

Technical Advisory Group Recommendation

Meeting Date: 10/26/2017

RECOMMENDATION FOR ACTION:

The Technical Advisory Group has reviewed and recommends approval of the following Contract Action(s).

SUMMARY OF CONTRACTING ACTION:

Per the contract review and approval procedures that were adopted by the Diversion Authority on November 10, 2016, the Owner’s Program Management Consultant (PMC) or Engineer of Record (EOR) shall submit a construction Change Order request to the Technical Advisory Group. The Technical Advisory Group shall review the Change Order request during its next regular meeting after receiving the Change Order request, and make a recommendation as to approval or denial of the Change Order request.

The Owner’s Representative has reviewed and recommends the following Contract Action(s):

Description	Budget Estimate (\$)
WP-28A: Riley Brothers, Inc.	
<i>Change Order #2</i>	469,811.19
<ul style="list-style-type: none"> • Incorporate WCD-02, CR-17 temporary bypass road • Add ditch cleaning, reshaping, and seeding • Add standby time and partial demobilization costs 	

Summary of Contracting History and Current Contract Action:

The MFDA awarded the WP-28A construction contract to Riley Brothers, Inc. on July 14, 2017 and construction work was started.

On September 7, 2017, a court ordered temporary injunction was issued that stopped construction on the project. Because the planned roadway could not be complete and the construction detour was approximately six miles long and not reasonable for an extended period of time, a temporary bypass plan was prepared and approved by the federal judge on October 3, 2017, and authorization was given to the Contractor via WCD-02 to construct the CR-17 temporary bypass road. This change order incorporates WCD-02, adds ditch cleaning, reshaping, and seeding, and adds standby time and partial demobilization costs. The costs associated with this change order are due to the temporary injunction.

Below is a summary of contracting history to date along with the current contracting action, Change Order 2.

Original Agreement or Amendment	Previous Project Cost	Budget (\$) Change	Revised Project Cost	Project Start	Project Completion	Comments
Original Contract	0.00	0.00	3,176,953.92	7-Aug-17	27-Jul-18	Contract Award to Riley Brothers.
Change Order No. 1	3,176,953.92	31,155.84	3,208,109.76	7-Aug-17	27-Jul-18	Incorporate WCD-01, add culvert, adjust unit price quantities

Original Agreement or Amendment	Previous Project Cost	Budget (\$) Change	Revised Project Cost	Project Start	Project Completion	Comments
Change Order No. 2	3,208,109.76	469,811.19	3,677,920.95	7-Aug-17	27-Jul-18	Incorporate WCD-02, add ditch cleaning/reshaping, add standby time and partial demobilization costs

Change Order No. 2 Discussion:

The PMC reviewed the proposed change order and a summary of that review is listed below. Change Order No. 2 adds the following changes for an increase of \$469,811.19 to the Contract Price and 0 days to the Contract Time. The Change Order consists of the following items:

1. Incorporate WCD-02, CR-17 temporary bypass road:

Attached WCD-02 was approved by the Metro Flood Diversion Authority and authorized the Contractor, Riley Brothers, Inc., to start construction of the CR-17 temporary bypass road. The work includes: construction of a temporary gravel bypass road for County Road 17 (CR-17) north of the intersection with County Road 16 (CR-16). The temporary bypass road work is approximately 1,800 feet of two-lane gravel road to be constructed west of the USACE Diversion Inlet Control Structure project site. The estimated cost for the work in WCD-02 was \$250,000. After WCD-02 was approved, some needed modifications to the plan were incorporated into the work and the Contractor’s proposed price for the work is \$261,250.80.

- a. This change item incorporates the cost to provide a more direct, shorter, temporary CR-17 route that can be used through the 2017 winter season. Detailed cost information is included in attached draft Change Order No. 2.
- b. The federal judge approved the construction of the temporary bypass road, and a construction easement was obtained from the landowner.
- c. The schedule change associated with this change item is 0 days.
- d. The PMC has reviewed this change request and recommends approval.

2. Add ditch cleaning, reshaping, seeding:

The work includes cleaning, reshaping, and seeding/mulch of approximately 2,500 lineal feet of ditches, which were excavated before work stoppage. The contractor’s proposed lump sum price for the work is \$23,520.00.

- a. The work is required for ditches near the area of the partially constructed roundabout, and provides correctly sloping ditches and includes erosion control measures and seeding. Detailed cost information is included in attached draft Change Order No. 2.
- b. This work is a Clean Water Act permit compliance requirement. The schedule change associated with this change item is 0 days.
- c. The PMC has reviewed this change request and recommends approval.

3. Add standby time and partial demobilization costs:

The Contractor began construction under the original contract award on September 5, 2017. The project was stopped due to the temporary injunction. The Owner’s project manager issued a work stoppage notice to the Contractor on September 8, 2017 and a work suspension notice to the Contractor on September 13, 2017. Demobilization of Contractor’s equipment occurred on September 18, 2017. The contractor’s claim for standby time and partial demobilization costs was submitted on October 12, 2017, reviewed, negotiated, and resubmitted on October 24, 2017 for \$185,040.39.

- a. This change item incorporates agreed to equipment standby rates plus total labor costs. Equipment rates were obtained from Equipment Watch; labor rates are based on Davis Bacon rates including fringe benefits. A total of 89 crew hours, between September 8, 2017 and September 18, 2017, were agreed to between the Owner's project manager and Contractor. Note that 89 crew hours is equivalent to 7.417 days at 12.0 hours per day. Detailed cost information is included in attached draft Change Order No. 2.
- b. This change item also incorporates partial demobilization costs associated with the work stoppage due to the temporary injunction, and includes the Contractor's partial cost for construction trailer rentals and Contractor's demobilization costs. Detailed cost information is included in attached draft Change Order No. 2.
- c. The schedule change associated with this change item is 0 days.
- d. The PMC has reviewed this change request and recommends approval.

This change amount of \$469,811.19 is included in the FY-2017 MFDA budget. The PMC reviewed this task order and found it to be acceptable.

ATTACHMENT(S):

- 1. Work Change Directive 02
- 2. Draft Change Order 2 with Unit Price Schedule

Submitted by:

John W. Glatzmaier

John Glatzmaier
CH2M
Metro Flood Diversion Project

October 26, 2017

Date

Nathan Boerboom, Diversion Authority Project
Manager
Concur: October 27, 2017 Non-Concur: _____

Robert Zimmerman, Moorhead City Engineer
Concur: October 27, 2017 Non-Concur _____

Mark Bittner, Fargo Director of Engineering
Concur: October 27, 2017 Non-Concur: _____

Jason Benson, Cass County Engineer
Concur: October 26, 2017 Non-Concur _____

David Overbo, Clay County Engineer
Concur: October 26, 2017 Non-Concur: _____

Jeff Ebsch, Assistant Cass County Engineer, Diversion
Authority Project Manager
Concur: October 26, 2017 Non-Concur _____



WORK CHANGE DIRECTIVE

02

TO: Riley Bros, Inc. PROJECT NO.: WP-28A

PROJECT: Cass County Road 16 & 17 Realignment

OWNER: Metro Flood Diversion Authority

ENGINEER: Houston Moore Group

OWNER'S REPRESENTATIVE: CH2M

DESCRIPTION OF WORK:

The work includes: Construction of a temporary gravel bypass road for County Road 17 (CR-17) north of the intersection with County Road 16 (CR-16). The temporary road work is approximately 1,500 feet of two-lane gravel road to be constructed west of the USACE Diversion Inlet Control Structure project site. The estimated cost of the work is \$250,000.

REASON FOR CHANGE(S):

1. The WP28A County Road 16 and 17 Realignment construction project was stopped due to the temporary injunction against FM Diversion Project construction. The current temporary project detour is approximately six miles long and was not planned to be used for a long duration over the winter.
2. This change provides a more direct, shorter, temporary CR-17 route that can be used through the 2017 winter season. This work change directive is contingent on approval by the federal judge.
 - a. Work may proceed immediately upon approval by the federal judge.

ATTACHMENTS (List Supporting Documents):

1. Diversion Road Plan and Profile

DESIGN IMPACT (List Impacts):

Is the described change outside of the design parameters? Yes / No

If yes, DOR and USACE signoff are required and documented below:

<i>Adam Ruud P.E.</i>	<i>Date</i>	<i>[Name]</i>	<i>Date</i>
<i>Designer of Record</i>		<i>USACE PM</i>	

It is understood that this Work Change Directive will not change the Contract Price or Times, but is evidence that the parties expect a Change Order to be subsequently issued reflecting the changes.

