS**, District's consulting engineer, CH2M Hill, Inc. has certified the project to be in conformance with the contract plans, specifications and change orders.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE UPPER TRINITY REGIONAL WATER DISTRICT:**

**SECTION 1.** That all matters stated in the preamble are found to be true and correct and are incorporated into the body of this resolution as if copied in their entirety.

**SECTION 2.** That construction of the Southwest Pipeline Phase 3 and In-Line Booster Pump Station is considered complete and is hereby accepted by the District.

**SECTION 3.** That the Executive Director is authorized to make final payment to the contractor in the amount of \$229,630.19.

**SECTION 4.** That this resolution shall become effective immediately upon its passage.

**DULY PASSED AND APPROVED THIS 4TH DAY OF MAY 2017.**

Recommended:

  
\_\_\_\_\_  
Thomas E. Taylor, Executive Director

Executed:

\_\_\_\_\_  
Lance Vanzant, President

Attest:

\_\_\_\_\_  
Romiro Lopez, Secretary

Attachments:

Engineer's recommendation  
Proposed Change Order No. 8



**CH2M**  
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Mr. Thomas Snyder, P.E.  
Assistant Director of Engineering/Construction  
Upper Trinity Regional Water District  
900 N. Kealy St.  
Lewisville, TX 75057

April 20, 2017

**Subject: Change Order 008 and Final Payment**

Dear Mr. Snyder:

CH2M has prepared the following recommendation for Change Order 008 and final payment on the Upper Trinity Regional Water District's (UTRWD) Southwest Pipeline Phase III and In-Line Booster Pump Station project. The change order as agreed to by both UTRWD and Lewis Contractors, Inc. (LCI) revises quantities of certain bid items to reflect actual quantities completed by the Contractor due to field conditions or work removed from the project scope. In addition, Change Order 008 would bring all bid items to completion for the project allowing the processing of the final payment and project closeout.

CH2M recommends the reduction of \$41,378.01 from the Contract Fee and addition of 217 calendar days to the Contract Time.

Regards,

A handwritten signature in black ink, appearing to read 'E. Motley', written over the word 'Regards,'.

Edward Motley, P.E.  
Project Manager

Cc: Thomas Taylor, Jody Zabolio, Kurt Staller

**CHANGE ORDER (CO)**

PROJECT: Southwest Pipeline PH3 and In-Line Booster Pump Station PROJECT NUMBERS  
 OWNER: Upper Trinity Regional Water District  
 ENGINEER: CH2M Hill, Inc. ENGINEER: 354963  
 CONTRACTOR: Lewis Contractors, Inc. CONTRACTOR:  
 CHANGE ORDER NUMBER: 008 & Final DATE: April 19, 2017

The compensation agreed upon in this Change Order is a full, complete and final payment for all costs the Contractor incurs as a result of or relating to this change, whether said costs are known, unknown, foreseen or unforeseen at this time, including without limitation, any costs for delay, extended overhead, ripple or impact costs, or any other effect on changed or unchanged work as a result of this change.

**CHANGE ORDER WORK TO BE PERFORMED**

<u>Proposed Contract Modification</u>	<u>Time Extension Calendar Days</u>	<u>Increase / (Decrease) Amount \$</u>
Balance quantity for Schedule of Values Item 3b 30" Pipeline STA 61+57 to 117+40 (Topsoil)	0	(\$18,276.03)
Balance quantity for Schedule of Values Item 3d 30" Pipeline STA 61+57 to 117+40 (Grass)	0	(\$ 8,101.98)
Balance quantity for Schedule of Values Item 29 Hydrostatic test of Phase 1A & 1B	0	(\$15,000.00)
Time Extension: Letter of Understanding dated 6/17/16	217	
<b>TOTAL</b>	<b>217 Calendar Days</b>	<b>(\$41,378.01)</b>

Original Contract Amount	\$ <u>4,548,548.70</u>
Previous Change Orders	\$ <u>275,939.73</u>
Net Decrease in Contract Amount (this change order)	\$ <u>(41,378.01)</u>
Revised Contract Amount	\$ <u>4,783,110.42</u>
Net Change in Contract Time (LOU)	<u>217 Calendar Days</u>
Original Substantial Completion Date	<u>December 31, 2013</u>
Original Final Completion Date	<u>January 28, 2014</u>
Revised Substantial Completion Date	<u>April 5, 2014</u>
Revised Final Completion Date	<u>May 3, 2014</u>
LOU Completion Date	<u>September 15, 2016</u>
LOU Revised Completion Date	<u>April 17, 2017</u>

