

**Indian River County, Florida
Solid Waste Disposal District
Board Memorandum**

Date: October 25, 2019

To: Jason E. Brown, County Administrator

From: Vincent Burke, PE, Director of Utility Services

Prepared By: Himanshu H. Mehta, PE, Managing Director, Solid Waste Disposal District

Subject: Change Order No. 6 to Thalle (Bid #2018025)

Descriptions and Conditions:

On April 10, 2018, the Indian River County (IRC) Solid Waste Disposal District (SWDD) awarded Bid No. 2018025 in the amount of \$16,034,260.00 to Thalle Construction Company (Thalle), Inc. of Hillsborough, North Carolina, for the construction of the Landfill Segment 3 Cell 2 Expansion, Segment 2 Partial Closure and Landfill Gas System Expansion project. This funding included a 10% contingency budget of \$1,457,660. A Notice to Proceed (NTP) was issued on May 9, 2018. Substantial completion of Segment 2 Partial Closure and Landfill Gas System Expansion phase (Milestone 1) is 180 calendar days (November 5, 2018), and substantial completion of Landfill Segment 3 Cell 2 Expansion phase (Milestone 2) is 360 calendar days (May 4, 2019) from the NTP. Final completion is 390 calendar days (June 3, 2019) from the NTP.

On September 17, 2018, Thalle submitted a request to our engineer, CDM Smith, for a 105-days-in-contract-time extension for Milestone 1, identifying wet conditions as a basis for this request. On November 20, 2018, the SWDD Board approved Change Order No. 1 to Thalle extending Milestone 1 to February 18, 2019.

On February 12, 2019, the SWDD Board approved Change Order No. 2 to Thalle for a deductive change order in the amount of \$2,659,127.14 as a result of direct purchase items, resulting in a revised contract amount of \$13,375,132.86.

On March 26, 2019, the SWDD Board approved Change Order No. 3 to Thalle to use \$12,236.97 from approved contingency budget into the active project budget as well as adding 27 days in contract time.

On June 18, 2019, the SWDD Board approved Change Order No. 4 to Thalle for approval of \$855,955.37 from the approved contingency budget into the active project budget as well as an additional 62 days in contract time.

On August 13, 2019, the SWDD Board approved Change Order No. 5 to Thalle use \$530,761.05 from approved contingency budget into the active project budget as well as adding 68 days in contract time. The corresponding Substantial Completion Date for Milestone 1 was changed to July 25, 2019, the Substantial Completion Date for Milestone 2 was changed to October 8, 2019 and Final Completion Date was changed to November 7, 2019. Based on the previous change orders to date, the original contingency budget of \$1,457,660 has been reduced to \$58,707.

Our project engineer, CDM Smith, has reviewed and recommended approval of a request for additional rain days with the project under this request for Change Order No. 6. This will not change the total contract funding of \$13,375,132.86.

Analysis:

CDM Smith reviewed the Change Order No. 6 request and submitted a recommendation letter on October 25, 2019, to approve the request by Thalle for rain days associated with this project for the months of June, July, August and September. Per CDM Smith, they carefully reviewed Thalle's request for 51 days delay and can only recommend SWDD award 42 days rain delays to the actual work occurring at the time. This approval would change the Substantial Completion Date for Milestone 1 to September 5, 2019, change the Substantial Completion Date for Milestone 2 to November 19, 2019 and change the Final Completion Date to December 19, 2019.

Please note, the actual Substantial Completion of Milestone 1 was achieved by Thalle on August 28, 2019 at which time the new access road on top of the closure project was opened to the public. This date is within the recommended change for Milestone Completion Date of Milestone 1 to September 5, 2019 and therefore there was no impact to SWDD.

Staff supports this request for approval of rain days.

Funding:

This is a no-cost change order and therefore no impact to the project funding.

Recommendation:

Solid Waste Disposal District staff recommends that its Board approve and authorize the Chairman to execute Change Order No. 6 approving extension in contract time for Milestone 1, Milestone 2, and Final Completion by 42 days to Thalle Construction Company, Inc., for the Segment 3 Cell 2 Expansion, Segment 2 Partial Closure and Landfill Gas System Expansion project.

Attachment:

1. CDM Smith Letter of Recommendation
2. Change in Contract Summary Log (attachments on file in the Department of Utility Services)
3. Change Order No. 6 (on file in the Department of Utility Services)

Thalle	NTP	5/9/2018	CO#1		CO#3		CO#4		CO#5		CO#6		Actual Completion
Milestone 1	180	11/5/2018	105	2/18/2019	27	3/17/2019	62	5/18/2019	68	7/25/2019	42	9/5/2019	8/28/2019
Milestone 2	360	5/4/2019	No change		27	5/31/2019	62	8/1/2019	68	10/8/2019	42	11/19/2019	
Final	390	6/3/2019	No change		27	6/30/2019	62	8/31/2019	68	11/7/2019	42	12/19/2019	