

Change Order Checklist

Cont. No. : 8662 Cont. Title: I-90, Two-Way Transit & HOV Operation, Stage 3
 C.O. No.: 167 R4 C.O. Title: Final Clear-All Settlement

I. Executed by the State Construction Office				
1.	Cost or credit equal to or exceeding \$500,000. *1, *3	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, State
2.	Change in the contract documents beyond the scope, intent, or termini of the original contract. *2	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Construction Office
3.	Any proposed revision or deletion of work that affects the Condition of Award requirements. (Must be coded "CO" in CCIS, Includes changes to goal or commitment)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Approval Required.
4.	Change in contract time greater than 30 working days, or a change in contract time not related to any change order. *1	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
II. Executed by the Region (Per Delegation)				
5.	Determination of impacts and/or overhead.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, State
6.	Change to Contract Provisions or Standard Plans.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Construction Office
7.	Material or product substitution. (Excludes materials associated with Std. Specification Sections 6-07, 8-01, 8-02, 8-12, 8-18, & 8-20)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Approval Required.
8.	Structural design change in the roadway section. (Requires concurrence from designer)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
9.	Determination of changed condition. (Section 1-04.7 of the Standard Specifications)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
10.	Settlement of a claim. (Section 1-09.11(2) of the Standard Specifications)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
11.	Repair of Damage regarding "acts of God" or "acts of the public enemy or of government authorities". (Section 1-07.13 of the Standard Specifications)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
12.	Structural change to structures.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

Approvals obtained: Project Engineer: James Harper Date: January 31, 2020
 Region: Steve Strand Date: January 31, 2020
 State Construction Office: Jim Cuthbertson Date: January 31, 2020
 Other (Local Agency, FHWA, Surety, etc.): FHWA / Sound Transit Date: April 21, 2020 / MAY 12, 2020

To be completed by the Project Engineer:
 CO reason(s) (See "2008 Codes and Definitions" on State Construction Office web page) AB//01//API//CS
 Change Order Prepared by: Matt Gill Date: 1/31/2020

Is this project under full FHWA stewardship oversight?*1 Yes No

To be completed by the Region:
 Is the change eligible for Federal participation where applicable? Yes No
 Change Order Reviewed by: Peter Klasell Date: 4/22/2020

- *1. Change (Cost or Credit) greater than \$200,000 or greater than 30 days on Full Federal Stewardship Oversight requires FHWA approval [See Construction Manual Ch. 1.2.4C(3), Ch 1-3.4]
- *2. Per RCW 47.28.050, any change beyond \$7,500 that is beyond the original scope shall go through the competitive bidding process.
- *3. Engineering error changes over \$500,000 require reporting (See reporting instructions and template on State Construction Office web page)

This form represents the minimum information required by the State Construction Office. If you wish to supplement this information, you may do so on a separate sheet of paper.

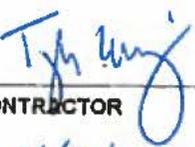
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CONTRACT NO: 008662 FEDERAL AID NO: TIGER-2014 (088)
 CONTRACT TITLE: I-90, TWO-WAY TRANSIT & HOV OPERATIONS STAGE 3
 CHANGE ORDER NO: 167 R4 FINAL CLEAR-ALL SETTLEMENT

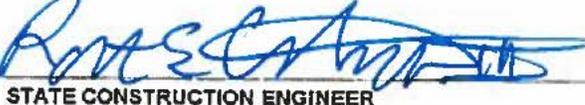
PRIME CONTRACTOR: [REDACTED] IMCO GENERAL CONSTRUCTION, INC.
 2116 BUCHANAN LOOP
 FERNDALE WA 98248-9801

- Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications
 Change proposed by Contractor

ENDORSED BY:  _____ CONTRACTOR 4/3/2020 _____ DATE	SURETY CONSENT: _____ ATTORNEY IN FACT _____ DATE
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ORIGINAL CONTRACT AMOUNT: 120,105,661.15
 CURRENT CONTRACT AMOUNT: 129,751,392.23
 ESTIMATED NET CHANGE THIS ORDER: 2,657,585.92
 ESTIMATED CONTRACT TOTAL AFTER CHANGE: 132,408,978.15

Approval Required: Region Olympia Service Center Local Agency

<input checked="" type="checkbox"/> APPROVAL RECOMMENDED <input type="checkbox"/> EXECUTED  PROJECT ENGINEER 4/08/2020 _____ DATE	EXECUTED:  STATE CONSTRUCTION ENGINEER 6/7/20 _____ DATE
<input checked="" type="checkbox"/> APPROVAL RECOMMENDED <input type="checkbox"/> EXECUTED REGIONAL ADMIN  BY: 4/10/2020 _____ DATE	OTHER APPROVAL WHEN REQUIRED _____ SIGNATURE DATE _____ REPRESENTING