Recommended by:

Ordered by:

Owner's Project Manager



Jeffrey Ebsch
Assistant Cass County Engineer

10/4/17

Date

Owner



Robert W. Wilson
Co-Executive Director

10/4/17

Date

Copy: Owner
Designer of Record
USACE
Owner's Representative

Date of Issuance: <u>11/9/17</u>	Effective Date: <u>11/9/17</u>
Owner: <u>Metro Flood Diversion Authority</u>	Owner's Contract No.: <u>WP-28A</u>
Owner's Representative: <u>CH2M HILL Engineers, Inc.</u>	Owner's Representative Project No.: _____
Contractor: <u>Riley Brothers, Inc.</u>	Contractor's Project No.: _____
Engineer: <u>Houston-Moore Group, LLC</u>	Work Package No.: <u>WP-28A</u>
Project: <u>Fargo-Moorhead Area Diversion</u> Contract Name: <u>Cass County Road 16 & 17 Realignment</u>	

The Contract is modified as follows upon execution of this Change Order:

Description:

1. Incorporate WCD-02, CR-17 temporary bypass road: WCD-02 was approved by the Metro Flood Diversion Authority and authorized the Contractor, Riley Brothers, Inc., to start construction of the CR-17 temporary bypass road. The work includes: Construction of a temporary gravel bypass road for County Road 17 (CR-17) north of the intersection with County Road 16 (CR-16). The temporary road work is approximately 1,800 feet of two-lane gravel road to be constructed west of the USACE Diversion Inlet Control Structure project site. The Contractor's proposed price for the work is \$261,250.80, and includes the following contract changes as documented in the attached Unit Price Schedule:
 - a. Add line item "203-0101 COMMON EXCAVATION-TYPE A - BYPASS": 500 CY at a unit price of \$10.00/CY for a line item cost of \$5,000.00.
 - b. Add line item "203-0109 TOPSOIL - BYPASS": 6,000 CY at a unit price of \$3.00/CY for a line item cost of \$18,000.00.
 - c. Add line item "203-0140 BORROW-EXCAVATION - BYPASS": 12,000 CY at a unit price of \$8.00/CY for a line item cost of \$96,000.00.
 - d. Add line item "251-0200 SEEDING CLASS II - BYPASS": 5.0 ACRE at a unit price of \$1,709.00/ACRE for a line item cost of \$8,545.00.
 - e. Add line item "253-0101 STRAW MULCH - BYPASS": 5.0 ACRE at a unit price of \$100.00/ACRE for a line item cost of \$500.00.
 - f. Add line item "261-0112 FIBER ROLLS 12IN - BYPASS": 250 LF at a unit price of \$0.64/LF for a line item cost of \$160.00.
 - g. Add line item "302-0356 AGGREGATE SURFACE COURSE CLASS 5 - BYPASS": 2,578 TON at a unit price of \$18.10/TON for a line item cost of \$46,661.80.
 - h. Add line item "302-0407 RESHAPE AGGREGATE BASE COURSE - BYPASS": 23 STA at a unit price of \$344.00/STA for a line item cost of \$7,912.00.
 - i. Add line item "702-0100 MOBILIZATION - BYPASS": 1.0 L SUM at a unit price of \$48,000.00/L SUM for a line item cost of \$48,000.00.
 - j. Add line item "709-0151 GEOSYNTHETIC MATERIAL TYPE R1 - BYPASS": 6,492 SY at a unit price of \$3.00/SY for a line item cost of \$19,476.00.

- k. Add line item "714-5200 PIPE, CORR STEEL 0.079 IN 24 IN - BYPASS": 56 LF at a unit price of \$20.00/LF for a line item cost of \$1,120.00.
 - l. Add line item "714-2823 END SECTION CORR STEEL 0.079 IN 24 IN - BYPASS": 2 EA at a unit price of \$200.00/EA for a line item cost of \$400.00.
 - m. Add line item "920-1500 DUST PALLIATIVE MATERIAL - BYPASS": 4,200 GAL at a unit price of \$1.78/GAL for a line item cost of \$7,476.00.
 - n. Add line item "MOVING STRAW BALES": 1 L SUM at a unit price of \$2,000.00/L SUM for a line item cost of \$2,000.00.
2. Add ditch cleaning, reshaping, and seeding: The work includes dewatering/cleaning, reshaping, and seeding/mulching of approximately 2,500 lineal feet of road ditches, which were excavated prior to the temporary injunction and work stoppage. The contractor's proposed cost for the work is \$23,520.00, and includes the following contract change as documented in the attached Unit Price Schedule:
- a. Add line item "DITCH CLEANING/RESHAPING, DEWATERING": 1 L SUM at a unit price of \$23,520.00/L SUM for a line item cost of \$23,520.00.
3. Add standby time and partial demobilization costs: The Contractor began construction under the original contract award on September 5, 2017, and the project was stopped due to the temporary injunction. The Owner's project manager issued a work stoppage notice to the Contractor on September 8, 2017, and a work suspension notice to the Contractor on September 13, 2017. Demobilization of Contractor's equipment occurred on September 18, 2017. The contractor's claim for standby time and partial demobilization costs is \$185,040.39, and includes the following contract changes as documented in the attached Unit Price Schedule:
- a. Add agreed to equipment standby rates plus total labor costs. Equipment rates were obtained from Equipment Watch; labor rates are based on Davis Bacon rates including fringe benefits for a total of 89 crew hours (7.417 days at 12 hours per day) between September 8, 2017 and September 18, 2017 as follows:
 - i. Add line item "STANDBY TIME": 7.417 DAY at a unit price of \$18,665.28/DAY for a line item cost of \$138,440.39.
 - b. Add negotiated partial demobilization costs associated with the work stoppage due to the temporary injunction as follows:
 - i. Add line item "PARTIAL DEMOBILIZATION": 1 L SUM at a unit price of \$46,600.00/L SUM for a line item cost of \$46,600.00.

Attachments:

Change Order 2 Unit Price Schedule Dated 10/24/17

Contractor cost proposal information

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$3,176,953.92	Original Contract Times: Interim Completion: <u>November 1, 2017</u> Substantial Completion: <u>July 13, 2018</u> Final Completion: <u>July 27, 2018</u>
[Increase] [Decrease] from previously approved Change Orders No.: \$31,155.84	[Increase] [Decrease] from previously approved Change Orders No. : Interim Completion: <u>November 1, 2017</u> Substantial Completion: <u>July 13, 2018</u> Final Completion: <u>July 27, 2018</u>
Contract Price prior to this Change Order: \$3,208,109.76	Contract Times prior to this Change Order: Interim Completion: <u>November 1, 2017</u> Substantial Completion: <u>July 13, 2018</u> Final Completion: <u>July 27, 2018</u>
[Increase] [Decrease] of this Change Order: \$469,811.19	[Increase] [Decrease] of this Change Order: Interim Completion: <u>November 1, 2017</u> Substantial Completion: <u>July 13, 2018</u> Final Completion: <u>July 27, 2018</u>
Contract Price incorporating this Change Order: \$3,677,920.95	Contract Times with all approved Change Orders: Interim Completion: <u>November 1, 2017</u> Substantial Completion: <u>July 13, 2018</u> Final Completion: <u>July 27, 2018</u>

<p>RECOMMENDED:</p> <p>By: _____ Owner's Representative (Authorized Signature)</p> <p>Name: <u>Jeffrey Ebsch</u> Title: <u>Assist. Cass County Eng.</u> Date: _____</p>	<p>ACCEPTED:</p> <p>By: _____ Owner (Authorized Signature)</p> <p>Name: <u>Robert W. Wilson</u> Title: <u>Co-Executive Director</u> Date: _____</p>	<p>ACCEPTED:</p> <p>By: _____ Contractor (Authorized Signature)</p> <p>Name: <u>Larry Swan</u> Title: <u>Project Manager</u> Date: _____</p>
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WP-28A
 FMM DIVERSION
 CASS COUNTY ROAD 16 & 17 REALIGNMENT
 24-Oct-17



