

REPORT OF GENERAL MANAGER

NO. 04-348

DATE November 17, 2004

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CABRILLO MARINE AQUARIUM – MASTER PLAN IMPLEMENTATION (#1505D) (W.O. #E170194F) – FULL AND FINAL CHANGE ORDER TO CONTRACT NO. 3062

* K. Chan	<u>kc</u>	J. Kolb	_____
J. Combs	_____	F. Mok	_____
H. Fujita	_____	G. Stigile	_____

  
 \_\_\_\_\_  
 General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board approve a full and final change order in the amount of \$250,000.00 for additional work to Contract No. 3062, as outlined in the body of this report.

SUMMARY:

On June 19, 2002, the Board awarded a construction contract in the amount of \$6,014,000.00 to FTR International, Inc., under Board Report No. 02-241, providing for construction of the Cabrillo Marine Aquarium – Master Plan Implementation (#1505D) (W.O. #E170194F) project, located at 3720 Stephen M. White Drive in San Pedro, California. Contract No. 3062 was executed on June 26, 2002 and construction began on July 8, 2002. The project includes renovation and expansion of the existing Aquarium buildings and facilities.

Construction work on this project is 99% complete. The project was opened to the public on October 23, 2004. Final acceptance of this project is expected by December 2004.

The awarded contract amount was \$6,014,000.00. To date, there have been 137 change orders issued on this project, for a total amount of \$691,213.17. The total construction funds approved for this construction contract to date are \$6,705,213.17.

The Contractor submitted a delay claim proposal in the amount of \$900,647.00 requesting additional compensation for the extended overhead due to project delays. The Bureau of Engineering and the Contractor have negotiated and agreed to the final amount of \$250,000.00 for a full and final Change Order to cover any cost associated with construction delays during the course of the construction.

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The proposed Change Order was considered by the L.A. for Kids Steering Committee on October 7, 2004. It is the Steering Committee's recommendation that the Board approve the Change Order as negotiated. With this approval, the final contract amount will be \$6,955,213.17.

The reasons for the delays to the project, which were not caused by the contractor, were as follows:

1. Department of Building and Safety (B&S) Issues:
  - a) A plumbing permit was not issued until 1-1/2 months after construction started, due to the fact that there were many plan check correction items identified by B&S that were not included in the bid documents. Due to the time it took to revise the construction documents and obtain final B&S approval, a delay occurred which resulted in change orders and delay charges; and
  - b) The permit for the sewer was not issued until 2-1/2 months after construction. During that time, the Contractor's plumbing work was limited to within 5 feet of the building's footprint. This also resulted in change orders and delay charges.
2. The Department of Water and Power (DWP) required the relocation of the utilities three months after construction started (versus 1-1/2 months after construction start, as originally scheduled). During construction, the DWP Inspector also notified the contractor that the meter could not be installed in accordance with the contract plans; and an additional meter was required by DWP. The additional meter required a permit and installation, resulting in additional change orders and delays.
3. Other issues creating delays during the course of construction are listed below:
  - a) The intricate Life Support System required for the Aquarium caused delays as numerous design and construction issues had to be resolved by a series of complicated Requests For Information (RFI's) and architect/City responses. The Life Support System is basically the backbone of the aquarium's exhibits; it includes piping, pumps, pipe supports, monitoring equipment, electrical controls, water heating, and required compatibility with the existing aquarium's system. The entire system design was not completely developed and coordinated prior to the start of construction; and
  - b) The design of the project included an architectural projection beside the front entrance of the building which required coordination between the architect, the City, and the contractor. This exterior fiberglass screen is the focal point of the architect's exterior design, approved by the Department of Cultural Affairs for the project and could not be deleted from the contract work. The shop drawings for the design

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feature were finalized through a series of RFI's and supplemental drawings. Additionally, fabrication of the supports for the screen was problematic, requiring the use of an alternative fiberglass material, that had not been originally approved by B&S. These items, as well as the need to perform work out of sequence, delayed and impacted the contractor's progress resulting in change orders and delays.

Adequate funds are available within the existing approved project budget to pay for the cost of this change order.

The project is being funded by Prop. A, Prop. K, Friends of the Aquarium, and Capital Finance Administration Funds in the following accounts:

	<u>Fund</u>	<u>Account</u>
Prop K	44S	R201
CFAF	100	T722

Report prepared by Neil Drucker, Program Manager, Bureau of Engineering, Recreational and Cultural Facilities Program.