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**JUN 15 2017**

**Change Record**

Contract Number 8895	Contract Title Tacoma Amtrak Cascades Station	Federal Aid Number HSR-0017-11-01-06
Change Order Number 67	Change Description TACS Subst Compl Sch Recovery	Date Jun 13, 2017
Region Southwest Region	Project Engineer Frank Green <b>FTG</b>	Phone Number (360) 905-1547
Prime Contractor / Design-Builder Garco Construction, Inc.		

- Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications or the RFP
- Change proposed by Contractor / Design-Builder

**Evolution & Description Of Change**

This change order defines all requirements of the Contractor to achieve Substantial Completion of the Tacoma Amtrak Cascades Station (TACS) project and provides additional compensation for Substantial Completion of the project by the mandatory deadline of July 21, 2017. The maximum amount payable under this change order is \$1,987,800.50, as further explained below. It also adds 84 working days to increase the total authorized contract time. Due to the amount payable and the amount of added contract time, this change order will be executed by the State Construction Office. Following is a brief explanation of why this change order is needed.

First, the additional compensation to be provided to the Contractor for achieving Substantial Completion by the mandatory deadline covers their costs and their subcontractor's costs to work overtime, add additional crews and double shifts, and work seven days per week. The deadline of July 21, 2017 has been chosen as it is 10 days prior to the end of the FRA funding window that Contract 8895 is being delivered under. All requests for reimbursement need to be submitted to the Federal Railroad Administration (FRA) by July 31, 2017 and a Substantial Completion date of July 21, 2017 will allow for this.

The Contracting Agency and Contractor have agreed to a lump sum price as compensation for obtaining Substantial Completion as noted above. The agreed upon price is \$1,667,973.50. It was also agreed that the Contractor would be compensated an additional \$106,609.00 as a schedule recovery price adjustment for each week that they are able to obtain Substantial Completion prior to July 21, 2017, with a maximum price adjustment of \$319,827.00 for completion on or before June 30, 2017.

The additional compensation under this change order is due to time constraints resulting from circumstances beyond the control of the Contractor. The Contract was originally scheduled to be Substantially Complete by March 20, 2017, per the Contractor's July 21, 2016 schedule. Several change orders have been initiated by the Contracting Agency to date which have affected the critical path of the Contractor's schedule and which have not resulted in added contract time due to the Contracting Agency and Contractor not being able to reach an agreement on how much added time would be reasonable under each. Among these are:

Change Order No. 22 (PCO 037) - "Wood Beams and Connections" [an estimated 13 days of delay between this change order and Change Order No. 24 (PCO 043) - "Steel Brackets & Threaded Rods"]; Change Order No. 24 (PCO 043) - "Steel Brackets & Threaded Rods" [an estimated 13 days of delay between this change order and Change Order No. 22 (PCO 037) - "Wood Beams and Connections"]; Change Order No. 35 (PCO 036) - "Concrete Formwork" [an estimated 34 days of delay resulting from several RFI responses]; and Change Order No. 79 (PCO Nos. 038 and 074) - "Structural Connections to HPC" [an estimated 35 days of delay].

In addition to the above change orders, there have been several deviations needed from the Basis of Design (BOD) materials or products called out in the Contract Special Provisions. These deviations were needed due to the BOD items being found to not meet mandatory, contract-specified Buy America requirements or being found to no longer be in production. Searching for alternate materials or products that met the necessary requirements resulted in longer than expected wait times for material procurement and consequently impacted the progression of critical path contract work. Although the Project Office has not received a formal proposal from the Contractor requesting added contract time for impacts resulting from Buy America issues, it is understood and agreed to by both parties that these changes have caused delays to the contract. Change Order Nos. 25 "Buy America Roofing Materials," 36 "Change in Specified Meter," 44 "BA Toilet-Janit Accessories," 71 "Resilient Floor BA Compliance," 83 "Acoustical Ceiling Subst.," and 86 "BA Lockers" are among the change orders that have lead to delays in critical path activities on the Contract due to Buy America related issues.