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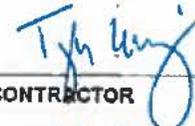
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<input checked="" type="checkbox"/> APPROVAL RECOMMENDED <input type="checkbox"/> EXECUTED REGIONAL ADMIN  BY: 4/10/2020 _____ DATE	OTHER APPROVAL WHEN REQUIRED FHWA-Lindsey Handel 4/21/2020 _____ SIGNATURE DATE _____ REPRESENTING



Third Party Agreement Change Order Cover Sheet

WSDOT Change Order No.: **167 R4 Final Settlement**

Third Party **WSDOT** Agreement No.: **RTA/GA 0512-14**
 Agreement Title **Construction Management** P.O. No.: **149988 ON**
 Project/Phase **I-90 Two-Way Transit and HOV Ops, Stage 3 - Construction** PrCM No.: **C50113**

Approval Authority - as of 4/15/2020

- | | |
|---|---|
| <input type="checkbox"/> Project Manager / Agreement Manager | <input type="checkbox"/> Change Control Board |
| <input type="checkbox"/> Project Director / Department Director | <input checked="" type="checkbox"/> Chief Executive Officer |
| <input type="checkbox"/> Executive Director | <input type="checkbox"/> Finance Committee |
| | <input type="checkbox"/> Sound Transit Board |

This WSDOT Change order is the claim settlement with their Contractor; it draws from WSDOT-controlled contingency authorized by Amendment 6, executed 12/10/2019 by the Deputy CEO; It requires concurrent ST approval per Exhibit WSDOT-4 of the task order. The ST contingency is not affected by this change order. This is the final R8A change order; see attached CO memo for further details.

Agreement Summary - as of 4/15/2020

This summary may reflect potential out-of-sequence changes. Verify against online system before use.

(A) Original Agreement Amount	\$ 166,323,807.00	
(B) Original Agreement Contingency	\$ -	
(C) Additional ST Board Authority	\$ 9,872,918.00	
(D) Current Agreement Authority	\$ 176,196,725.00	
(E) Previous Changes (pending & executed)	\$ 9,277,856.93	
(F) Current Agreement Commitment	\$ 175,601,663.93	
(H) Contingency Available (prior to this CO)	\$ 595,061.07	6.03% of total contingency
(I) Less: Amount of this Change Order	\$ -	0.00% of total contingency
(J) Contingency Remaining (after this CO)	\$ 595,061.07	6.03% of total contingency

ST Endorsement (prior to Third Party Issuance)

Project Control Lead **Tony Magnelli**

Project Manager / Agreement Manager **Sepehr Sobhani**

Director Construction Management **Matt Preedy**
Peter Lam, pl

Deputy Executive Director of Project Control & V.E. **Aniekan Usoro**

Executive Director **Ron Lewis**

Chief Executive Officer DCEO Kimberly Farley, for: **Peter Rogoff**

Signature **Date**

Tony Magnelli Digitally signed by Tony Magnelli
Date: 2020.05.06 16:49:57 -07'00'

Sepehr Sobhani Digitally signed by Sepehr Sobhani
Date: 2020.05.11 11:02:24 -07'00'

Matthew D. Preedy Digitally signed by Matthew D. Preedy
Date: 2020.05.12 13:57:07 -07'00'

Aniekan Usoro Digitally signed by Aniekan Usoro
Date: 2020.05.12 15:09:42 -07'00'

Kimberly Farley Digitally signed by Kimberly Farley
Date: 2020.05.15 10:09:24 -07'00'

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All work, materials, and measurements to be in accordance with the provisions of the Standard Specifications and Special Provisions for the type of construction involved.

This contract is revised as follows:

DESCRIPTION OF THE WORK

This change order resolves any and all claims in any manner arising out of, or pertaining to, Contract Number 8662. Including, but not limited to, issues described in IMCO SL series 718 and 654.

MATERIALS REQUIREMENTS

Materials shall meet the requirements of the Contract.