SPEC	CODE	ITEM DESCRIPTION	UNIT	CURRENT BUDGET			NET CHANGE			UPDATED BUDGET						
				UNIT COST	QUANTITY	TOTAL	UNIT COST	QUANTITY	TOTAL	UNIT COST	QUANTITY	TOTAL				
103	0100	CONTRACT BOND	L.SUM	\$	22,550.00	1	\$	22,550.00			\$	22,550.00	1	\$	22,550.00	
201	0330	CLEARING & GRUBBING	L.SUM	\$	1.00	1	\$	1.00			\$	1.00	1	\$	1.00	
202	0174	REMOVAL OF PIPE ALL TYPES AND SIZES	LF	\$	10.00	163	\$	1,630.00			\$	10.00	163	\$	1,630.00	
202	0350	REMOVAL OF TEMPORARY BYPASS	EA	\$	29,974.00	1	\$	29,974.00			\$	29,974.00	1	\$	29,974.00	
203	0101	COMMON EXCAVATION-TYPE A	CY	\$	2.50	23,535	\$	58,837.50			\$	2.50	23,535	\$	58,837.50	
203	0100	TOPSOIL	L.SUM	\$	9,500.00	1	\$	9,500.00			\$	9,500.00	1	\$	9,500.00	
203	0109	TOPSOIL	CY	\$	2.10	51,659	\$	108,483.90			\$	2.10	51,659	\$	108,483.90	
203	0140	BORROW-EXCAVATION	CY	\$	2.60	93,484	\$	243,058.40			\$	2.60	93,484	\$	243,058.40	
203	0180	ROADWAY OBLITERATION	LF	\$	13.00	4,528	\$	58,864.00			\$	13.00	4,528	\$	58,864.00	
216	0100	WATER	M.GAL	\$	13.00	2,042	\$	26,546.00			\$	13.00	2,042	\$	26,546.00	
230	0165	SURGRADE PREPARATION-TYPE A-12IN	STA	\$	301.00	28	\$	7,628.00			\$	301.00	28	\$	7,628.00	
251	0200	SEEDING CLASS II	ACRE	\$	1,709.00	64.04	\$	109,444.36			\$	1,709.00	64	\$	109,444.36	
251	2000	TEMPORARY COVER CROP	ACRE	\$	25.00	64.04	\$	1,601.00			\$	25.00	64	\$	1,601.00	
253	0101	STRAW MULCH	ACRE	\$	100.00	128.08	\$	12,808.00			\$	100.00	128	\$	12,808.00	
255	0101	ECB TYPE I	SY	\$	4.00	488	\$	1,952.00			\$	4.00	488	\$	1,952.00	
255	0201	TRM TYPE I	SY	\$	5.00	219	\$	1,095.00			\$	5.00	219	\$	1,095.00	
261	0112	FIBER ROLLS 12IN	LF	\$	0.64	30,166	\$	19,306.24			\$	0.64	30,166	\$	19,306.24	
261	0113	REMOVE FIBER ROLLS 12IN	LF	\$	0.01	15,083	\$	150.83			\$	0.01	15,083	\$	150.83	
261	0120	FIBER ROLLS 20IN	LF	\$	4.00	80	\$	320.00			\$	4.00	80	\$	320.00	
261	0121	REMOVE FIBER ROLLS 20IN	LF	\$	0.01	40	\$	0.40			\$	0.01	40	\$	0.40	
302	0100	SALVAGED BASE COURSE	TON	\$	12.70	30,807	\$	391,248.90			\$	12.70	30,807	\$	391,248.90	
401	0050	TACK COAT	GAL	\$	2.50	4,756	\$	11,890.00			\$	2.50	4,756	\$	11,890.00	
411	0105	MILLING PAVEMENT SURFACE	SY	\$	3.05	23,548	\$	71,821.40			\$	3.05	23,548	\$	71,821.40	
430	0042	SUPERPAVE FAA 42	TON	\$	39.75	16,621	\$	660,684.75			\$	39.75	16,621	\$	660,684.75	
430	1000	CORED SAMPLE	EA	\$	85.00	96	\$	8,160.00			\$	85.00	96	\$	8,160.00	
430	5828	PG 58-28 ASPHALT CEMENT	TON	\$	375.00	1,003	\$	376,125.00			\$	375.00	1,003	\$	376,125.00	
550	0305	BIN NON-REINF CONCRETE PVMT CL AE-DOWELED	SY	\$	61.50	5,983	\$	367,954.50			\$	61.50	5,983	\$	367,954.50	
702	0100	MOBILIZATION	L.SUM	\$	147,635.00	1	\$	147,635.00			\$	147,635.00	1	\$	147,635.00	
704	1000	TRAFFIC CONTROL SIGNS	UNIT	\$	1.50	2,574	\$	3,861.00			\$	1.50	2,574	\$	3,861.00	
704	1052	TYPE III BARRICADE	EA	\$	80.00	18	\$	1,440.00			\$	80.00	18	\$	1,440.00	
704	1500	OBLITERATION OF PAVEMENT MARKINGS	SF	\$	5.00	29	\$	145.00			\$	5.00	29	\$	145.00	
706	0500	AGGREGATE LABORATORY	EA	\$	17,500.00	1	\$	17,500.00			\$	17,500.00	1	\$	17,500.00	
706	0550	BITUMINOUS LABORATORY	EA	\$	7,000.00	1	\$	7,000.00			\$	7,000.00	1	\$	7,000.00	
706	0600	CONTRACTORS LABORATORY	EA	\$	11,000.00	1	\$	11,000.00			\$	11,000.00	1	\$	11,000.00	
708	1200	SMALL ROCK COVER	TON	\$	31.50	292	\$	9,198.00			\$	31.50	292	\$	9,198.00	
708	1540	INLET PROTECTION-SPECIAL	EA	\$	250.00	1	\$	250.00			\$	250.00	1	\$	250.00	
708	1541	REMOVE INLET PROTECTION-SPECIAL	EA	\$	250.00	1	\$	250.00			\$	250.00	1	\$	250.00	
709	0161	GEOSYNTHETIC MATERIAL TYPE S1	SY	\$	1.63	1,544	\$	2,825.52			\$	1.63	1,544	\$	2,825.52	
714	4105	PIPE CONDUIT 24IN	LF	\$	63.89	100	\$	6,389.00			\$	63.89	100	\$	6,389.00	
714	4106	PIPE CONDUIT 24IN-APPROACH	LF	\$	43.07	282	\$	12,145.74			\$	43.07	282	\$	12,145.74	
714	4113	PIPE CONDUIT 30IN-APPROACH	LF	\$	62.64	106	\$	6,639.84			\$	62.64	106	\$	6,639.84	
714	4130	PIPE CONDUIT 54IN	LF	\$	198.56	216	\$	42,888.96			\$	198.56	216	\$	42,888.96	
722	4060	INLET MOUNTABLE CURB-TYPE B	EA	\$	2,500.00	1	\$	2,500.00			\$	2,500.00	1	\$	2,500.00	
748	0120	CURB & GUTTER MOUNTABLE-TYPE I	LF	\$	16.35	3,534	\$	57,780.90			\$	16.35	3,534	\$	57,780.90	
748	0140	CURB & GUTTER-TYPE I	LF	\$	22.00	440	\$	9,680.00			\$	22.00	440	\$	9,680.00	
750	0200	CONCRETE MEDIAN PAVING	SY	\$	75.00	1,188	\$	89,100.00			\$	75.00	1,188	\$	89,100.00	
750	0210	CONCRETE MEDIAN NOSE PAVING	SY	\$	98.00	39	\$	3,822.00			\$	98.00	39	\$	3,822.00	
754	0110	FLAT SHEET FOR SIGNS-TYPE XI REFL SHEETING	SF	\$	18.00	225.2	\$	4,053.60			\$	18.00	225	\$	4,053.60	
754	0112	FLAT SHEET FOR SIGNS-TYPE IV REFL SHEETING	SF	\$	18.00	274	\$	4,932.00			\$	18.00	274	\$	4,932.00	
754	0141	BARRICADE ASSEMBLY A	EA	\$	350.00	2	\$	700.00			\$	350.00	2	\$	700.00	
754	0193	FLEXIBLE DELINEATORS-TYPE D	EA	\$	28.50	9	\$	256.50			\$	28.50	9	\$	256.50	
754	0206	STEEL GALV POSTS-TELESCOPING PERFORATED TUBE	LF	\$	12.00	1,002	\$	12,024.00			\$	12.00	1,002	\$	12,024.00	
754	0805	OBJECT MARKERS - CULVERTS	EA	\$	50.00	19	\$	950.00			\$	50.00	19	\$	950.00	
760	0005	RUMBLE STRIPS - ASPHALT SHOULDER	MILE	\$	3,965.00	2.704	\$	10,721.36			\$	3,965.00	3	\$	10,721.36	
760	0010	RUMBLE STRIPS - INTERSECTION	SET	\$	3,000.00	2	\$	6,000.00			\$	3,000.00	2	\$	6,000.00	
762	0111	EPOXY PVMT MK 12IN LINE	LF	\$	10.00	136	\$	1,360.00			\$	10.00	136	\$	1,360.00	
762	0113	EPOXY PVMT MK 4IN LINE	LF	\$	0.60	21,137	\$	12,682.20			\$	0.60	21,137	\$	12,682.20	
762	0117	EPOXY PVMT MK 24IN LINE	LF	\$	10.00	34	\$	340.00			\$	10.00	34	\$	340.00	
762	0122	PREFORMED PATTERNED PVMT MK-MESSAGE (GROOVED)	SF	\$	20.00	36	\$	720.00			\$	20.00	36	\$	720.00	
762	1104	PVMT MK PAINTED 4IN LINE	LF	\$	0.30	7,260	\$	2,178.00			\$	0.30	7,260	\$	2,178.00	
762	1305	PREFORMED PATTERNED PVMT MK 4IN LINE-GROOVED	LF	\$	5.00	2,419	\$	12,095.00			\$	5.00	2,419	\$	12,095.00	
762	1309	PREFORMED PATTERNED PVMT MK 8IN LINE-GROOVED	LF	\$	10.00	914	\$	9,140.00			\$	10.00	914	\$	9,140.00	
762	1315	PREFORMED PATTERNED PVMT MK 31 IN-GROOVED	LF	\$	20.00	31	\$	620.00			\$	20.00	31	\$	620.00	
766	0100	MAILBOXES-ALL TYPES	EA	\$	100.00	1	\$	100.00			\$	100.00	1	\$	100.00	
770	0001	LIGHTING SYSTEM	EA	\$	80,400.00	1	\$	80,400.00			\$	80,400.00	1	\$	80,400.00	
920	1500	DUST PALLIATIVE MATERIAL	GAL	\$	1.18	12,672	\$	14,952.96			\$	1.18	12,672	\$	14,952.96	
<p align="center">CR 16/17 Bypass</p>																
203	0101	COMMON EXCAVATION-TYPE A - BYPASS	CY	\$			\$	10.00	500	\$	5,000.00	\$	10.00	500	\$	5,000.00
203	0109	TOPSOIL - BYPASS	CY	\$			\$	3.00	6,000	\$	18,000.00	\$	3.00	6,000	\$	18,000.00
203	0140	BORROW-EXCAVATION - BYPASS	CY	\$			\$	8.00	12,000	\$	96,000.00	\$	8.00	12,000	\$	96,000.00
251	0200	SEEDING CLASS II - BYPASS	ACRE	\$			\$	1,709.00	5.00	\$	8,545.00	\$	1,709.00	5	\$	8,545.00
253	0101	STRAW MULCH - BYPASS	ACRE	\$			\$	100.00	5.00	\$	500.00	\$	100.00	5	\$	500.00
261	0112	FIBER ROLLS 12IN - BYPASS	LF	\$			\$	0.64	250	\$	160.00	\$	0.64	250	\$	160.00
302	0356	AGGREGATE SURFACE COURSE CLASS 5 - BYPASS	TON	\$			\$	18.10	2,578	\$	46,661.80	\$	18.10	2,578	\$	46,661.80
302	0407	RESHAPE AGGREGATE BASE COURSE - BYPASS	STA	\$			\$	344.00	23	\$	7,912.00	\$	344.00	23	\$	7,912.00
702	0100	MOBILIZATION - BYPASS	L.SUM	\$			\$	48,000.00	1	\$	48,000.00	\$	48,000.00	1	\$	48,000.00
709	0151	GEOSYNTHETIC MATERIAL TYPE R1 - BYPASS	SY	\$			\$	3.00	6,492	\$	19,476.00	\$	3.00	6,492	\$	19,476.00
714	5200	PIPE CORR STEEL 0.075 IN 24 IN - BYPASS	LF	\$			\$	20.00	56	\$	1,120.00	\$	20.00	56	\$	1,120.00
714	2823	END SECTION CORR STEEL 0.075 IN 24 IN - BYPASS	EA	\$			\$	200.00	2	\$	400.00	\$	200.00	2	\$	400.00
920	1500	DUST PALLIATIVE MATERIAL - BYPASS	GAL	\$			\$	1.78	4,200	\$	7,476.00	\$	1.78			