Due to the delays covered above, the Contractor's April 5, 2017 schedule update showed Substantial Completion not occurring until December 15, 2017. This date has been deemed by all involved parties to be far too late. The purpose of this change order will be realized with a Substantial Completion date within the FRA funding window and a sooner establishment of building occupancy.

**1340  
6/13/17**



<b>Contract Number</b> 8895	<b>Contract Title</b> Tacoma Amtrak Cascades Station	<b>Change Order Number</b> 67
<b>Basis of Cost &amp; Justification:</b>		
<p>Frank Green of WSDOT developed the attached WSDOT ESTIMATE spreadsheets (Pages 1-6) which show, among other costs, the amount of overtime and crews needed to complete the remaining work within the specified timeframe. The estimate was based on several conversations with the Contractor to determine how many crews, how many shifts, and what other resources are needed to finish the project by the deadline. It reflects added crews working multiple shifts and weekends and only accounts for premium and/or overtime costs associated with the remaining work.</p> <p>Part of the estimate also includes an amount for any changes to the Contract initiated after May 13, 2017. This amount allows the Contractor to drive solutions in order to meet the contract deadline.</p> <p>Additionally, the estimate also includes amounts to cover other work needed to meet the deadline such as temporary power and heat, and temporary dry in. A credit is also shown for the deletion of LEED requirements from the Contract under this change order. These costs and the credit make up the \$1,667,973.50 under the new lump sum item "TACS Subst Compl Sch Recov."</p> <p>The estimate also covers, under the separate lump sum item "Schedule Recovery Price Adj" under the change order, a tiered price adjustment for each week that the Contractor achieves substantial completion prior to the mandatory deadline of July 21, 2017. The maximum amount payable under this item is \$319,827.00.</p>		
<b>Contract Time:</b>		
<p>As stated on the first page of the Change Record form, there are several change orders that have resulted in delays to the Contract and entitle the Contractor to additional working days. The Contractor and Contracting Agency were not able to reach a mutual agreement on added contract time for those change orders individually, so it was agreed by both parties that a final addition of working days would be addressed under this change order. Not including the Buy America related change orders (which, at a minimum have resulted in several days of delay to critical path contract work), the estimated delay to critical path work under the contract resulting from the other change orders listed on the first page of the Change Record form is 82 days. Therefore, adding 84 days under this change order is reasonable and will address the needs of the Contractor and any potential claims related to time. The added time will ultimately allow for working days to be extended through the latest expected Substantial Completion date and mandatory deadline of July 21, 2017.</p>		
<b>Prior Approvals:</b>		
<p>This change order was approved by Craig McDaniel on May 30, 2017, and by Chris Tams and Frank Green on June 2, 2017. On June 12, 2017, Trey West, Architect of Record from VIA Architecture (design consultant for PB), and David Williams, Engineer of Record from PB (design consultant for WSDOT), approved of the revisions to the Special Provisions under this change order which delete LEED requirements from the Contract.</p>		
<b>List Attachments:</b>		
<p>1. Travelers Power of Attorney form; 2. Change Order Checklist (DOT Form 422-003); 3. WSDOT ESTIMATE spreadsheets (Pages 1-6); 4. Notice to Proceed (WSDOT Serial Letter No. 207 dated May 17, 2017 and signed by Frank Green); 5. Change Approval E-mails (Top to Bottom: PE Approval e-mail, dated 6/2/17, Frank Green; Region Approval e-mail, dated 6/2/17, Chris Tams; HQ Approval e-mail, dated 5/30/17, Craig McDaniel; AOR Approval e-mail, dated 6/12/17, Trey West; EOR Approval e-mail, dated 6/12/17, David Williams)</p>		

**Distribution:** Copy of Change Record & Change Order w/Backup - Project Engineer  
 Copy of ONLY Change Order - Prime Contractor / Design-Builder  
 Copy of Change Record & Change Order w/Backup - Region Construction Office  
 Electronic Copy & Original of Change Record & Change Order w/Backup - State Construction Office