CONSTRUCTION REQUIREMENTS

1. The required date for Substantial Completion is hereby revised to July 14, 2017, and the Contractor is granted Substantial Completion on July 14, 2017.
2. The requirement for Final System Acceptance Tests, Volume 2, page 575, lines 4 through 31, is deleted.
3. The following Special Provision, regarding Physical Completion Liquidated Damages, is deleted: the Addendum 7 replacement of Volume 1, page 181, lines 38 through 47.
4. The start date and durations for warranty periods shall be as shown in the Contract except the start date for the items below shall be April 16, 2019:
 - a. Caterpillar Diesel Engine Generator
 - b. Caterpillar Battery
 - c. Caterpillar IQ Model Battery Chargers
 - d. Caterpillar Day Tanks
 - e. Caterpillar Remote Charge Air Coolers
 - f. Caterpillar Remote Radiators
 - g. AVI/SPL Cameleon TMSThe Contractor shall submit warranty documents from each manufacturer, including the warranty start date, terms, conditions and durations.
5. The Contractor shall provide a one-year workmanship warranty beginning on April 16, 2019 for any deficiencies.
6. The end date for interim use equipment maintenance will be revised to April 16, 2019, as soon as the Contractor submits all of the maintenance records verifying that it has performed equipment maintenance per the O&M manuals for all fire and life safety equipment.
7. The Contractor shall complete the following physical work:
 - a. Repair leaking fire suppression pipes and valves (Volume 3, page 72, lines 42 and 43),
 - b. Provide testing and warranty documentation for refurbished spare IR detectors or provide new spare IR detectors (Volume 1, page 415, line 6),
 - c. Repair leaking MIT generator fuel lines, performing the same

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- repairs as were done at MBRT (Volume 3, page 172, lines 50 and 51),
- d. Furnish and install lighting component (Section 1-07.13(1)),
 - e. Furnish and install network extender for video camera (Section 1-07.13(1)),
 - f. Repair or replace sporadically faulting IR detector, FDMIE1D2 (Section 1-07.13(1)),
 - g. Correct ECP indication of PLC alarms as SCADA alarms
 - h. Correct ECP power screen issues,
 - i. Implement video network redundancy (Plan sheets TS056 and TS344),
 - j. Repair MBRT US4 Bus B breaker to rack in/out properly (Section 1-07.13(1)),
 - k. Correct ControlNet tap installation errors (i.e., were not installed according to Manufacturer's instructions),
 - l. Repair unsecured flex conduit (Section 1-07.13(1)),
 - m. Provide correct Simplex motherboards (Volume 2, page 590, lines 17 through 52 and Volume 2, page 591, lines 1 through 45),
 - n. Provide IR detector software program (Volume 2, page 485, line 50).

Upon completion of Items 7a through 7n and all required physical work related to testing, submittals, and transmittals in Items 8, 9, and 10 below, all physical work on the Contract shall be complete.

8. The Contractor shall perform the following tests, perform any resulting corrective work and submit associated passing test reports to the Engineer:
- a. SCADA to generator interface tests,
 - b. SCADA to jet fan temperature and vibration tests,
 - c. Use Case 10 Fire - Manual Sequence tests (Appendix F - Use Case 10),
 - d. Test and correct false SCADA fire response screen indications (Appendix F, Use Case 19),
 - e. Use Case 20 Fire - Return to Normal tests (Appendix F Use Case 20),
 - f. Linear Heat Detection FAT (Volume 2, page 482, line 1 through Volume 2, page 483, line 28),
 - g. IR Detector FAT (Volume 2, page 479, line 28 through Volume 2, page 481, line 50),
 - h. Anchor bolt testing and any resulting corrective work (Volume 3, page 387, lines 42 through 45 and Volume 1, page 388, lines 1 through 7),
 - i. Tunnel air system sealing adhesion tests (Volume 3, page 209, lines 44 through 51 and Volume 3, page 210, lines 1 through 11).

Upon completion of Items 8a through 8i and all required testing related to submittals and transmittals in Items 9 and 10 below, all testing on the Contract will be complete.

