

Contract Name:
 East-West Bus Rapid Transit Main Body, Madison, Dane
 County, Wisconsin

Date: 5/2/2024

Change Order No. CO 10
 Contract No. 8716
 Project/MUNIS No.
 Change Order Project No.
 Ald District

Change Order Description:
 Adding No-Cost Change Order for for time extension.

Account Numbers for this Change Order:

Contractor:
 ZENITH TECH INC
 N6 W23633 BLUEMOUND RD
 WAUKESHA WI 53186

You are authorized and directed to make the following changes in this contract: *Mark if negotiated (N) or bid (B) unit price

Item No.	Description	Est. Qty	Unit	Unit Price	N/B*	Total
						0.00
						0.00
						0.00
						0.00
						0.00
						0.00
						0.00

	% of Original	
Net Change Order	0.00%	0.00
The Original Contract Total		65,743,246.28
Sum of previous Change Orders	3.70%	2,429,552.54
The new Contract Sum including this Change Order will be	103.70%	68,172,798.82

This contract is a Calendar Days contract with an original completion date of August 1, 2024. This change order adjusts the completion date for all items west of Stoughton Road to be done by September 6, 2024, and an overall project completion date of September 19, 2024. Liquidated damages, spelled out Section 2-1 of the Special Provisions, penalizes the contractor for not finishing each of four segments by the completion date. Segment 4, from Blair Street to East Springs Drive encompasses this split at Stoughton Road. Therefore, if the part of Segment 4 between Blair Street and Stoughton Road is not completed by September 6, 2024, the liquidated damages for Segment 4 will be prorated by route mile.

Contractor's Acceptance
 By _____
 Title _____
 Date _____

City's Approval (see reverse side for instructions) Date
 Construction Inspector _____
 Construction Supervisor _____
 Engineer _____ 5/2/2024
 Board of Public Works _____

Contract paid to date \$ 37,952,660.52

ROUTING:
 EN Admin _____
 Greg Fries _____
 Chase O'Brien _____

**City of Madison
Department of Public Works**

Change Order to Public Works Contract Justification and Assessment

8716

**East-West Bus Rapid Transit Main Body, Madison, Dane County, Wisconsin
Change Order No. 10**

Type of Change Order (check all that apply):

- | | |
|---|--|
| <input checked="" type="checkbox"/> Street | <input checked="" type="checkbox"/> Water |
| <input type="checkbox"/> Sewer-Sanitary | <input checked="" type="checkbox"/> Electrical |
| <input checked="" type="checkbox"/> Sewer-Storm | <input type="checkbox"/> Parks |
| <input type="checkbox"/> Facilities | |

Change Order General Description (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Actual vs. Estimated Quantities differ. | <input checked="" type="checkbox"/> Differing site conditions. |
| <input type="checkbox"/> Missing Bid Item or Additional Bid Item needed. | <input type="checkbox"/> Design did not adequately anticipate field conditions. |
| <input type="checkbox"/> Field Decision (Expanded Scope). | <input checked="" type="checkbox"/> Underground conflicts (utility revision) |
| <input type="checkbox"/> Other: | |

Time Extension

- Yes (explanation): No

City of Madison staff and its construction manager have negotiated with the prime contractor for a time extension for the BRT contract that adjusts the completion date from August 1, 2024 to September 6, 2024 for work west of Stoughton Road, and September 19, 2024 for the full project. There are several circumstances that have led to the need for this time extension. First, differing underground site conditions were encountered in the roughly 50 construction locations, leading to utility relocations, repairs, and design changes. Second, minor changes to the work have accumulated as adjustments were made to ensure the final product meets expectations. Third, the city shifted some wiring and amenity work to the BRT contractor, which will be done by the same crews currently working on the shelters. These items are considered delays to the contractor as specified in Section 108 of the WISDOT Standard Specifications and also qualify as delays and justifiable time extensions under Section 109.8 of the City Standard Specifications, and staff believe that an August 1 completion date is no longer feasible.

Time extensions were not pursued as individual change orders were approved because the cumulative effect of the changes was not known; for example, a small design change early in the project could have added time but was not on the critical path, or could have been made up with faster progress with favorable conditions later in the project. Granting time extensions with each change order could have resulted in unnecessarily extending the completion date further than necessary. Instead, city staff and its construction manager have monitored the progress and delays with the prime contractor, and negotiated this single time extension.

The time extension for work west of Stoughton Road to September 6, and for the full project to September 19, 2024 takes into account the acceleration costs that were approved with Change Order 9 and have been authorized by the City. Prioritizing the work west of Stoughton Road with the September 6 completion date will allow Metro access to the stations sooner for testing and possibly revenue operations while the remaining stations are completed. No changes to quantities or new contract items are included with this change order.

Inspector Comment: Description of Change Order and Suggestions to Avoid Future Change Orders of This Type:

This is a no-cost change order for a time extension to the completion date of September 19, 2024 for reasons as listed above.

Designer Comment: Suggestions to Avoid Future Change Orders of This Type:

Monty Carlson

SUBMITTED BY

5/2/2024

DATE

REVIEWED BY

DATE

DESIGNER

DATE

DESIGNER'S SECTION HEAD

DATE

CITY ENGINEER