

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

**Date:** August 5, 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. 5 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. 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.

Our project engineer, CDM Smith, has reviewed and recommended approval of a request for additional rain days and additional work associated with the project under this request for Change Order No. 5.

**Analysis:**

CDM Smith reviewed the Change Order No. 5 request and submitted a recommendation letter on August 5, 2019, to approve the request by Thalle for rain days and additional work associated with this project. The additional work is associated with replacement of a manhole ring and cover (\$1,601.56), swale improvements (\$145,706.84), material overrun with common fill (\$193,088.00), storm water diversion berm pump and accessories (\$4,502.34), road improvements (\$117,021.70), and solution to leachate seeps (\$68,840.61). The total of this proposed work is \$530,761.05 and provides a total of 95 additional work days, which includes 27 rain days.

Staff at this time does not recommend approval of the 27 rain days. Therefore, staff recommends only 68 additional work days to be approved by this change order.

Per CDM Smith, the new Milestone 1 date would be moved from May 18, 2019, to July 25, 2019. Similarly, Milestone 2 and final completion dates are respectively changed to October 8, 2019, and November 7, 2019, respectively. The total contract price is unchanged as there is contingency funding available to cover the additional cost. The project initially had an approved 10% contingency of \$1,457,660. Based on previous approved use of contingency funding in the amount of \$868,192.34, there is \$589,467.66 available in the project. The proposed work of \$530,761.05 would reduce the contingency to \$58,706.61. Staff supports the recommendation from CDM Smith to approve Change Order No. 5.

**Funding:**

The Segment 3 Cell 2 Expansion and Segment 2 Partial Closure projects are funded from separate revenue sources; specifically, the closure cost is paid from an escrow account long established per Florida Department of Environmental Protection (FDEP) requirements. The additional underdrain work is associated with the closure project. The total contract price is unchanged as there is contingency funding available to cover the additional cost.

Bid No. 2018025 – Thalle Construction Company, Inc.

<b>DESCRIPTION</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
Construction – Segment 3 Cell 2 Expansion	411-169000-17025	\$194,377.46
Construction – Segment 2 Closure	411-239006 (Escrow)	\$336,383.59
	<b>Change Order No. 5</b>	<b>\$530,761.05</b>

**Recommendation:**

Solid Waste Disposal District staff recommends that its Board approve and authorize the Chairman to execute Change Order No. 5 approving extension in contract time for Milestone 1, Milestone 2, and Final Completion by 68 days and allow the use of \$530,761.05 from contingency funding 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
3. Change Order No. 5 (on file in the Department of Utility Services)