RILEY BROS CONSTRUCTION, INC.
P.O. Box 535
Morris, Minnesota 56267
Phone: 320-589-2500
Fax: 320-589-2545
e-mail: riley@rileybros.com

Morris Pit - phone: (320) 589-2300

Glenwood Pit - phone: (320) 634-3535
fax: (320) 634-3838

October 24, 2017

Mr. Greg Baisch/CM/PM
CH2M Hill Engineers, Inc.
64 4th Street North, Suite 300
Fargo, ND 581020

Re: Riley Brothers Proposal for Standby costs WCD#02, Cass County Road 16&17
Realignment, Work Package 28A.

Dear Mr. Baisch:

Please find attached our revised proposal for WCD#02 as requested on 10/11/17. This revised proposal covers only the Standby costs incurred by Riley Brothers Construction for Equipment and Personnel. Additional adjustments due to the Suspension of Work which will address additional costs, impact and time are not included herein.

Reference is made to the Directive by CH2M received September 8, 2017 to stop all work on the above contract. Reference is made to our meeting on 10/12/17 with CH2M and Jeff Ebsch, Cass County Assistant Engineer.

If there are any questions regarding this matter please feel free to contact the undersigned Larry Swann (320)-287-1918 or Dick Sundberg (701)866-9390.

Sincerely,
Larry Swann, Senior Project Manager
Riley Brothers Construction, Inc.

Attachment #1-Claim Certification WCD#02

Attachment #2-Revised Cost Proposal

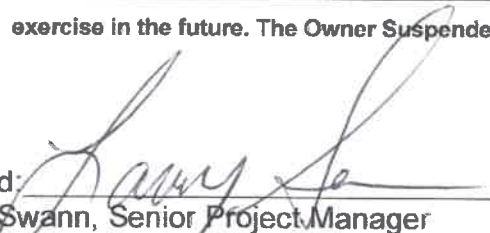
ATTACHMENT #1

REFERENCE: WCD#02, Cass County Road Re-Alignment, WP28, Revised Proposal Dated 10/23/17

Claim Certification (GC12.06.1): I certify this claim is made in good faith, that the supporting data are accurate and complete, that to the best of Contractor's knowledge and belief the amount of time or money requested accurately reflects the full amount to which the Contractor is entitled.

Exceptions:

1. This proposal only covers standby costs starting on September 08 and ending September 16, 2017.
2. Riley Brothers reserves the right to request additional costs and time in accordance with General Conditions Article 16 Suspension of Work and Termination or any other contract actions the owner may choose to exercise in the future. The Owner Suspended Work without fixing the date on which Work will be resumed.

Signed: 
Larry Swann, Senior Project Manager
Riley Brothers Construction, Inc.

Date 10-24-17

CHANGE ORDER - Stop Work Order issued September 8, 2017										STANDBY COSTS LIST OF EQUIPMENT AND RATES		
Number	Equipment Description	Unit #	Labor Rate	Labor Hours	Total Labor Cost	Equip. Standby	Equip. Hours	Total Equipment Cost	Total Costs	Comments		
1	Cat 627F Scraper	72	\$ 82.10	89.0	\$ 7,306.90	\$ 47.43	89.0	\$ 4,221.27	\$ 11,528.17			
1	Cat 627G Scraper	81	\$ 82.10	89.0	\$ 7,306.90	\$ 70.02	89.0	\$ 6,231.78	\$ 13,538.68			
1	Cat 627G Scraper	79	\$ 82.10	89.0	\$ 7,306.90	\$ 70.02	89.0	\$ 6,231.78	\$ 13,538.68			
1	Cat 627K Scraper	70.1	\$ 82.10	89.0	\$ 7,306.90	\$ 78.00	89.0	\$ 6,942.00	\$ 14,248.90			
1	Cat D6R LGP Dozer	34.1	\$ 82.10	89.0	\$ 7,306.90	\$ 26.14	89.0	\$ 2,326.46	\$ 9,633.36			
1	Cat D6T LGP Dozers	46.1	\$ 82.10	89.0	\$ 7,306.90	\$ 32.96	89.0	\$ 2,933.44	\$ 10,240.34			
1	Cat 14H Blade	149.0	\$ 82.10	89.0	\$ 7,306.90	\$ 27.51	89.0	\$ 2,448.39	\$ 9,755.29			
1	Cat CP44B Sheepsfoot	131.1	\$ 82.10	89.0	\$ 7,306.90	\$ 11.43	89.0	\$ 1,017.27	\$ 8,324.17			
1	Cat D65 Challenger	178.0	\$ 82.10	89.0	\$ 7,306.90	\$ 23.00	89.0	\$ 2,047.00	\$ 9,353.90			
1	Rome Offset Disk	232.3	\$ 82.10	89.0	\$ 7,306.90	\$ 8.00	89.0	\$ 712.00	\$ 8,018.90			
1	Foreman w/Pickup		\$ 90.00	89.0	\$ 8,010.00			\$ -	\$ 8,010.00			
1	Project Manager		\$ 150.00	89.0	\$ 13,350.00			\$ -	\$ 13,350.00			
1	CQC Manager		\$ 100.00	89.0	\$ 8,900.00			\$ -	\$ 8,900.00			
					Total Cost Labor and Equipment Mobilization				\$ 138,440.39			
					Total Standby Mobilization				\$ 46,600.00			
									\$ 185,040.39			

BREAK OUT OF MOB -

TRAILORS - \$ 32,200
 RIGS - \$ 14,400
 \$ 46,600

Please See ATTACHED INVOICE
 FROM TRAILORS PAID \$ 56,200
 1 of 3
 until Dec.

PROJECT: CASS COUNTY 16/17 Relocation WP28A		CHANGE ORDER - Stop Work Order issued September 8, 2017													
Unit #	Equipment Description	Year	8-Sep	9-Sep	10-Sep	11-Sep	12-Sep	13-Sep	14-Sep	15-Sep	16-Sep	17-Sep	18-Sep	STANDBY EQUIPMENT AND LABOR LIST	
72	Cat 627F Scraper	2016	5.00	12.00		12.00	12.00	12.00	12.00	12.00	12.00	12.00			
81	Cat 627G Scraper	2016	5.00	12.00		12.00	12.00	12.00	12.00	12.00	12.00	12.00			
79	Cat 627G Scraper	2006	5.00	12.00		12.00	12.00	12.00	12.00	12.00	12.00	12.00			
70	Cat 627K Scraper	2016	5.00	12.00		12.00	12.00	12.00	12.00	12.00	12.00	12.00			
34	Cat 95R LGP Dozer	2005	5.00	12.00		12.00	12.00	12.00	12.00	12.00	12.00	12.00			
42	Cat D6T LGP Dozers	2016	5.00	12.00		12.00	12.00	12.00	12.00	12.00	12.00	12.00			
149	Cat 14H Blade	2006	5.00	12.00		12.00	12.00	12.00	12.00	12.00	12.00	12.00			
131	Cat CP44B Sheepsfoot	2016	5.00	12.00		12.00	12.00	12.00	12.00	12.00	12.00	12.00			
178	Cat D65 Challenger	1996	5.00	12.00		12.00	12.00	12.00	12.00	12.00	12.00	12.00			
232	Rome Offset Disk	2000	5.00	12.00		12.00	12.00	12.00	12.00	12.00	12.00	12.00			
	Superintendent	Larry Swann	0.00												
	Project Manager	Doug Weber	0.00												
	COC Manager	Dick Sundberg	0.00												



www.equipmentwatch.com
All prices shown in US\$

Rental Rate Blue Book - Adjusted Rate Report (Monthly)

Name: CCR16/1717708
Notes: None so far...

Adjustments

Note: Values not specified at the fleet level will be taken from individual equipment adjustments.