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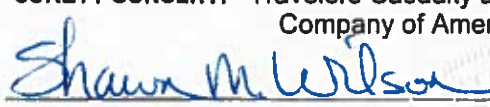
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CONTRACT NO: 008895 FEDERAL AID NO: HSR-0017-11-01-06  
CONTRACT TITLE: TACOMA AMTRAK CASCADES STATION / FREIGHT HOUSE S  
CHANGE ORDER NO: 67 TACS SUBST COMPL SCH RECOVERY

PRIME CONTRACTOR: SW0165408 GARCO CONSTRUCTION, INC.  
P O BOX 2946  
SPOKANE WA 99220-2946



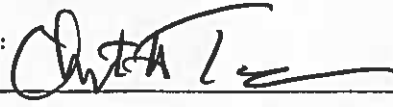
Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications

Change proposed by Contractor

ENDORSED BY: Garco Construction, Inc.  CONTRACTOR Hollis Barnett June 6, 2017 DATE	SURETY CONSENT: Travelers Casualty and Surety Company of America  ATTORNEY IN FACT Shawn M. Wilson June 6, 2017 DATE
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ORIGINAL CONTRACT AMOUNT: 10,317,000.00  
CURRENT CONTRACT AMOUNT: 11,840,006.83  
ESTIMATED NET CHANGE THIS ORDER: 1,987,800.50  
ESTIMATED CONTRACT TOTAL AFTER CHANGE: 13,827,807.33

Approval Required:  Region  Olympia Service Center  Local Agency

<input checked="" type="checkbox"/> APPROVAL RECOMMENDED  PROJECT ENGINEER 6/13/17 DATE	<input type="checkbox"/> EXECUTED  STATE CONSTRUCTION ENGINEER June 19, 2017 DATE
<input checked="" type="checkbox"/> APPROVAL RECOMMENDED REGIONAL ADMIN:  BY: 13 Jun 17 DATE	<input type="checkbox"/> EXECUTED OTHER APPROVAL WHEN REQUIRED SIGNATURE DATE REPRESENTING

*next  
DEC*

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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 WORK

This change order defines all requirements of the Contractor to achieve Substantial Completion of the Tacoma Amtrak Cascades Station project and provides additional compensation for Substantial Completion of the project by the mandatory deadline.

Substantial Completion of the project shall be granted by the Engineer when an occupancy permit has been acquired and the following needs of a serviceable building are met:

use of the facility for the owner;

completion of all finishes and mechanical, electrical, and plumbing systems so that they are operational in manual mode at a minimum; and

completion of Contract Work on East 25th Street and on the platform, except as described immediately below.

The following elements of Work are not required to be complete in order for Substantial Completion to be granted by the Engineer but shall be completed by the dates specified below:

full automation of the DDC Automated Mechanical Control System on or prior to August 30, 2017;

building access controls on or prior to July 21, 2017;

east platform and west platform Work on or prior to July 21, 2017, unless conflicting contractors in the area prevent access, in which case Work shall be completed no later than August 30, 2017;

station electrical fixtures L11, L11EM, L12, L12EM, L13, L13EM, and L15 on or prior to July 21, 2017;

Amtrak signage on or prior to July 21, 2017;

punch list Work and submittal of Operation and Maintenance Manuals on or prior to July 21, 2017, unless circumstances outside the control of the Contractor, such as other contractor work in the vicinity of the project, prevent these elements of Work from happening, in which case these elements of Work shall be completed no later than August 30, 2017;

existing Freighthouse Square eave modifications on or prior to July 21, 2017;

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terrazzo floor polish on or prior to July 21, 2017; and

cameras, rectangular rapid beacons, and pedestrian push buttons for the East 25th Street Modifications on or prior to July 21, 2017.

