

ORDINANCE NO. 2012-3603

AN ORDINANCE TO AUTHORIZE THE EXPENDITURE AND DIRECT THE SAFETY SERVICE DIRECTOR TO SIGN CHANGE ORDER NO. 2 IN AN AMOUNT NOT TO EXCEED \$181,765.00 WITH BROWN AND CALDWELL OHIO, LLC FOR ADDITIONAL CONSTRUCTION QUALITY ASSURANCE SERVICES FOR THE FREMONT UPLAND RESERVOIR AND DECLARING AN EMERGENCY

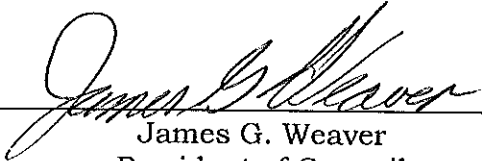
BE IT ORDAINED BY THE COUNCIL, CITY OF FREMONT, STATE OF OHIO:

SECTION 1. Change Order No. 2 has been agreed to and negotiated between the City of Fremont and Brown and Caldwell Ohio, LLC and is attached as Exhibit A. The change order is for additional quality assurance services in an amount not to exceed \$181,765.

SECTION 2. Fremont City Council hereby authorizes the Safety Service Director to sign Change Order No. 2 between Brown and Caldwell Ohio, LLC and the City of Fremont for additional quality assurance services in an amount not to exceed \$181,765.

SECTION 3. The immediate operation of the provisions of this ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of Fremont, said emergency being the need for Brown and Caldwell Ohio, LLC to perform additional work on the reservoir without delay.


This ordinance, provided it receives a two-thirds yea or nay vote of all the members elected to the Fremont City Council, is hereby declared to be an emergency measure and this ordinance shall be in full force and effect from and after its passage by the Council of the City of Fremont, approval by the Mayor, and publication and posting as required by law.

  
James G. Weaver  
President of Council

PASSED: 9-20-12

Effective date: 9-20-12

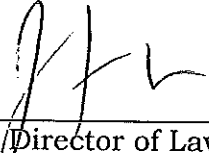
YEAS: 6 NAYS: 1

  
Elaine J. Huntley, City Council Clerk

  
James H. Ellis III, Mayor

ORDI749

Approved as to form:

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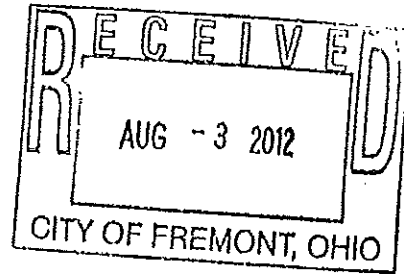
James F. Melle, Director of Law  
City of Fremont, Ohio

4700 Lakehurst Court, Suite 100  
 Columbus, OH 43016  
 Tel: 614-410-6144  
 Fax: 614-410-3088  
 www.browncaldwell.com

July 31, 2012



Mr. Marc Glotzbecker  
 Mr. Jerry O'Kenka  
 City of Fremont  
 323 South Front Street  
 Fremont, OH 43420



5030/141178  
 SID #: 34819

Subject: Revised Change Order No. 2 for Construction Quality Assurance Services  
 City of Fremont Raw Water Reservoir  
 Fremont, Ohio

Dear Mr. Derr and Mr. O'Kenka:

Brown and Caldwell Ohio, LLC (Brown and Caldwell) respectfully submits this revised Change Order No. 2 to address the continuation of construction quality assurance (CQA) services Brown and Caldwell is providing the City of Fremont on the Raw Water Reservoir project. The Change Order addresses the work for tasks Brown and Caldwell will provide when the project resumes construction following the winter break. Throughout the performance of the CQA services to complete the project, Brown and Caldwell will continue to work with the City of Fremont to minimize costs as much as possible.

