



January 25, 2016
February 15, 2016 Revised

Mr. James Bouquet, Engineering Director
City of Key West
P.O. Box 1409
Key West, FL 33041

RE: Unforeseen Conditions Change Order No. 4 Recommendation

Dear Jim,

As you are aware, we have accumulated a number of Change Order Requests (COR's) which I have held in order to group as a single Change Order comprised primarily of unforeseen conditions. The CORs, along with the required backup, are attached to this letter. The following summarizes my review and action taken during a negotiation and documentation meeting with David Martinez on January 18, 2016 and a follow up meeting on February 11, 2016 with: David Martinez, Tony Burke, David Hahn, Greg Veliz, Kreed Howell, you and myself.

COR No. 005

Concrete spalling was discovered during selective demolition of windows in Building B. We agreed that this work was an unforeseen condition and was required and subsequently issued Information Bulletin No. 5 on June 9, 2015 authorizing work to proceed on a unit price basis of \$250/s.f. to a maximum of \$45,000. Kreed Howell and Ron Gage jointly monitored the work and agreed on the final quantities. The total cost of the Change Order Request is \$9,527.79. A 14 day contract time extension was determined to be appropriate for delays as this work impacted the critical path schedule. However, the full 14 days cannot be justified because it overlapped with other items. Nine days are recommended.

COR No. 009

During installation of the wall bracing, two previously unknown septic tanks were discovered when screw pile augers punched through into the cavities. The cisterns were a life safety hazard, therefore, we authorized this work to proceed on a cost plus basis. Total costs, including contractor mark up, is \$3,810.10. A two day impact to the critical patch schedule was verified.

COR No. 014

During demolition of the first floor framing, asbestos containing materials, including insulation of piping, was located. These materials were located in a limited access area (crawl space beneath the main floor) and therefore not identified in the original asbestos survey. The abatement work needed to be completed before general demolition work could proceed, and was authorized in order to keep the project moving. Cost of the abatement (\$27,630.56) was verified as fair and the requested eight (8) day time extension is justified.

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COR No. 016

Following demolition of the north and south porches, cracks in the auditorium walls were discovered. The cracks needed to be repaired. These walls are no longer carrying gravity loads and repair was for weatherproofing only. The pricing (\$14,663.01) has been confirmed as fair and the requested seven (7) day impact to the critical path schedule is justified.

COR No. 017

An abandoned sewer lateral running from the gymnasium to United Street was discovered during site work. The lateral was removed and capped at a cost of \$2,486.94. The Contractor's request for additional time was denied.

COR No. 018

Additional weatherproofing in the form of liquid flashing was added at all windows. While not required by the original contract documents, additional weatherproofing is recommended due to the condition of window openings. Pricing (\$6,369.99) has been determined to be fair and the requested three (3) day impact to the critical path schedule is appropriate.

COR No. 019

The roofing contractor inspected the roof deck to determine if substrates were acceptable for a fully warranted installation. This inspection and acceptance of the substrate is a requirement of the Specifications. Based on this inspection, the roofing contractor required substrate repairs to the parapets. As the condition of the parapets was not visible until after removal of the roof, these substrate repairs represent an unforeseen condition. We have determined that the pricing (\$16,602.50) is fair and the requested eight (8) day time extension is justified as to schedule impact. However, the delay was not the fault of the Owner and is entirely predicated by Contractor and Subcontractor scheduling issues. In my opinion, the time should not be allowed.

COR No. 020

The contractor requested additional compensation and time associated with installation and rental of wall bracing. The original bracing plan was rejected by our structural engineer as the specified mid-height bracing was not provided. The bracing plan redesign and subsequent review and approval impacted the project's critical path schedule.

The Contractor's request for \$61,857.50 was denied; however, the requested 38 day extension to the schedule could be justifiable subject to negotiations. The Contractor's "Schedule of Delays" shows 19 days from the stop work order to delivery & installation of bracing. Therefore, 19 days is the most that I can justify.

COR No. 021

Due to a variation in the anticipated foundation condition at Column Line B.5 Bridge Columns, adjustments to the slab were required. The \$6,365.17 cost associated with these foundation adjustments has been determined to be fair. The requested seven (7) day time increase is justified since this work delayed installation of the critical path bridge columns.

COR No. 022

This is a request for additional concrete related to two items:

1. Variation of existing foundations discovered during excavation work, and
2. Additional concrete at the second floor decks due to "deck deflection."

Item No. 1 is an unforeseen condition. The \$5,906.99 base cost is fair and allowable. The two (2) day critical path delay associated with the foundation work is justified.

Item No. 2 at \$5,392.50 base cost cannot be justified and is denied.

COR No. 023

During selective demolition at Building B, the two original door openings were uncovered. The openings necessitated the addition of a transom to match those at Building A. The \$3,683.24 cost for these two transoms is appropriate. The request for additional time cannot be justified and is denied.

COR No. 024

This request is for lost construction time associated with severe weather that stopped work. The 10 day request was confirmed by field logs and NOAA records and is allowed.

COR No. 025

This request is for an additional access hatch to the crawl space at Building A. The crawl space is restricted where the south side ramp approaches the existing cistern. The addition of a second hatch provides better access for future service or repairs required below the floor. Costs (\$1,820.55) have been verified as fair and the one day time increase is justifiable.

COR No. 026

The intent of the contract documents is to retain as much of the historic interior plaster as possible. However, severe weather events with large volumes of rain occurred prior to the building being closed in, resulting in extensive areas of delamination of the existing plaster. Delamination continues to occur. The Contractor proposes to remove all wall plaster above the wainscot (demolition) and install new plaster using a 3-coat plaster system. Pricing for interior plaster demolition (\$21,600) and new plaster installation (\$78,900) is fair for the scope of plaster work involved. The COR proposed 14 additional days to complete this work.

Summary

The above analysis is summarized as follows:

	TIME ALLOWED	COST ALLOWED
Per Change Order Request No. 005	9 days.....	add \$ 9,527.79
Per Change Order Request No. 009	2 days.....	add \$ 3,870.10
Per Change Order Request No. 014	8 days	add \$ 27,630.56
Per Change Order Request No. 016	7 days	add \$ 14,663.01
Per Change Order Request No. 017	-0- days	add \$ 2,486.94
Per Change Order Request No. 018	3 days	add \$ 6,369.99
Per Change Order Request No. 019	8 days	add \$ 16,602.50
Per Change Order Request No. 020	19 days	add \$ -0- time only
Per Change Order Request No. 021	7 days	add \$ 6,365.17
Per Change Order Request No. 022	2 days	add \$ 6,763.50
Per Change Order Request No. 023	-0- days	add \$ 3,683.24
Per Change Order Request No. 024	10 days	add \$ -0- time only
Per Change Order Request No. 025	1 day	add \$ 1,820.55
Per Change Order Request No. 026	14 (requested days)	add \$ 72,707.50

Total Change Order Requests90 daysadd \$172,490.85

The additional time allowed extends the substantial completion date to May 18, 2016.

Based on the above analysis, I recommend approval of these Change Order Requests as modified by my recommendations to individual CORs presented above.

Please call if you have any questions.

Sincerely,



Bert L. Bender, Architect

BLB/ddk

Attachments