For Substantial Completion of the project by the mandatory deadline, additional compensation shall be paid under the new lump sum item "TACS Subst Compl Sch Recov" in the manner described in the Measurement and Payment section of this change order. Payment of this item shall be contingent upon approval of required submittals pertaining to outstanding Work and shall be based on the percentage of Work complete at the time payment is made. Should the Contractor fail to meet the July 21, 2017 mandatory deadline, only the percentage of Work complete through that date shall be paid under this item.

Liquidated damages will be charged in accordance with Section 1-08.9 of the Standard Specifications should the Contractor not complete the above elements of Work by the dates listed.

The Contractor agrees to work overtime, add additional crews and double shifts, and work seven days per week in order to Substantially Complete the project no later than July 21, 2017. Should the Contractor achieve Substantial Completion by July 14, 2017 or earlier, a schedule recovery price adjustment shall be paid to the Contractor in accordance with the payment amounts and associated dates defined below:

Substantial Completion on or prior to June 30, 2017 results in a schedule recovery price adjustment of \$319,827.00;

Substantial Completion on or prior to July 7, 2017 results in a schedule recovery price adjustment of \$213,218.00; and

Substantial Completion on or prior to July 14, 2017 results in a schedule recovery price adjustment of \$106,609.00.

Should the Contractor be eligible for a schedule recovery price adjustment, compensation shall be made under the new estimated item "Schedule Recovery Price Adj" in the appropriate amount as determined by the Engineer and in the manner described in the Measurement and Payment section of this change order.

Should the Contractor not achieve Substantial Completion on or prior to July 14, 2017, no schedule recovery price adjustment shall be paid.

LEED requirements are deleted from the Contract under this change order as described below.

In Volume 1 of the Contract Special Provisions, replace line 27 on Page 112 with the following:

"visual effect, warranties, and specific features and".

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In Volume 1 of the Contract Special Provisions, delete the following:

lines 27 and 28 on Page 117;  
lines 14, 28, and 30 on Page 145;  
line 17 on Page 146;  
line 12 on Page 159;  
lines 38 through 42 on Page 161;  
"Section 01 81 13 Sustainable Design Requirements" in its entirety (pages 195 through 203);  
line 23 on Page 204;  
line 7 on Page 221;  
line 2, and lines 13 through 17 on Page 227;  
lines 19 and 20 on Page 230;  
line 28, and lines 30 through 34 on Page 249;  
lines 1 through 3 on Page 250;  
lines 8 and 9 on Page 251;  
line 6, and lines 8 through 12 on Page 254;  
lines 13 and 14 on Page 255;  
line 4, and lines 8 through 12 on Page 263;  
lines 20 and 21 on Page 264;  
line 2, and lines 9 through 16 on Page 271;  
lines 31 and 32 on Page 274;  
line 2, and lines 8 through 15 on Page 286;  
lines 24 and 25 on Page 287;  
lines 6 through 10 on Page 294;  
lines 20 through 22 on Page 295;  
line 4, lines 9 through 15, and lines 29 and 30 on Page 301;  
line 6, and lines 11 through 16 on Page 306;  
lines 19 and 20 on Page 307;  
line 28, and lines 30 through 34 on Page 319;  
lines 20 and 21 on Page 322;  
lines 25 through 29 on Page 329;  
line 5, and lines 23 through 27 on Page 331;  
line 11 on Page 336;  
lines 22 through 26 on Page 338;  
lines 23 and 24 on Page 339;  
line 8, and lines 27 through 33 on Page 348;  
lines 12 and 13 on Page 349;  
line 10, and lines 24 through 30 on Page 353;  
lines 13 and 14 on Page 354;  
line 8, and lines 12 through 17 on Page 358;  
lines 3 and 4 on Page 359;  
line 7, and lines 22 through 28 on Page 361;  
lines 5 through 7 on Page 362;  
line 21 on Page 365;  
lines 5 through 13, and lines 24 and 25 on Page 366;  
line 14, and lines 16 through 25 on Page 374;  
lines 10 and 11 on Page 375;  
lines 9 through 18 on Page 379;  
line 2, and lines 13 and 14 on Page 380;