#### Scope of Services

Our proposal dated May 12, 2011 details the work performed for Tasks 1 through 5 and Change Order No. 1 dated July 25, 2011 details the work performed for Tasks 6 and 7. The overall scope of services will include additional effort performed under Tasks 8 through 12 for the continuation of CQA services under the following tasks:

- Task 8. Project Management - Phase 2
- Task 9. Field Oversight - Phase 2
- Task 10. Leak Location Survey - Phase 2
- Task 11. Certification Report - Phase 2
- Task 12. Protective Cover Placement Oversight - Phase 2

The following narrative describes the additional effort for the following tasks that are needed to be performed in order to complete this project:

#### Task 8. Project Management - Phase 2

Brown and Caldwell will also provide engineering support to the City of Fremont throughout the performance of construction activities. The engineering support services will include:

- Technical engineering support to the on-site construction monitor(s);
- Assist the City of Fremont with coordination with the ODNR, as requested;
- Perform engineering evaluations of tested materials;
- Attend monthly construction progress meetings to review the work items completed since the prior meeting, and discuss the work items planned for the next month; and
- Review, as needed, requests for change orders or modifications to the project submitted by the City of Fremont's contractors.

#### Task 9. Field Oversight - Phase 2

Brown and Caldwell will provide CQA services associated with the geosynthetic installation, protective cover soil placement, and reservoir embankment restoration required to complete this project. Brown and Caldwell's CQA services will consist of the following:

- Observe subgrade preparation and ensure the material is free of organic or unsuitable material;
- Perform and document in-place density and moisture content testing on the subgrade, as needed;
- Inspect subgrade prior to GCL installation to ensure the subgrade is suitable for geosynthetic placement;
- Observe, test, and document the installation of the GCL, geomembrane, and geotextile layers;
- Observe the installation of the protective cover soils;
- Perform and document in-place density and moisture content testing on the liner system anchor trench;
- Perform and document in-place density and moisture content testing on the reservoir embankment restoration;
- Observe the installation of the geotextile, stone, and riprap on the reservoir embankment slopes;
- Attend weekly construction progress meetings at the Site to review the work items completed since the prior meeting, and discuss the work items planned for the next week;
- Collect material certifications from the Contractor;
- Photograph key construction activities; and
- Prepare daily work summary reports.

#### Task 10. Leak Location Survey - Phase 2

During 2011, LLSI had additional mobilizations to advance the project's progress. Based on the area remaining to have geosynthetics installed and the number of mobilizations required in 2011, Brown and Caldwell anticipates that three more mobilizations of LLSI will be required to complete the project.

Brown and Caldwell will continue to work with H.M. Miller to schedule the LLSI mobilizations to the site in an effort to minimize the mobilizations while maximizing the amount of area surveyed during each mobilization. The LLSI mobilizations to the site are dependent on the amount of work performed and the affect the weather has on the H.M. Miller work schedule.

#### Task 11. Certification Report - Phase 2

Brown and Caldwell will prepare additions to the CQA Certification Report to incorporate the project completion work. The report additions will include:

- A summary of construction activities;
- Color digital photographs of the major aspects of construction activities with captions describing the photographs;
- Copies of the manufacturer's and contractor's certifications;
- Project record drawings; and
- Daily reports.

Brown and Caldwell will provide one electronic copy of the draft CQA Certification Report with the appropriate revisions/additions to the City of Fremont for review and comment within ten business days of the project being completed. Brown and Caldwell will incorporate the City of Fremont's comments into the final report and subsequently issue two copies of the final report to the appropriate agencies and one copy to the City of Fremont for their files.

**Task 12. Protective Cover Placement Oversight - Phase 2**

Brown and Caldwell will continue to provide a spotter for every bulldozer that is placing protective cover soils. The spotter's role is to:

- Ensure that rocks not meeting the project specifications are removed from the protective cover soil, and
- Determine if wrinkles in the geosynthetic components are forming during the protective cover soil placement.

The spotters will observe the cover soil placement activities and notify the earthwork contractor (H.M. Miller) if adjustments in the cover soil placement activities need to occur.