Rate Effective Date: -

Region: -

Ownership Adjustment: 50%

Rental Rate Blue Book Rates

All prices shown in US\$

Rate Effective Date: -
Organization: -
Operating Adjustment: -

Equipment Details		Rental Rate Blue Book®				Adjustments		FRWA						
ID	Equipment Type	Manufacturer	Model	Year	Serial Number	Configuration/Notes	Ownership	Operating	Age	Region	Revision	Ownership	Operating	Hourly Rate
D1CK1	Dual Engine Conventional Scrapers	Caterpillar	627G P-P	2006	79	Net Horsepower:365 hp , Power Mode:Diesel , Operator Protection:ROPS , Scraper Horsepower:266 , Scraper Capacity:15.7 cu yd - 22 cu yd	\$70.02	\$0.00	94.5%	100%	Jul 1, 2017 - Present	50%	-	\$70.02
D1CK2	Dual Engine Conventional Scrapers	Caterpillar	627F P-P	2000	72	Operator Protection:ROPS , Scraper Capacity:14 cu yd - 20 cu yd , Net Horsepower:327 hp , Power Mode:Diesel , Scraper Horsepower:223	\$47.43	\$0.00	100%	100%	Jul 1, 2017 - Present	50%	-	\$47.43
D1CK3	Dual Engine Conventional Scrapers	Caterpillar	627G P-P	2006	81	Net Horsepower:365 hp , Power Mode:Diesel , Operator Protection:ROPS , Scraper Horsepower:266 , Scraper Capacity:15.7 cu yd - 22 cu yd	\$70.02	\$0.00	94.5%	100%	Jul 1, 2017 - Present	50%	-	\$70.02
D1CK5	Leg Crawler Dozers	Caterpillar	D6RDS LCP SERIES II	2005	34.1	Dozer Type:Straight , Operator Protection:ROPS , Net Horsepower:185 hp , Power Mode:Diesel	\$36.14	\$0.00	100%	100%	Jul 1, 2017 - Present	50%	-	\$26.14
D1CK6	Leg Crawler Dozers	Caterpillar	D6T LCP	2017	42.1	Operator Protection:ROPS , Dozer Type:Straight , Net Horsepower:200 hp , Power Mode:Diesel	\$35.10	\$0.00	100%	100%	Jul 1, 2017 - Present	50%	-	\$35.10
D1CK7	Articulated Frame Graders	Caterpillar	14H	2006	149	Power Mode:Diesel , Net Horsepower:220 hp , Operator Protection:ROPS , Moldboard Size:14 ft	\$27.51	\$0.00	99.1%	100%	Jul 1, 2017 - Present	50%	-	\$27.51
D1CKSUNDBERG10	Single Drum Vibratory Compactors	Caterpillar	CP-44	2016	131.1	No data available for this model	\$12.69	\$0.00	98.6%	100%	Jul 1, 2017 - Present	50%	-	\$12.69
D1CKSUNDBERG12	Special Application Crawler Tractors	Caterpillar	CHALLENGER 65	2001		Net Horsepower:N/A , Power Mode:Diesel , Drum Type:Padfoot , Drum Width:66 in	\$21.34	\$0.00	100%	100%	Jul 1, 2017 - Present	50%	-	\$21.34

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ATTACHMENT #2 Page 3 of 3

125 KV

Section(s): Aggregate, Bituminous, & Contractor's Lab, Furnishing, Services, & Supplies

using -
using -

Field Office:	\$
Aggregate Lab:	\$10,000.00
Bituminous Lab:	\$71,307.80
Contractor's Lab:	\$10,000.00
Total Cost:	\$91,307.80

1500 = 17500
 15000 = 55000
 56,200
 30,000
 45,000
 \$45,000

Separate Line Item when Contractor's Lab with Gyrotory Compactor is required. Mary Ann Shaker's, etc are included in above pricing.

Gyrotory Compactor:	\$45,000.00
Grand Total:	\$136,307.80

56,200 total to Dec.

IT Only Option (Based on Specs includes Internet and/or Phone/Fax Line, Hardwiring, Copier, Paper, & Setup)

IT Only Charge:	\$
Additional Charge:	\$ /MO after end date

Addendum [Power Generator] – Not Included in Pricing

Big G Tech Support can provide temporary power using a Generator for sites until main power is setup.

First 28 days:	\$7,500.00
3x Months:	\$22,500.00

100' power cable unlimited (750 Hours) use x 3 months (28 day billing cycles), delivery, ES charge, maintenance

Payment Terms: 50% Pre-Payment of Total. NET 10 Terms on Balance once completed. 1.5% monthly interest on outstanding balances.

Additional Notes: Standard Business Hours for installation. **Sales Tax Included.**

Contact Name: Gerald M. Ben-Ami
Contact Phone#: 612-708-9864
Contact Email: gben-ami@bqtsllc.com
Mailing Address: 13570 Grove Drive | Suite #376 | Maple Grove, MN. 55311

(125 KV)
 (100 AMP)
 (200 AMP)

Technical Advisory Group Recommendation

Meeting Date: 10/27/2017

RECOMMENDATION FOR ACTION:

The Technical Advisory Group has reviewed and recommends approval of the following Contract Action(s).

SUMMARY OF CONTRACTING ACTION:

Per the contract review and approval procedures that were adopted by the Diversion Authority on November 10, 2016, the Owner’s Program Management Consultant (PMC) or Engineer of Record (EOR) shall submit a construction Change Order request to the Technical Advisory Group. The Technical Advisory Group shall review the Change Order request during its next regular meeting after receiving the Change Order request, and make a recommendation as to approval or denial of the Change Order request.

The Owner’s Representative has reviewed and recommends the following Contract Action(s):

Description	Budget Estimate (\$)
WP-43E.2.E: Schmidt and Sons Construction, Inc.	
<i>Change Order #02</i>	<i>\$6,200.00</i>
<ul style="list-style-type: none"> Relocation of temporary road access point 	

Summary of Contracting History and Current Contract Action:

Original Agreement or Amendment	Previous Project Cost	Budget (\$) Change	Revised Project Cost	Project Start	Project Completion	Comments
Original Contract	0.00	344,978.00	344,978.00	06-Jun-17	27-Oct-17	Contract Award recommended to lowest responsive bidder, Industrial Builders, Inc.
Change Order No. 1	344,978.00	0.00	344,978.00	06-Jun-17	24-Nov-17	Differing Subsurface Conditions, Extension to home removal
Change Order No. 2	344,978.00	6,200.00	351,178.00	06-Jun-17	24-Nov-17	Relocation of access point

DISCUSSION

In preparation for the construction of OHB Ring Levee – Phase C, the eastern portion of the ring levee, several home removal contracts were let to remove or demolish homes along Schnell Drive and Riverbend Road in Oxbow, ND. Several of the contractors elected to move homes, but were not allowed to move homes on Oxbow city streets. To move Riverbend Road homes, a temporary dirt road was constructed along the wet (back) side of the WP-43A levee. This temporary road included a drainage ditch crossing.

Due project site access conflicts, not all home removals were completed prior to the start of construction of the 43C levee segment. Contractor coordination and construction sequencing and scheduling modifications helped mitigate contractor work space conflicts, but eventually access to the wet (back) side of the levee to complete home removals was impacted by the closing and removal of Riverbend Road under the 43C levee footprint. Home

removal project WP-43E2F (Landwehr Construction) received a negotiated Substantial Completion time extension to November 1, 2017.

In order to maintain access to the wet (back) side of the levee to complete home removals, the temporary access road was relocated under the WP-43CD contract, but did not include relocation of the drainage ditch crossing and culvert. Schmidt and Sons, under this WP-43E2E contract, were requested to provide a proposal to move the drainage ditch crossing and culvert.

This change order relocates the culvert and drainage ditch crossing access point so that it is aligned with the temporary access road.

Change Order No. 2 adds 0 days to the substantial completion date. The Change Order consists of the following items:

1. Relocation of Access Point

- a. This change item adds a Lump Sum cost of \$6,200.00 to the Contract Price to relocate the current access point and place it in alignment with the temporary road. Draft Change Order No. 2, Unit Price Schedule, and back-up information are attached and provide additional information regarding this change.
- b. The Contractor, Schmidt and Sons Construction, Inc. responded to the October 17, 2017 Change Proposal Request with a proposal to complete the work for \$8,050, and negotiated lump sum cost of \$6,200 was agreed to by the Owner's project manager and the Contractor.
- c. The PMC has reviewed this change request and recommends approval.

This change amount of \$6,200.00 is included in the FY-2017 MFDA budget.

ATTACHMENT(S):

- 1. Draft Change Order No. 2 with attachments

Submitted by:

John W. Glatzmaier
John Glatzmaier, P.E.
CH2M
Project Manager
Metro Flood Diversion Project

October 27, 2017
Date

Nathan Boerboom, Diversion Authority Project Manager
Concur: October 27, 2017 Non-Concur:

Robert Zimmerman, Moorhead City Engineer
Concur: October 27, 2017 Non-Concur:

Mark Bittner, Fargo Director of Engineering
Concur: October 27, 2017 Non-Concur:

Jason Benson, Cass County Engineer
Concur: October 27, 2017 Non-Concur:

David Overbo, Clay County Engineer
Concur: October 27, 2017 Non-Concur:

Jeff Ebsch, Assistant Cass County Engineer, Diversion Authority Project Manager
Concur: November 7, 2017 Non-Concur:



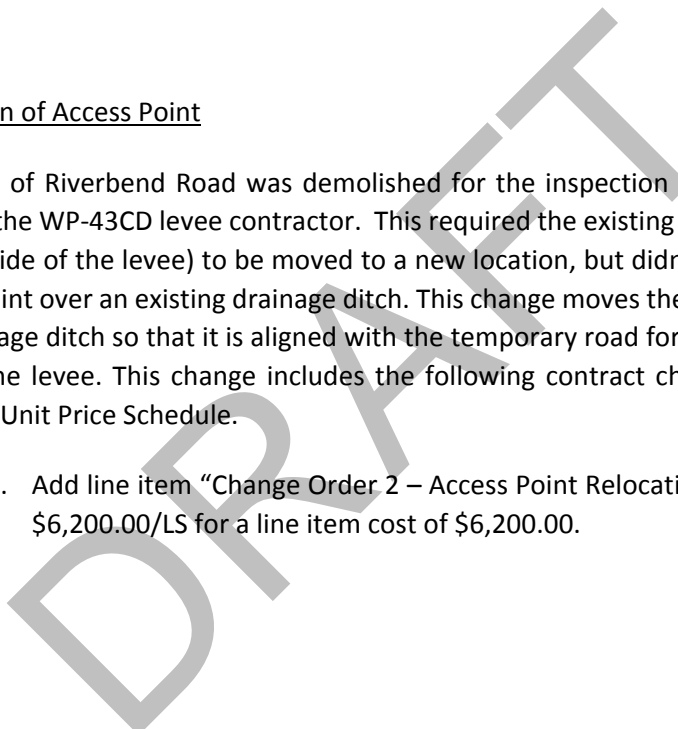
Change Order No. 02

Date of Issuance: 11/2/2017 Effective Date: 11/2/2017
 Owner: METRO FLOOD DIVERSION AUTHORITY Owner's Contract No.: WP-43E.2.E
 Owner's Representative: CH2M HILL Engineers, Inc. Owner's Representative Project No.: 435534
 Contractor: Schmidt and Son Construction Contractor's Project No.: _____
 Engineer: Houston-Moore Group, LLC Work Package No.: WP-43E.2.E
 Project: Schnell Drive and OCC Removals Contract Name: Oxbow-Hickson-Bakke Ring Levee

The Contract is modified as follows upon execution of this Change Order:

Description:

1. Relocation of Access Point
 - a. A section of Riverbend Road was demolished for the inspection trench under the WP-43C levee by the WP-43CD levee contractor. This required the existing temporary access road (to the wet side of the levee) to be moved to a new location, but didn't include relocation of an access point over an existing drainage ditch. This change moves the current access point over the drainage ditch so that it is aligned with the temporary road for current and future access behind the levee. This change includes the following contract change as document in the attached Unit Price Schedule.
 - i. Add line item "Change Order 2 – Access Point Relocation": 1 LS at a unit price of \$6,200.00/LS for a line item cost of \$6,200.00.



Attachments:

1. Unit Price Schedule
2. Change Proposal Request
3. Contractors Proposal
4. Access Point Location Map

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: 344,978.00	Original Contract Times: Substantial Completion: <u>August 11, 2017</u> Ready for Final Payment: <u>October 27, 2017</u>
Contract Price prior to this Change Order: 344,978.00	Contract Times prior to this Change Order: Substantial Completion: <u>December 20, 2017</u> Ready for Final Payment: <u>June 1, 2018</u>
[Increase] [Decrease] of this Change Order: 6,200.00	[Increase] [Decrease] of this Change Order:
Contract Price incorporating this Change Order: 351,178.00	Contract Times with all approved Change Orders: Substantial Completion: <u>December 20, 2017</u> Ready for Final Payment: <u>June 1, 2018</u>

<p>RECOMMENDED:</p> <p>By: _____</p> <p style="text-align: center;">Owner's Representative <small>(Authorized Signature)</small></p> <p>Name: <u>Nathan Boerboom</u></p> <p>Title: <u>Project Manager</u></p> <p>Date: _____</p>	<p>ACCEPTED:</p> <p>By: _____</p> <p style="text-align: center;">Owner <small>(Authorized Signature)</small></p> <p>Name: <u>Robert W. Wilson</u></p> <p>Title: <u>Co-Executive Director</u></p> <p>Date: _____</p>	<p>ACCEPTED:</p> <p>By: _____</p> <p style="text-align: center;">Contractor <small>(Authorized Signature)</small></p> <p>Name: <u>Robert Schmidt</u></p> <p>Title: <u>Owner</u></p> <p>Date: _____</p>
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WP-43E2E
Oxbow-Hickson-Bakke Ring Levee
Removals - Schnell Drive and Oxbow Country Club

Change Order 02 Unit Price Schedule
DATE: 10/24/2017

WP-43E.2.E/OHB Removals - Schnell Drive and Oxbow Country Club											
ITEM	DESCRIPTION	UNIT	Current Budget			Net Change			New Budget		
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	UNIT PRICE	AMOUNT
0001	Mobilization	LS	1	9,000.00	\$ 9,000.00			\$ -	1	9,000.00	\$ 9,000.00
0002	Clearing & Grubbing	LS	1	20,000.00	\$ 20,000.00			\$ -	1	20,000.00	\$ 20,000.00
0003	Demolition 309 Schnell Drive, Oxbow, ND	LS	1	7,500.00	\$ 7,500.00			\$ -	1	7,500.00	\$ 7,500.00
0004	Demolition 313 Schnell Drive, Oxbow, ND	LS	1	8,000.00	\$ 8,000.00			\$ -	1	8,000.00	\$ 8,000.00
0005	Demolition 317 Schnell Drive, Oxbow, ND	LS	1	8,000.00	\$ 8,000.00			\$ -	1	8,000.00	\$ 8,000.00
0006	Demolition 321 Schnell Drive, Oxbow, ND	LS	1	9,000.00	\$ 9,000.00			\$ -	1	9,000.00	\$ 9,000.00
0007	Demolition 325 Schnell Drive, Oxbow, ND	LS	1	7,500.00	\$ 7,500.00			\$ -	1	7,500.00	\$ 7,500.00
0008	Demolition 337 Schnell Drive, Oxbow, ND	LS	1	8,000.00	\$ 8,000.00			\$ -	1	8,000.00	\$ 8,000.00
0009	Demolition 341 Schnell Drive, Oxbow, ND	LS	1	10,000.00	\$ 10,000.00			\$ -	1	10,000.00	\$ 10,000.00
0010	Demolition 326, 328 Schnell Drive, Oxbow, ND	LS	1	19,000.00	\$ 19,000.00			\$ -	1	19,000.00	\$ 19,000.00
0011	Demolition 330, 332 Schnell Drive, Oxbow, ND	LS	1	7,500.00	\$ 7,500.00			\$ -	1	7,500.00	\$ 7,500.00
0012	Demolition 334, 336 Schnell Drive, Oxbow, ND	LS	1	19,000.00	\$ 19,000.00			\$ -	1	19,000.00	\$ 19,000.00
0013	Demolition 338 Schnell Drive, Oxbow, ND	LS	1	10,000.00	\$ 10,000.00			\$ -	1	10,000.00	\$ 10,000.00
0014	Demolition 5059 Mackenzie Cir, Oxbow, ND	LS	1	30,000.00	\$ 30,000.00			\$ -	1	30,000.00	\$ 30,000.00
0015	Demolition 130 Oxbow Drive, Oxbow, ND	LS	1	47,500.00	\$ 47,500.00			\$ -	1	47,500.00	\$ 47,500.00
0016	Two Parking Lots	LS	1	18,000.00	\$ 18,000.00			\$ -	1	18,000.00	\$ 18,000.00
0017	Demolition Oxbow Drive, Oxbow, ND	LF	2700.0	8.00	\$ 21,600.00			\$ -	2700	8.00	\$ 21,600.00
0018	Top Soil Import	CY	8760	\$ 2.00	\$ 17,520.00			\$ -	8760	\$ 2.00	\$ 17,520.00
0019	Imported Fill- Zone A	CY	7090	\$ 2.00	\$ 14,180.00			\$ -	7090	\$ 2.00	\$ 14,180.00
0020	Imported Fill- Zone B	CY	12985	\$ 2.00	\$ 25,970.00			\$ -	12985	2.00	\$ 25,970.00
0021	Seed & Mulch	AC	12	\$ 2,000.00	\$ 23,400.00			\$ -	12	\$ 2,000.00	\$ 23,400.00
0022	Silt Fence	LF	436	\$ 3.00	\$ 1,308.00			\$ -	436	\$ 3.00	\$ 1,308.00
0023	Aggregate Cart Path	CY	50	\$ 60.00	\$ 3,000.00			\$ -	50	\$ 60.00	\$ 3,000.00
0024	Change Order 2 - Access Point Relocation	LS				1	\$ 6,200.00	\$ 6,200.00	1	\$ 6,200.00	\$ 6,200.00
WP-43E.2.E - TOTAL AMOUNT			CURRENT BUDGET			NET CHANGE			NEW BUDGET		
			\$ 344,978.00			\$ 6,200.00			\$ 351,178.00		



Change Proposal Request

PROJECT DATA			
Project Name:	Oxbow-Hickson-Bakke Ring Levee	Owner:	Diversion Authority
WP #:	43E.2E	Owner's Rep:	CH2M HILL Engineers,INC.
Date of Issue:	10/17/2016	Engineer:	Murali Vegi/Moore Engineering

REQUEST FOR PROPOSAL DATA			
To:	Robert Schmidt/Schmidt and Son	CPR No:	001
From:	Owners Rep	Due Date:	10/19/2017
Description:	Relocation of temporary culvert for access to construction site on the southeast side of levee.		

Pursuant to the General Conditions, please provide a quotation for the alteration as described in Item 1. The quotation should include an itemized breakdown of contractor and subcontractor costs, including labor, materials, rentals, approved services, overhead, and profit. This request shall not be considered authorization to proceed with the work described herein.

