PALMDALE WATER DISTRICT
A CENTURY OF SERVICE

BOARD OF DIRECTORS
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Division 3
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Division 4
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Division 5

DENNIS LaMOREAUX
General Manager
ALESHIRE & WYNDER LLP
Attorneys

November 21, 2018

ADDENDUM TO AGENDA FOR REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT to be held at the District's office at 2029 East Avenue Q, Palmdale

MONDAY, NOVEMBER 26, 2018

6:00 p.m.

ACTION CALENDAR:

AGENDA ITEM NO. 7.8: Consideration and possible action on Change Order No. 2 to the contract with ASI Construction LLC for construction of the Littlerock Reservoir Sediment Removal Project – Phase 1: Grade Control Structure under Specification No. 1802. (Not-to-exceed $250,000.00 Additional Costs – Budgeted, Water Revenue Bonds, Series 2018A –Project Manager Thompson)

Dennis D. LaMoreaux

DENNIS D. LaMOREAUX,
General Manager

DDL/dd

P A L M D A L E W A T E R D I S T R I C T

B O A R D M E M O R A N D U M

DATE: November 21, 2018 **November 26, 2018**

TO: BOARD OF DIRECTORS **Board Meeting**

FROM: Mr. Peter Thompson, Project Manager

VIA: Mr. Dennis D. LaMoreaux, General Manager

RE: ***AGENDA ITEM NO. 7.8 – CONSIDERATION AND POSSIBLE ACTION ON CHANGE ORDER NO. 2 TO THE CONTRACT WITH ASI CONSTRUCTION LLC FOR CONSTRUCTION OF THE LITTLEROCK RESERVOIR SEDIMENT REMOVAL PROJECT – PHASE 1: GRADE CONTROL STRUCTURE UNDER SPECIFICATION NO. 1802. (NOT-TO-EXCEED $250,000.00 ADDITIONAL COSTS – BUDGETED, WATER REVENUE BONDS, SERIES 2018A – PROJECT MANAGER THOMPSON)***

Recommendation:
Staff recommends that the Board approve Change Order No. 2, as presented.

Alternative Options:
There are no alternative options.

Impact of Taking No Action:
Construction of the grade control structure at Littlerock Reservoir will not proceed.

Background:
Change Order No 2 is comprised of extra work, additional costs ($225,000.00), and eight additional days related to increasing the capacity of the project's bypass channel flow from 91 to 315 CFS to accommodate potential winter flows.

Strategic Plan Initiative/Mission Statement:
This item is under Strategic Initiative No. 1 – Water Resource Reliability.
This item directly relates to the District's Mission Statement.

Budget:
Budgeted – Water Revenue Bonds, Series 2018A.

Supporting Documents:
- ASI Letter RE: Increased Bypass Capacity for Wet Season Construction Risk
- Change Order No. 2

ASI Construction LLC
1880 Office Club Pointe, Suite 2000, Colorado Springs, Colorado 80920 T: +1 (719) 647-2821 F: +1 (719) 647-2890
"A Shaft Drillers International Company"

November 21, 2018

VIA EMAIL TO: pthompson@palmdalewater.org

Palmdale Water District
2029 East Avenue Q
Palmdale, CA 93550

Attn: Pete Thompson, Project Manager
Direct 661-456-1020

RE: Littlerock Reservoir Sediment Removal Project Phase 1: Grade Control Structure
Increased Bypass Capacity for Wet Season Construction Risk

Mr. Thompson:

As a follow-up to ASI Construction LLC's (ASI) letter dated November 9, 2018 concerning the Wet Season Construction Risks, ASI has performed a redesign of the originally proposed 91 CFS bypass channel. This letter serves as ASI's request for a contract change order in accordance with the terms and conditions detailed below.

Selected Bypass Design

Per Palmdale Water District's (PWD) request, Condor Earth revised its bypass model to accommodate a piped bypass along the attached previously designed 6.5 feet wide bypass channel alignment and elevations. The selected pipe design will consist of a single 72-inch diameter Corrugated Metal Pipe (CMP) approximately 500 LF in length with a riprap entrance channel and a discharge riprap dissipater. The hydraulic capacity for the 72-inch diameter CMP results in a WSE of 3,273 (1 ft of freeboard) along the diversion dam of 315 CFS. There would also be some added capacity for a small, unreinforced overflow on top of the bypass pipe in addition to the 315 CFS.