9. The Contractor shall fully address the review comments and resubmit the following submittals for review and approval:

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- a. 458.04 O&M Manual MBRT GE Zenith SWGR 2 O&M Manual (Volume 1, page 101, line 26 through Volume 1, page 107, line 18 and Volume 3, page 327, lines 11 through 15),
- b. 478.02 O&M Manuals GEF and HVAC Pressurization Fans (Volume 1, page 101, line 26 through Volume 1, page 107, line 18 and Volume 3, page 77, lines 44 through 47),
- c. 483.06 MBRT New Door in Exhaust Stair Case Shop Drawings (Volume 3, page 11, lines 10 and 11),
- d. 512.05 O&M Manuals MIT Foam Water Systems (Volume 1, page 101, line 26 through Volume 1, page 107, line 18 and Volume 3, page 35, lines 9 through 15),
- e. 610.05 O&M Manual MBRT Linear Heat Detection (Volume 1, page 101, line 26 through Volume 1, page 107, line 18 and Volume 2, page 597, lines 40 through 43),
- f. 611.07 O&M Manual MIT Linear Heat Detection System (Volume 1, page 101, line 26 through Volume 1, page 107, line 18 and Volume 2, page 597, lines 40 through 43),
- g. 614.03A O&M Manual MIT Simplex TrueSite Workstations (Volume 1, page 101, line 26 through Volume 1, page 107, line 18 and Volume 2, page 597, lines 40 through 43),
- h. 614.03B O&M Manual MBRT Simplex TrueSite Workstations (Volume 1, page 101, line 26 through Volume 1, page 107, line 18 and Volume 2, page 597, lines 40 through 43),
- i. 759.02 O&M Manual MIT and MBRT SCADA - Vol 7 (Volume 1, page 101, line 26 through Volume 1, page 107, line 18 and Volume 2, page 576, lines 13 through 18),
- j. 871.01 TSI As-Built Shop Drawings - Volumes 8, 9, 10 (Volume 1, page 101, line 26 through Volume 1, page 107, line 18 and Volume 2, page 576, lines 48 and 49),
- k. 873.01 MBRT IO List (Volume 1, page 101, line 26 through Volume 1, page 107, line 18 and Volume 2, page 597, lines 20 through 30),
- l. 880.01 O&M SCADA Software and MBRT and MIT CP1 as-builts- Volume 11 (Volume 1, page 101, line 26 through Volume 1, page 107, line 18 and Volume 2, page 576, lines 20 through 30),
- m. 881 Final Commissioning Report (Volume 1, page 96, line 12 and Volume 1, page 82, lines 44 through 49),
- n. 883 MIT/MBRT Record of Completion (Volume 2, page 485, lines 8 through 14).

Upon approval of Items 9a through 9n, all submittal requirements will have been met.

10. The Contractor shall fully address the review comments and resubmit

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the following transmittals for review and approval (Volume 1, page 78, line 10 through Volume 1, page 80, line 37):

- a. 127.01 MIT VersaMax IO Retest,
- b. 148.02 Signage Collated Commissioning Report,
- c. 151 Fire Alarm System Combined Report,
- d. 163.02 Tunnel Bore Signal Light Testing,
- e. 170 NEI Outlines of Remediation.

Upon approval of Items 10a through 10e, all outstanding transmittals will have been addressed.

11. The Contractor shall complete the BIM model (Volume 1, page 61, line 5 through Volume 1, page 67, line 11) and submit it for review and approval.
12. The Contractor shall complete the as-built drawings (with general requirements listed in Volume 1, page 60, line 21 through Volume 1, page 61, line 2, and required details listed throughout the Special Provisions) and submit them for review and approval.

MEASUREMENT

There are no specific unit-of-measurement requirements for the new Lump Sum item "CO 167 Final Clear-All Settlement".

PAYMENT

Payment will be made under the new Lump Sum item "CO 167 Final Clear-All Settlement" in the amount of \$2,657,585.92, as follows:

- a. Within 14 calendar days of the WSDOT receiving this change order, signed by the Contractor without reservations: \$1,582,585.92.
- b. Within 14 calendar days of the Contractor completing everything listed in items 6 and 7 above: \$500,000.00.
- c. Within 14 days of the Contractor completing everything listed in items 4, 8, 9, 10, 11, and 12 above: \$575,000.00.

The Contractor, by signing this change order, agrees and certifies that, upon payment of this change order in the total amount of \$2,657,585.92, it has been fully compensated for any and all known and unknown disputes, claims, requested costs, reservation of rights, requests for additional compensation and or time, of any kind, arising out of this Contract at any time up to and including Physical Completion, and WSDOT is hereby released and fully discharged from any and all such claims for extra compensation and/or time arising out of Contract Number 8662.

CONTRACT TIME

No working days are added to contract time by this change order

Unless specifically modified herein, all provisions in the contract documents shall remain in full force and effect.

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CONTRACT NO: 008662				CHANGE ORDER NO: 167 R4			
ITEM NO	GROUP NO	STD ITEM	ITEM DESCRIPTION	UNIT MEASURE	UNIT PRICE	EST QTY CHANGE	EST AMT CHANGE

1141	02		CO 167- FINAL CLEAR-ALL SETTLEMENT	L.S.	0.00	0.00	1,328,792.96
1141	04		CO 167- FINAL CLEAR-ALL SETTLEMENT	L.S.	0.00	0.00	1,328,792.96

2,657,585.92