TO BE COMPLETED BY OWNER'S REPRESENTATIVE:	
1. Scope of Work:	
• Excavation and relocation of the 45' culvert pipe, backfill and compaction using Zone B Fill Material. Access point will need to be constructed and left in place for future use. • Permit requirements will be the contractors guidance	
Attachments:	
Drawings:	
Specifications:	
2. Reason(s) for Modification: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Unforeseen Conditions (site, weather, etc) <input type="checkbox"/> Other	
3. Approval of Request:	
Owner:	<u>Diversion Authority</u> Date: 10/17/2017
Owner's Rep:	<u>Mitchell F. Haskins/CH2M HILL Engineers,INC.</u> Date: 10/17/2017
Engineer:	<u>Murali Vegi/Moore Engineering</u> Date: 10/17/2017

TO BE COMPLETED BY CONTRACTOR:	
4. Total cost of modification (attach change proposal) \$	
5. Will a modification to the contract time be required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If so, trade(s)	

Page 1 of 2



Change Proposal Request

Number of personnel
Duration (calendar days)
6. Attachment identification (list):
7. Quotation is in for __ days after receipt by Engineer:
8. Approval of Quotation:
Contractor: <i>AT Pros</i> Date: 10/19/2017 <i>Suttons Inc</i>

Proposal/ Estimate Schmidt and Sons Construction Inc.

FROM: Schmidt and Sons Construction Inc Page. No. 1
5427 East River Road
Kindred ND 58051
701-388-2045 or 701-388-8436 Fax 701-428-3088

PROPOSAL SUBMITTED TO:

Name: CH2M
Phone: _____ Date: 10/19/17
Street: _____
City: _____
State: _____ Zip: _____

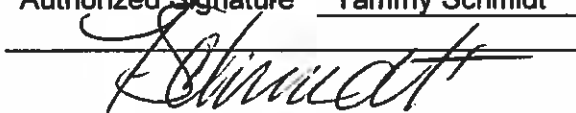
I propose to furnish all materials and perform all labor necessary to complete the following:

Install culvert and fill:

- \$3200 for 3 sections of culvert
- \$200 per hr x 10 hrs for PC3 300 Excavator
- \$125 per hr x 8 hrs for Hamm Packer
- \$185 per hr x 10 hrs for Cat

All of the work is to be completed in a substantial and workmanlike manner for the sum of Eight Thousand Fifty Dollars (~~\$8050.00~~).

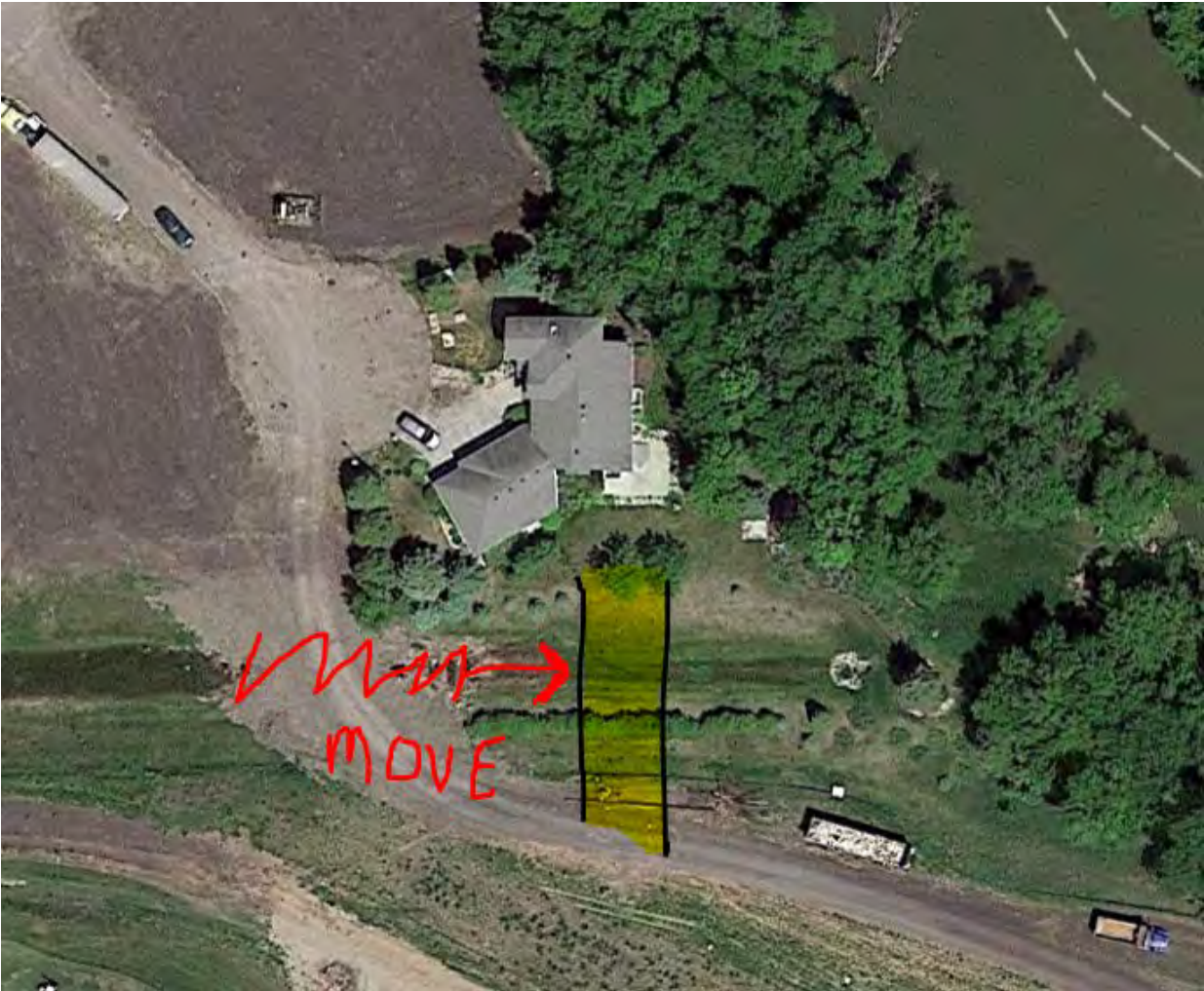
Authorized Signature Tammy Schmidt



Date 10/19/17

The Owner offered a counter price and the Contractor agreed to \$6,200.00 to replace the culvert crossing for the homes to be removed in Oxbow. The agreement was set on 10/20/2017, to be a lump sum price. The contractor will leave the culvert in place after the relocation is completed.

From: [Haskins, Mitchell/FMD](#)
To: [Haskins, Mitchell/FMD](#)
Subject: Sent from Snipping Tool
Date: Monday, October 23, 2017 3:06:46 PM
Attachments: [image001.png](#)



Technical Advisory Group Recommendation

Meeting Date: 11/07/2017

RECOMMENDATION FOR ACTION:

The Technical Advisory Group has reviewed and recommends approval of the following Contract Action(s).

SUMMARY OF CONTRACTING ACTION:

Per the contract review and approval procedures that were adopted by the Diversion Authority on November 10, 2016, the Owner’s Program Management Consultant (PMC) or Engineer of Record (EOR) shall submit a construction Change Order request to the Technical Advisory Group. The Technical Advisory Group shall review the Change Order request during its next regular meeting after receiving the Change Order request, and make a recommendation as to approval or denial of the Change Order request.

The Owner’s Representative has reviewed and recommends the following Contract Action(s):

Description	Budget Estimate (\$)
WP-43E.2.F: Landwehr Construction, Inc. <i>Change Order #02</i> <ul style="list-style-type: none"> Temporary golf cart path 	4,383.34

Summary of Contracting History and Current Contract Action:

The MFDA awarded the WP-43E2F (OHB Ring Levee – Riverbend Home Removals) construction contract to Landwehr Construction, Inc. on June 19, 2017.

This change item was identified and the work has been done. Quantities, agreed to unit prices, and pricing have been obtained for the preparation of this change order.

Below is a summary of contracting history to date along with the current contracting action.

Original Agreement or Amendment	Previous Project Cost	Budget (\$) Change	Revised Project Cost	Project Start	Project Completion	Comments
Original Contract	0.00	234,593.50	234,593.50	19-Jun-17	31-May-18	Contract Award recommended to lowest responsive bidder, Industrial Builders, Inc.
Change Order No. 1	234,593.50	0.00	234,593.50	19-Jun-17	31-May-18	Substantial Completion time extension
Change Order No. 2	234,593.50	4,383.34	238,976.84	19-Jun-17	31-May-18	Temporary golf cart path

DISCUSSION

Due to a project site access conflict between the WP-43E2F contractor, Landwehr Construction, Inc., and the Oxbow County Club (OCC) a temporary golf cart path was needed to separate golfers from construction activities.

The original 2017 OHB ring levee construction schedule allowed the OCC golfers to access their lower (old) golf course holes via a route on OCC property while the WP-43E2F contractor removed homes along Riverbend Road. After completion of WP-43E2F, the OCC golfers were to use Riverbend Road as a golf cart path to their lower holes while the WP-43CD contractor build the levee across the golf course.

WP-43E2F home removal work extended beyond the planned substantial completion date and created a conflict between the WP-43E2F contractor and the OCC golfers. The temporary golf cart path relived a safety concern by providing a separation of construction activities and the golf carts traveling along Riverbend Road.

The Change Order consists of the following items:

1. Temporary Golf Cart Path

- a. This change adds a temporary golf cart path along Riverbend Road which provides a separation between golfers and home removal construction activities. This change includes furnishing, installing, and removing fencing and wood chips for the temporary golf cart path.
- b. The cost of this change is \$4,383.34 and includes:
 - i. Subcontractor Costs: The cost includes subcontractor equipment, labor, and materials to furnish, install, and remove approximately 1,200 lineal feet (LF) of orange snow fence and approximately 500 LF of wood chips to create the temporary golf cart path.
 1. Total Subcontractor costs are \$4,035.56.
 - ii. Mark-up on Subcontractor Costs:
 1. The General Contractor mark-up of Subcontractor equipment, labor, and materials averages seven (7) percent, for a total mark-up of \$283.00.
 - iii. Bond:
 1. The General Contractor added one and a half (1.5) percent on to the above costs for bonds, for a total bond cost of \$64.78.
- c. This total cost is approximately \$3.75 per LF of fencing. Typical costs for snow fencing are estimated to range from \$3.00 to \$6.00 per LF, so this price is considered reasonable.
- d. There are no contract time changes.