Cost Estimates for Increased Bypass Capacity

The additional cost for the increased bypass capacity as described above will be **$225,000.00** for the construction of the 72-inch CMP bypass and the removal of the bypass pipe upon completion of the project. By way of this letter, ASI requests a contract price increase of $225,000 and a time extension of **8 days** for the installation and removal of the bypass system. The change order shall also serve as PWD's agreement that, in the event the project is flooded by a rain event (or series of events) which exceeds the bypass pipe capacity, PWD is assuming that risk and will compensate ASI for the associated impacts as detailed herein.

In the event of a flood which exceeds the selected bypass channel capacity and impacts the work area, ASI estimates the daily standby rate for the onsite project management, indirect costs and equipment to be approximately **$20,000.00** per day. In addition to standby for project management, labor and equipment, ASI would perform flooding cleanup, pumping, sediment removal and repairs to completed work to restore the project to pre-storm condition on a Time & Material basis in accordance with Contract Article 3 Section 3-3 Extra Work. Finally, ASI would be granted a contract time extension equal to the standby and cleanup time.

Further, as previously discussed during a progress meeting with regards to the design of the bypass, Condor expressed concerns that limiting the scope of its services precluded them from guaranteeing the performance of the system. PWD acknowledged that disclaimer and, in turn, ASI agreed with Condor to limit its liability as follows:

The Bypass design criteria contained herein will minimize footprint and costs while attempting to achieve maximum capacity within the available depth and footprint. Condor understands that ASI and PWD accept that this design will not meet the 20-year storm recurrence interval as identified in the Construction Contract Specification 1802 and accepts the risk associated with this approved Bypass Design.

Condor therefore makes no warranty that this Bypass will:

1. ***contain storm water resulting from future events;***
2. ***not be damaged or overtopped by future storm event;***
3. ***not overtop, inundate or damage the Grade Control Structure (GCS) work area.***

By use of this Design Memo criteria ASI and PWD releases Condor from liability associated with any potential failure of the bypass, damage and/or clean-up resulting from an overtopping event into the Littlerock Reservoir or GCS work area.

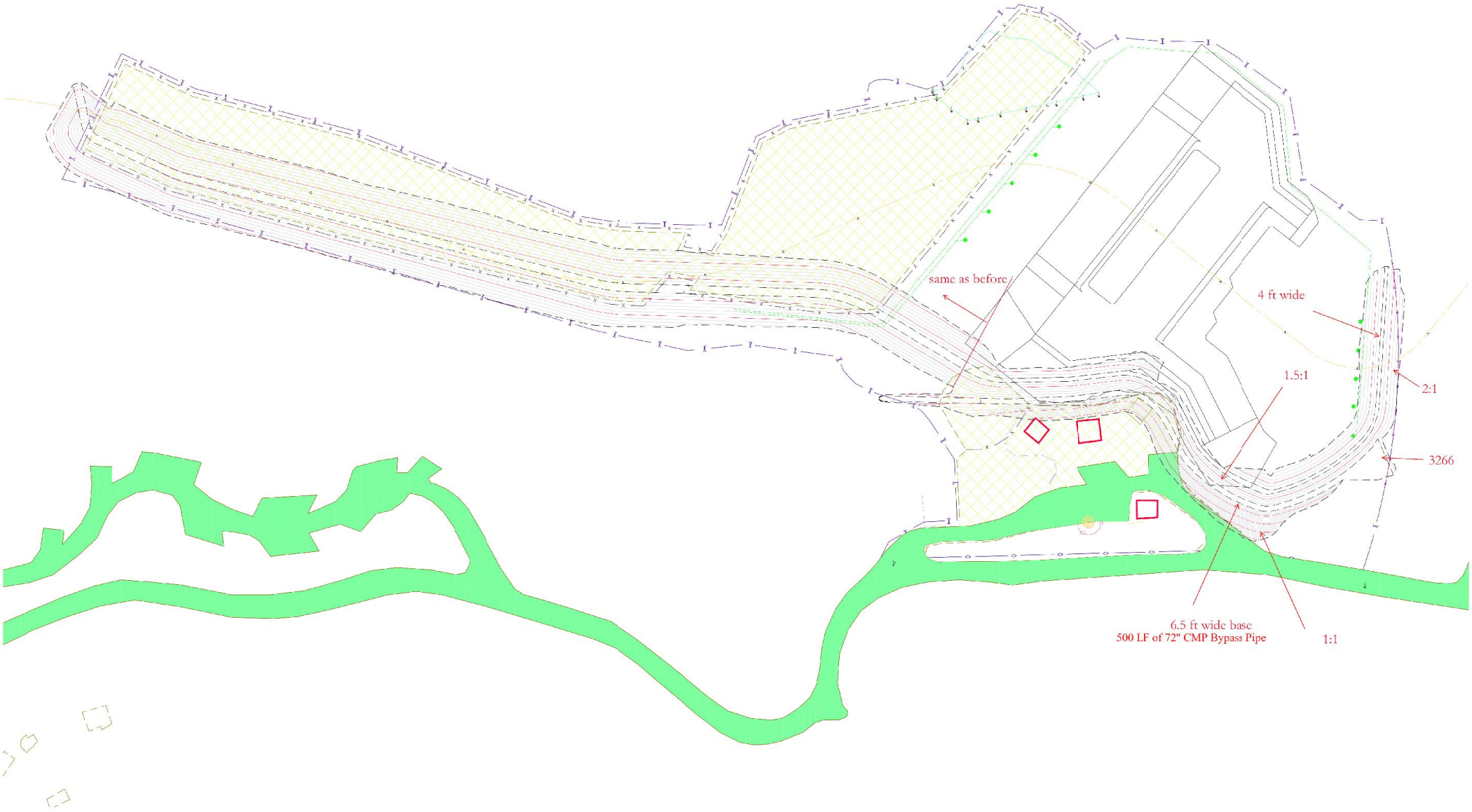
The executed change order shall also serve as PWD's acknowledgement of Condor's limitation of liability for the design.

If you have any questions, please do not hesitate to contact me at 304.216.8151 or at ddibert@asidams.com. ASI appreciates PWD's cooperation in this matter.

Respectfully Submitted,
ASI Construction LLC



Dean Dibert, PE
Vice President of Engineering


same as before
4 ft wide
1.5:1
2:1
3266
6.5 ft wide base
500 LF of 72" CMP Bypass Pipe
1:1

CHANGE ORDER

No. 2

PROJECT Construction of the Littlerock Reservoir Sediment Removal Project – Phase 1: Grade Control Structure

DATE OF ISSUANCE November 20, 2018 EFFECTIVE DATE November 20, 2018

OWNER Palmdale Water District

OWNER's Contract No. Specification No. 1802

CONTRACTOR ASI Construction LLC ENGINEER P.W.D.

You are directed to make the following changes in the Contract Documents.

Description: Additional work to upsize the project bypass channel flow from 91CFS to 315CFS - $225,000.00

Reason for Change Order: *Channel capacity deemed inadequate for potential winter flows*

Attachments: *ASI Letter RE: Increased Bypass Capacity for Wet Season Construction Risk*

CHANGE IN CONTRACT PRICE:	**CHANGE IN CONTRACT TIMES:**
Original Contract Price $ 10,675,808.00	Original Contract Times Completion: 170 Days
Net Changes from previous Change Orders No. 0 to No. 1 $ 1,400,000.00	Net Changes from previous Change Orders No. 0 to No. 0 0 – Day Extension Days
Contract Price prior to this Change Order $ 9,275,808.00	Contract Times prior to this Change order Completion: 170 Days Days
Net Increase (decrease of this Change Order) $ 225,000.00	Net Increase (decrease of this Change Order) 8 – Day Extension Days
Contract Price with all approved Change Orders $ **9,500,808.00**	Contract Times with all approved Change Orders Completion: 178 Days

CHANGE ORDER

No. 2

PROJECT Construction of the Littlerock Reservoir Sediment Removal Project – Phase 1: Grade Control Structure

DATE OF ISSUANCE November 20, 2018 EFFECTIVE DATE November 20, 2018

OWNER Palmdale Water District

OWNER's Contract No. Specification No. 1802

CONTRACTOR ASI Construction LLC ENGINEER P.W.D.

RECOMMENDED:	APPROVED:	ACCEPTED:
By: _____	By: _____	By: _____
PWD, Engineering Manager	PWD, General Manager	Contractor (Authorized Signature)
Date: _____	Date: _____	Date: _____