



Date: December 2, 2015

To: Fred Tharp
HQ Construction, MS 47354

Thru: Steve Roark/Dave Ziegler
O.R. Operations, MS: 47440

From: ^{MS} Michele Britton, Port Orchard P.E.O.
360-874-3000

Subject: C 8677 SR 104
Hood Canal Bridge—Anchor Cable Replacement
F.A. Project No. NHPP-0104(053)
CO #015~~9~~² Tugboat Assistance

Requested Action:

Review Review and Region Execution Review and HQ Execution

- **Change Approval Date: Michele Britton, PE (9/9/15); Steve Roark, OR (10/15/15); Fred Tharp, HQ (9/15/15)**
- **Approval to Proceed: Michele Britton, PE (9/9/15)**

Description of the Change

This change order compensates the Contractor for stabilizing the Hood Canal Bridge drawspan with the tugboats "Andrew Foss" and "Spartan" to maintain bridge alignment.

Evolution of the Change

On September 9, 2015, after a routine draw span opening, crews were unable to close the bridge due to its misalignment. The MN cable had been removed and without this tension force on the tip of the draw span, the flanker pontoons was pushed out of alignment approximately 14-feet by tidal forces. Aligning the bridge was accomplished by use of the on-site Manson tug, Nancy M, and by the commercial tug, Spartan. Manson was authorized to utilize the Spartan on September 9 to close the bridge and provide future support as needed. On September 10, an additional tug (Andrew Foss) was mobilized to allow the Nancy B to resume support of the cable replacement work. Tug support from the Andrew Foss and the Spartan was determined to be the best option to maintain bridge alignment during anchor cable replacement activities. The Spartan and the Andrew Foss were used continuously for the duration of the anchor cable replacement (MN, MS, L1N, L1S, L2N, and L2S and ceased support operations on 9/18/15 and 9/21/15, respectively.

The Project Engineer provided verbal approval to mobilize the tugs after consulting with the Region Construction Office. After it was determined that the cost would exceed the project engineer's execution authority, Region and HQ construction offices were contacted, and approvals were obtained from ARA Steve Roark and ASCE Fred Tharp.

Entitlement

The effort and planning required to maintain the alignment during cable removal is not specified in the contract documents, nor is there notice that such condition may occur. Accordingly, the Engineer has determined that this added work was unanticipated. Therefore, in accordance with Section 1-04.4, the Contractor is entitled to compensation for the added work.

Price

The Engineer's estimate is based on invoice costs for the tugboats as supplied by Foss Marine and Brusco Tug & Barge. The estimate includes markups as described in Section 1-09.6. The cost is \$512,397.80. The Contractor did not agree to this price. See below for the Contractor's viewpoint.

Contractor's Viewpoint

The Contractor assumed that mark-ups on the invoices for the tugboat companies would be at standard force account rates. The Project Engineer offered a 7% markup in accordance with Section 1-09.6, subsection 6. The Contractor contended that the tugboat companies are not subcontractors, nor were they acting in the manner of a subcontractor; therefore, they should receive the full 21% markup as described for a "specialized service" in subsection 4. Given the contractual disagreement on the appropriate markup, and in the interest of making payment for the work, the Engineer informed the contractor that the change would be processed unilaterally.

Contract Time

This change does not affect contract time.

Attachments to Memorandum

Change Order Document
Change Order Checklist
Attachment A – Change/Verbal Approval
Attachment B – Engineer's Independent Estimate

MLB/SKC
File: C8677, OC15-047, 8.015
Serial File: SF15-270

**WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER**

DATE: 11/12/15
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CONTRACT NO: 008677 FEDERAL AID NO: NHPP-0104 (053)
 CONTRACT TITLE: SR 104, HOOD CANAL BRIDGE - ANCHOR CABLE REPLACEME
 CHANGE ORDER NO: 15 R2 TUGBOAT ASSISTANCE

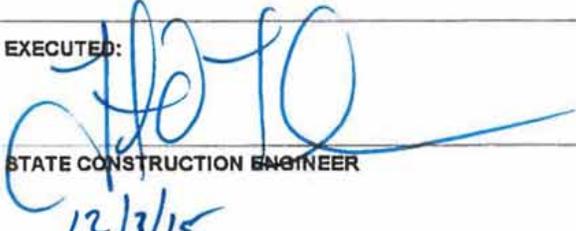
PRIME CONTRACTOR: XXXXXXXXXX MANSON CONSTRUCTION CO.
 PO BOX 24067
 SEATTLE WA 98124-0067

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

ENDORSED BY: <hr/> CONTRACTOR <hr/> DATE	SURETY CONSENT: <hr/> ATTORNEY IN FACT <hr/> DATE
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ORIGINAL CONTRACT AMOUNT: 7,324,203.00
 CURRENT CONTRACT AMOUNT: 7,601,332.58
 ESTIMATED NET CHANGE THIS ORDER: 512,397.80
 ESTIMATED CONTRACT TOTAL AFTER CHANGE: 8,113,730.38

Approval Required: PE Region Olympia Service Center Local Agency

<input checked="" type="checkbox"/> APPROVAL RECOMMENDED	<input type="checkbox"/> EXECUTED	EXECUTED:
PROJECT ENGINEER <i>Michelle L. Bruth</i>	STATE CONSTRUCTION ENGINEER 	DATE 12/2/15
REGIONAL ADMIN: BY: <i>K. Dayton</i> <i>David [Signature]</i>	OTHER APPROVAL WHEN REQUIRED SIGNATURE DATE	DATE 12/3/15
DATE 12/3/15	REPRESENTING	

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CHANGE ORDER**

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CONTRACT NO: 008677

CHANGE ORDER NO: 15 R2

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:

This Work consists of moving and holding the Hood Canal Bridge with the tugboats "Andrew Foss" and "Spartan" to maintain alignment.

Construction Requirements:

The Contractor shall provide and utilize the tugboats "Andrew Foss" and "Spartan" to move and/or hold the bridge in alignment during bridge openings for marine traffic and as necessary during construction activities.

Tugboats shall apply force to the pontoons at approved points.

Measurement:

There is no specific unit of measurement for the lump sum item, CO15 Tugboat Assistance.

Payment:

"CO15 Tugboat Assistance", lump sum, shall be full payment for all labor, tools, equipment, and materials to furnish and utilize the tugboats "Andrew Foss" and "Spartan" as specified.

Time:

This change does not affect contract time.

**WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER**

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CONTRACT NO: 008677	CHANGE ORDER NO: 15 R2
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ITEM NO	GROUP NO	STD ITEM	ITEM DESCRIPTION	UNIT MEASURE	UNIT PRICE	EST QTY CHANGE	EST AMT CHANGE
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1002	01		CO 15 TUGBOAT ASSISTANCE	L.S.	0.00	0.00	512,397.80
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512,397.80
