



1701 Highway A 1 A Suite 301
Vero Beach, Florida 32963
tel: 772 231 4301
fax: 772 231 4332

November 9, 2018

Mr. Himanshu Mehta, P.E.
Managing Director
Solid Waste Disposal District
1325 74th Avenue SW
Vero Beach, Florida 32968

Subject: Indian River County Solid Waste Disposal District
Segment 3 Cell 2 Expansion, Segment 2 Partial Closure,
and Landfill Gas System Expansion
IRC Contract No.: 2018025
Thalle's Request for a Time Extension to Milestone 1

Dear Mr. Mehta:

We have reviewed Thalle's request for a time extension to Milestone 1 of 105 days and have the following observations and comments. Thalle's assertion that the landfill was not as described in the bid documents is not a valid basis for our recommendation. The Contractor attended a mandatory pre-bid meeting and was able to perform additional site visits to determine existing site conditions. The Contractor was also presented with sufficient information prior to bid time to ascertain the conditions at the landfill prior to bid. However, the contractor's assertion that the wet conditions, not just the delay caused by rain events, negatively impacted the working conditions on the hill, is a reasonable basis for granting an extension of time.

After further discussions with County staff and Thalle we have identified the undefined conditions experienced and subsequent working sequence impacts. We recommend extending the Milestone 1 date by 105 days as requested.

Therefore, the new Milestone 1 date would be moved from November 5, 2018, to February 18, 2019. This would be a no-cost change order only extending the time of Milestone 1. The contractor, being relieved of liquidated damages in the amount of \$900 per day, would not be entitled to any claim for additional costs associated with their delay. We note that the Milestone 2 and final completion dates are unchanged by this no-cost change order.

Please let us know if this is acceptable to you and the attached change order can be executed with Thalle. If you need additional information or clarification, please do not hesitate to contact our office.





Mr. Himanshu Mehta, P.E.
November 9, 2018
Page 2

Sincerely,

A handwritten signature in blue ink, appearing to read "Martin J. Lewis". The signature is fluid and cursive, with a long horizontal stroke at the end.

Martin J. Lewis, P.E., BCEE
Project Manager
CDM Smith Inc.

MJL/jj
Attachment
File: PW_PL1_6706-228608.05.02

cc: Eric Grotke, CDM Smith
Kevin Vann, CDM Smith



CHANGE ORDER

No. 01

Indian River County Landfill,

Project: Segment 3 Cell 2 Expansion, Segment 2 Partial Closure, and Landfill Gas System Expansion

DATE OF ISSUANCE November 9, 2018 EFFECTIVE DATE November 5, 2018

OWNER Indian River County

OWNER'S Contract No. IRC Bid No. 2018025 CDM Smith Project No. 6706-228608

CONTRACTOR Thalle Construction Co., Inc. ENGINEER CDM Smith Inc.

You are directed to make the following changes in the Contract Documents:

Description: 105 day extension to the Milestone 1 time

Reason for change order: Wet weather conditions.

Attachments: (List documents supporting change)

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price \$ _____	Original Contract Times Milestone 1 - November 5, 2018 Substantial Completion: <u>No change</u> Ready for final payment: <u>No Change</u> Days or dates
Net changes from previous Change Orders No. ___ to No. ___ \$ _____	Net change from previous Change Orders No. ___ to No. ___ <u>Not Applicable</u> days
Contract Price prior to this Change Order \$ _____	Contract Time prior to this Change Order Milestone 1 - February 18, 2019 Substantial Completion: <u>No change</u> Ready for final payment: <u>No Change</u> Days or dates
Net Increase (decrease) in this Change Order \$ _____	Net Increase in this Change Order <u>Milestone 1 + 105 days</u> days
Contract Price with all approved Change Orders \$ <u>No Change in Contract Price</u>	Contract Time with all approved Change Orders Substantial Completion: <u>No Change</u> Ready for final payment: <u>No Change</u> Days or dates

RECOMMENDED: [Signature] APPROVED: _____ ACCEPTED: _____
By: _____ By: _____ By: _____
ENGINEER (Authorized Signature) OWNER (Authorized Signature) CONTRACTOR (Authorized Signature)
Date: Nov 9, 2018 Date: _____ Date: _____

EJCDC No. C-800 (2007 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General CONTRACTORS of America.