Based on discussions with H.M. Miller personnel, there will typically be two bulldozers placing cover soils. In accordance with ODNR requirements, Brown and Caldwell will provide two spotters during cover soil placement activities. It is anticipated that H.M. Miller will place cover soils 7 days a week, as the weather and project progress allows. As a result, Brown and Caldwell will select three spotters so that overtime costs can be minimized and so personnel scheduling can allow for rest days and personnel rotation. For the purposes of this proposal, Brown and Caldwell has assumed that, at the time the project is restarted, Brown and Caldwell will be able to hire three local residents to provide these services, thus eliminating any travel expenses.

**Cost of Services**

Brown and Caldwell will provide the additional CQA services as described above in this Change Order No. 2 request for the following estimated cost:

Task	Estimated Cost
Task 1. Field Oversight	under separate proposal
Task 2. Project Management	under separate proposal
Task 3. Leak Location Survey	under separate proposal
Task 4. Interface and Conformance Testing	under separate proposal
Task 5. Certification Report	under separate proposal
Task 6. Protective Cover Placement Oversight	under separate proposal
Task 7. Additional Conformance Testing	under separate proposal
Task 8. Project Management - Phase 2	\$20,100
Task 9. Field Oversight - Phase 2	\$70,515
Task 10. Leak Location Survey - Phase 2	\$44,540
Task 11. Certification Report - Phase 2	\$9,075
Task 12. Protective Cover Placement Oversight - Phase 2	\$37,430
Estimated Total Cost	\$181,765

A breakdown of the costs, including labor hours, hourly rates, expenses, and subcontractor costs associated with Change Order No. 2, are presented in Attachment A. Brown and Caldwell will complete the additional work, in the amount of \$181,765, on a time and materials basis with the total cost of the work not to exceed \$630,605, including the original authorized amount of \$309,245 and the previously authorized Change Order No. 1 amount of \$139,595, without the written permission of the City of Fremont. The work will continue to be conducted in accordance with the Agreement for Consulting and Quality Construction Assurance Services dated May 18, 2011.

### Cost Assumptions

In preparation of this Change Order, Brown and Caldwell has made the following assumptions:

- Office expenses (reproduction, shipping, etc.) are incorporated in the hourly rates, thus Brown and Caldwell will not bill the City of Fremont for these items separately.
- Miscellaneous field expenses (phone, photographs, etc.) are incorporated in the hourly rate, thus Brown and Caldwell will not bill the City of Fremont for these items separately.
- Surveying costs including providing surveyed "as-builts" has not been included in this Change Order. "As-builts" will be provided as field sketches attached to the daily reports. If survey data is provided by others, Brown and Caldwell will review and update the AutoCAD "as-builts" for inclusion in the Certification Report. Upon request, surveying services can be provided, but are not included in this Change Order.
- Brown and Caldwell will provide two full-time technicians to oversee surface preparation activities, liner installation, supervise the spotter(s) with protective cover placement, and reservoir embankment restoration. Once liner installation is complete, Brown and Caldwell will reduce staffing to one full time field technician to supervise the spotter(s) with the protective cover placement and oversee the completion of the reservoir embankment restoration.
- Brown and Caldwell has assumed that the field work will occur for 6 weeks, 6 days per week, and 12 hours per day.
  - Brown and Caldwell has assumed that two spotters will be required for 144 hours per week for 6 weeks. Overtime for the spotters will be billed at 1.5 times the proposed hourly rate for any hours worked by each spotter over 40 hours per week. The proposed budgeted hours assumes that, for the 144 labor hours per week, 80 hours will be paid at regular time and 64 hours will be paid at the 1.5 times the regular rate. Every effort will be made to minimize the amount of overtime by balancing the hours worked between the three spotters that Brown and Caldwell will select for the project. The City of Fremont will only be billed the regular and overtime hours worked by each of the spotters.
  - Each spotter will be paid a daily per diem for food, but no other travel expenses have been accounted for in this Change Order based on the three spotters selected for this work's local availability.
- Adding water to the protective cover soils, if the protective cover is found to be too dry to be conductive for the leak location survey work, is not included in Brown and Caldwell's pricing.
- Exposing leaks found during the leak location survey(s) and conducting the appropriate repairs will be done by others. Brown and Caldwell will observe and document these repairs.

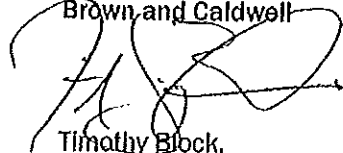
- The leak location survey will be completed in three additional separate mobilizations by Brown and Caldwell's subcontractor. Upon request, additional mobilizations to expedite the construction process can be arranged, but are not included in this Change Order.
- No additional conformance testing for the geosynthetics is included in this Change Order.
- Seventy-five (75) destructive seam samples will be collected and tested in accordance with the project specifications. Brown and Caldwell will collect additional destructive seam samples if required for the project, but the cost for testing these have not been included in this proposal.
- Costs are included for responding to one round of comments from the City of Fremont on the draft Certification Report.
- Costs are included for responding to one round of minor comments from the Ohio Department of Natural Resources (ODNR). If significant comments are received, the City of Fremont will be notified as soon as possible of the estimated costs to prepare responses based on their content.
- Should the construction schedule extend beyond the estimated 6 weeks, Brown and Caldwell will continue the appropriate level of CQA oversight. However, associated labor, equipment, and travel-related costs for these services are not included in this Change Order.

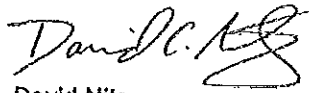
#### Schedule

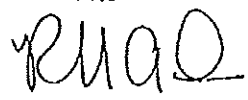
Brown and Caldwell is prepared to remobilize to the site upon notification from the City of Fremont that work will resume and with receipt of authorization to proceed. Please sign both copies of this letter and send one back to Rick Isaac's attention.

We sincerely appreciate the opportunity to be of further assistance to you and the City of Fremont and look forward to working with you on this project. Should you have any questions, please do not hesitate to call Mr. Isaac at (614) 410-6144.

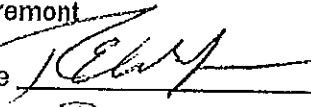
Very truly yours,  
Brown and Caldwell

  
Timothy Block,  
Vice President

  
David Nitz,  
Associate

  
Richard A. Isaac, P.E.  
Principal Engineer

City of Fremont

Signature 

Printed Name Robert E. Ward

Title Safety Service Director

Date 9-6-2012

#### Attachments (1)

1. Attachment A - Cost Estimate Spreadsheet

Program: City of OH - Response Under Install Change Order 2

Phase	Phase Description	Labor Hours										Total Labor Effort	APC	Logging and Food	Other Travel	Supplies	Company Vehicles	Equipment	Leak Location Surveying	Certechnical and Geosynthetics Testing	Total Expense Total Effort			
		Project Manager		Project Assistant		Costing Engineer		Field Oversight		Field Oversight												Total Labor Hours		
		OH	OH	OH	OH	OH	OH	OH	OH	OH	OH													
	Hourly Rate	\$166	\$67	\$107	\$50	\$58	\$52	\$31	\$166	\$55														
100	2012 Project Management	36	10	104	0	8	0	0	2	0	150	\$15,537	\$474	\$238	\$476	\$0	\$375	\$0	\$0	\$0	\$0	\$1,583	\$20,100	
200	2012 Field Oversight	0	0	0	432	432	0	0	0	0	864	\$46,725	\$2,582	\$8,800	\$4,410	\$172	\$5,400	\$1,057	\$0	\$1,464	\$0	\$23,836	\$70,820	
300	2012 Leak Location	0	0	4	0	0	0	0	0	0	4	\$428	\$12	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$44,540	
500	2012 Certification Report	4	0	32	26	42	0	0	0	0	16	\$3,715	\$380	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,075	
600	2012 Spacers	0	0	0	0	0	0	1,024	0	0	1,024	\$31,744	\$3,072	\$2,634	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,075	
	GRAND TOTAL	40	10	140	468	474	8	1,024	2	16	2,172	\$106,469	\$8,510	\$11,672	\$4,886	\$172	\$5,775	\$1,057	\$44,100	\$1,339	\$0	\$5,686	\$37,430	
																							\$75,511	\$181,765