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lines 15 and 16 on Page 381;  
lines 8 and 9 on Page 382;  
line 10, and lines 26 through 34 on Page 384;  
lines 15 through 17 on Page 385;  
line 26 on Page 387;  
lines 16 through 26 on Page 388;  
lines 7 through 10 on Page 389;  
line 8, and lines 16 through 22 on Page 393;  
lines 2 through 4 on Page 394;  
line 2, lines 10 through 16, and lines 27 through 29 on Page 396;  
line 10, and lines 19 through 24 on Page 399;  
lines 2 through 4 on Page 401;  
line 9, lines 28 and 29 on Page 403;  
lines 1 through 4 on Page 404;  
lines 3 through 5 on Page 405;  
lines 11 and 12, and lines 25 through 31 on Page 408;  
lines 16 through 18 on Page 409;  
line 10 on Page 413;  
lines 15 through 22 on Page 414;  
lines 22 through 24 on Page 415;  
line 8, and lines 11 through 17 on Page 419;  
lines 27 through 29 on Page 420;  
line 8, and lines 15 through 19 on Page 424; and  
lines 2 through 4 on Page 426.

In Volume 2 of the Contract Special Provisions, delete the following:

line 10, and lines 20 through 28 on Page 430;  
lines 14 through 16 on Page 431;  
line 10 on Page 434;  
lines 5 through 13 on Page 435;  
lines 19 through 21 on Page 436;  
line 15 on Page 442;  
lines 6 through 10 on Page 443;  
lines 2 through 4 on Page 444;  
line 9, and lines 19 through 27 on Page 448;  
lines 9 through 11 on Page 449;  
line 27 on Page 453;  
lines 39 through 44 on Page 454;  
lines 2 through 4 on Page 457;  
line 8, and lines 22 through 27 on Page 462;  
lines 21 through 23 on Page 465;  
line 8, and lines 14 through 22 on Page 470;  
lines 2 through 5 on Page 471;  
line 12, and lines 24 through 32 on Page 473;  
lines 1 through 3, and lines 19 through 21 on Page 474;  
line 8, and lines 14 through 25 on Page 478;  
lines 10 through 12 on Page 479;  
line 7, and lines 12 through 23 on Page 483;  
lines 16 through 18 on Page 484;

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line 8, and lines 20 through 31 on Page 488;  
lines 15 through 17 on Page 490;  
line 9 on Page 494;  
lines 3 through 14 on Page 495;  
lines 2 through 4 on Page 496;  
line 7, and lines 15 through 24 on Page 500;  
lines 21 through 23 on Page 501;  
line 10 on Page 504;  
lines 4 through 16 on Page 505;  
lines 7 through 10 on Page 506;  
line 10 on Page 510;  
lines 21 through 27 on Page 511;  
lines 9 through 11 on Page 513;  
line 8 on Page 518;  
lines 25 through 31 on Page 519;  
lines 9 through 11 on Page 521;  
line 10 on Page 528;  
lines 16 through 25 on Page 529;  
lines 21 through 23 on Page 530;  
line 12 on Page 544;  
lines 6 through 12 on Page 545;  
lines 2 through 4 on Page 546;  
line 7 on Page 552;  
lines 9 through 12 on Page 553;  
lines 24 through 26 on Page 554;  
line 7, and lines 20 through 28 on Page 557;  
lines 16 through 18 on Page 558;  
line 14, and lines 19 through 25 on Page 562;  
lines 17 through 19 on Page 563;  
line 9, and lines 14 through 18 on Page 569;  
lines 10 through 12 on Page 570;  
line 8, and lines 27 through 29 on Page 575;  
lines 1 through 6, and lines 29 through 31 on Page 576;  
line 12, and lines 22 through 29 on Page 583;  
lines 20 through 22 on Page 584;  
line 10, and lines 27 and 28 on Page 588;  
lines 2 through 4 on Page 590;  
line 9 on Page 594;  
lines 9 through 19 on Page 595;  
lines 7 through 10 on Page 597;  
line 7, and lines 10 through 20 on Page 602;  
lines 11 through 14 on Page 603;  
line 8, and lines 15 through 20 on Page 606;  
lines 14 through 16 on Page 607;  
line 25 on Page 611;  
lines 29 through 31 on Page 613;  
line 11, and lines 13 through 17 on Page 624;  
lines 9 through 11 on Page 625;  
line 31 on Page 628;  
lines 30 through 34 on Page 629;



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lines 1 through 4 on Page 630;  
lines 15 through 17 on Page 631;  
line 8, and lines 26 through 32 on Page 640;  
line 1, and lines 17 through 19 on Page 641;  
line 7, lines 14 through 20, and lines 25 through 27 on Page 644;  
line 8, and lines 11 through 17 on Page 646;  
lines 8 through 10 on Page 647;  
line 9, and lines 16 through 22 on Page 651;  
lines 13 through 15 on Page 652;  
line 7, and lines 25 through 31 on Page 655;  
lines 7 through 9 on Page 656;  
line 15 on Page 662;  
lines 4 through 11 on Page 663;  
lines 12 through 14 on Page 664;  
line 7, and lines 14 through 17 on Page 672;  
lines 2 through 4 on Page 673;  
line 10, and lines 17 through 23 on Page 680;  
lines 2 through 4 on Page 681; and  
line 8, lines 11 through 17, and lines 27 through 29 on Page 683.

In Volume 3 of the Contract Special Provisions, delete the following:

lines 23 through 28 on Page 1171 and lines 12 through 14 on Page 1172.

**MEASUREMENT AND PAYMENT**

The new lump sum item "TACS Subst Compl Sch Recov" shall be setup in the amount of \$1,667,973.50. Payment of this item shall be contingent upon approval of required submittals pertaining to outstanding Work and shall be based on the percentage of Work complete at the time payment is made. This amount includes compensation for all direct costs, indirect costs, and extended overhead costs associated with achieving Substantial Completion of the project by July 21, 2017, at the latest, less a credit to the Contracting Agency resulting from the cost savings to the Contractor of removing the Contract obligation to adhere to LEED requirements. Costs include, but are not limited to, the Contractor and its subcontractors working overtime, adding additional crews and double shifts, and working seven days per week. The Contractor further agrees that this lump sum amount also compensates for any changes to the Contract initiated after May 13, 2017. Should the Contractor fail to meet the July 21, 2017 mandatory deadline, only the percentage of Work complete through that date shall be paid under this item.

The new estimated item "Schedule Recovery Price Adj" shall be setup in the amount of \$319,827.00. As defined above, this amount shall only be paid in full if the Contractor achieves Substantial Completion on or prior to June 30, 2017, as determined by the Engineer. Should the Contractor achieve Substantial Completion, as determined by the Engineer, on or prior to July 7, 2017, the amount paid under this item shall be \$213,218.00, and should the Contractor achieve Substantial Completion, as determined by the Engineer, on

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or prior to July 14, 2017, the amount paid under this item shall be \$106,609.00.

The total amount payable under this change order shall not exceed \$1,987,800.50. Upon signature of this change order, the Contractor shall not be entitled to any further requests or claims for extended overhead, indirect costs, or direct costs.

CONTRACT TIME

This change order adds eighty-four (84) working days to the total Contract time.

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ITEM NO	GROUP NO	STD ITEM	ITEM DESCRIPTION	UNIT MEASURE	UNIT PRICE	EST QTY CHANGE	EST AMT CHANGE
1034	01		TACS SUBST COMPL SCH RECOV	L.S.	0.00	0.00	1,667,973.50
1035	01		SCHEDULE RECOVERY PRICE ADJ	EST.	0.00	0.00	319,827.00

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1,987,800.50  
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