ATTACHMENT(S):

- 1. Draft Change Order No. 2

Submitted by:

John W. Glatzmaier
John Glatzmaier
CH2M
Metro Flood Diversion Project

November 7, 2017
Date

Nathan Boerboom, Diversion Authority Project Manager
Concur: November 7, 2017 Non-Concur:

Robert Zimmerman, Moorhead City Engineer
Concur: November 7, 2017 Non-Concur:

Mark Bittner, Fargo Director of Engineering
Concur: November 7, 2017 Non-Concur:

Jason Benson, Cass County Engineer
Concur: November 7, 2017 Non-Concur:

David Overbo, Clay County Engineer
Concur: November 7, 2017 Non-Concur:

Jeff Ebsch, Assistant Cass County Engineer, Diversion Authority Project Manager
Concur: November 7, 2017 Non-Concur:



Change Order No. 02

Date of Issuance: 11/16/17 Effective Date: 11/16/17
Owner: Metro Flood Diversion Authority Owner's Contract No.: WP-43E.2F
Owner's Representative: CH2M HILL Engineers, Inc. Project No.: 435534
Contractor: Landwehr Construction Inc. Contractor's Project No.: _____
Engineer: Houston-Moore Group, LLC Work Package No.: WP-43E.2F
Project: Residential Demolitions Contract Name: OHB Riverbend Road Removals

The Contract is modified as follows upon execution of this Change Order:

Description:

1. Temporary Golf Cart Path

- a. This change adds a temporary golf cart path along Riverbend Road which provides a separation between golfers and home removal construction activities. This change includes furnishing, installing, and removing fencing and wood chips for the temporary golf cart path, and includes the following contract changes as documented in the attached Unit Price Schedule:
 - i. Add line item "0022, Change Order #2 Golf Cart Path": 1 EA at a unit price of \$4,383.34 for a line item cost of \$4,383.34.

DRAFT

Attachments:

- Change Order 2 Unit Price Schedule dated 11/02/17
- Contractor's proposal 1B dated 11/01/17
- Figure - Golf Cart Path

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$234,593.50	Original Contract Times: Substantial Completion: <u>October 16, 2017</u> Ready for Final Payment: <u>May 31, 2018</u> days or dates
Contract Price prior to this Change Order: \$234,593.50	[Increase] [Decrease] with approved Change Order No. <u>01</u> : Substantial Completion: <u>November 1, 2017</u> Ready for Final Payment: <u>May 31, 2018</u>
[Increase] [Decrease] of this Change Order: \$4,383.34	[Increase] [Decrease] of this Change Order
Contract Price incorporating this Change Order: \$238,976.84	Contract Times with approved Change Order: Substantial Completion: <u>November 1, 2017</u> Ready for Final Payment: <u>May 31, 2018</u>

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____	By: _____	By: _____
Owner's Representative <small>(Authorized Signature)</small>	Owner <small>(Authorized Signature)</small>	Contractor <small>(Authorized Signature)</small>
Name: <u>Nathan Boerboom</u>	Name: <u>Robert W. Wilson</u>	Name: <u>Nick Linnemann</u>
Title: <u>Project Manager</u>	Title: <u>Co-Executive Director</u>	Title: <u>Project Manager</u>
Date: _____	Date: _____	Date: _____

WP-43E.2F
Oxbow-Hickson-Bakke Ring Levee Riverbend Road Removals

Change Order 2 Unit Price Schedule
 DATE: 11/2/2017



WP-43E2F -OHB Riverbend Road Removals											
ITEM	DESCRIPTION	UNIT	Current Budget			Net Change			New Budget		
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	UNIT PRICE	AMOUNT
0001	Mobilization	LS	1	\$ 26,000.00	\$ 26,000.00				1	\$26,000.00	\$ 26,000.00
0002	Cleaning & Grubbing	LS	1	\$ 9,000.00	\$ 9,000.00				1	\$9,000.00	\$ 9,000.00
0003	Demolition 748 Riverbend Road, Oxbow, ND	LS	1	\$ 7,000.00	\$ 7,000.00				1	\$7,000.00	\$ 7,000.00
0004	Demolition 805 Riverbend Road, Oxbow, ND	LS	1	\$ 7,000.00	\$ 7,000.00				1	\$7,000.00	\$ 7,000.00
0005	Demolition 808 Riverbend Road, Oxbow, ND	LS	1	\$ 7,000.00	\$ 7,000.00				1	\$7,000.00	\$ 7,000.00
0006	Demolition 813 Riverbend Road, Oxbow, ND	LS	1	\$ 7,000.00	\$ 7,000.00				1	\$7,000.00	\$ 7,000.00
0007	Demolition 816 Riverbend Road, Oxbow, ND	LS	1	\$ 7,000.00	\$ 7,000.00				1	\$7,000.00	\$ 7,000.00
0008	Demolition 817 Riverbend Road, Oxbow, ND	LF	1	\$ 7,000.00	\$ 7,000.00				1	\$7,000.00	\$ 7,000.00
0009	Demolition 821 Riverbend Road, Oxbow, ND	AC	1	\$ 7,000.00	\$ 7,000.00				1	\$7,000.00	\$ 7,000.00
0010	Demolition 828 Riverbend Road, Oxbow, ND	AC	1	\$ 7,000.00	\$ 7,000.00				1	\$7,000.00	\$ 7,000.00
0011	Demolition 833 Riverbend Road, Oxbow, ND	AC	1	\$ 7,000.00	\$ 7,000.00				1	\$7,000.00	\$ 7,000.00
0012	Demolition 840 Riverbend Road, Oxbow, ND	SY	1	\$ 7,000.00	\$ 7,000.00				1	\$7,000.00	\$ 7,000.00
0013	Demolition 843 Riverbend Road, Oxbow, ND	CY	1	\$ 7,000.00	\$ 7,000.00				1	\$7,000.00	\$ 7,000.00
0014	Demolition 844 Riverbend Road, Oxbow, ND	LF	1	\$ 29,000.00	\$ 29,000.00				1	\$29,000.00	\$ 29,000.00
0015	Demolition 848 Riverbend Road, Oxbow, ND	SY	1	\$ 7,000.00	\$ 7,000.00				1	\$7,000.00	\$ 7,000.00
0016	Demolition 852 Riverbend Road, Oxbow, ND	LF	1	\$ 29,000.00	\$ 29,000.00				1	\$29,000.00	\$ 29,000.00
0017	Demolition- Riverbend Rd	LF	500	\$ 30.00	\$ 15,000.00				500	\$30.00	\$ 15,000.00
0018	Top Soil Import	LF	4,946	\$ 1.50	\$ 7,419.00				4946	\$1.50	\$ 7,419.00
0019	Imported Fill- Zone A	EA	5,623	\$ 1.50	\$ 8,434.50				5623	\$1.50	\$ 8,434.50
0020	Imported Fill- Zone B	LF	7,660	\$ 1.50	\$ 11,490.00				7660	\$1.50	\$ 11,490.00
0021	Seed & Mulch	CY	6	\$ 2,500.00	\$ 15,250.00				6	\$2,500.00	\$ 15,250.00
0022	<i>Change Order #2 Golf Cart Path</i>	EA				1	\$ 4,383.34	\$ 4,383.34	1	\$ 4,383.34	\$ 4,383.34
WP-43E2F - TOTAL AMOUNT			CURRENT BUDGET		\$ 234,593.50	NET CHANGE		\$ 4,383.34	NEW BUDGET		\$ 238,976.84



LANDWEHR CONSTRUCTION INC.

PO Box 1086 St. Cloud, MN 56302
 Phone(320) 252-1494 Fax (320) 252-2380

Date: November 1, 2017

Proposal Request # 1 B

Revised PR 1

To: Mitchell Haskins - CH2M

Project: WP-43E.2.F Riverbend Road Removals

Description of work performed:

**Furnish and install fence as indicated on drawing
 Furnish and install wood chips for cart surfacing
 across the former 829 lot.**

Remove cart surfacing

Item	Hrs/Unit	Rate	Total
Equipment			
Loader	1.0	119.00	\$ 119.00
Skidsteer	6.0	42.50	\$ 255.00
Hydraulic hammer for SS	1.0	38.00	\$ 38.00
LCI Markup on Equipment	15%	119.00	\$ 17.85
Total Equipment			\$ 429.85
Labor			
Operator	16.0	78.00	\$ 1,248.00
Laborer	11.5	71.00	\$ 816.50
LCI Markup on Labor	15%	1,248.00	\$ 187.20
Total Labor			\$ 2,251.70
Subcontractors/Materials			
Fence Posts	151.0	4.25	\$ 641.18
Orange Snow Fence	1,170.0	0.63	\$ 742.07
Zip Ties	1.0	25.80	\$ 25.80
Pickup	1.0	150.00	\$ 150.00
		-	\$ -
LCI Markup on Subs/Mat'ls	5%	1,559.06	\$ 77.95
Total Subs/Mat'ls			\$ 1,637.01
Misc lump sum pricing			
		-	\$ -
		-	\$ -
		-	\$ -
Total Misc lump sum			\$ -
Bond			
	1.5%	4,318.56	\$ 64.78
Total Bond			\$ 64.78
Grand Total			\$ 4,383.34

Notes:

