



February 4, 2019

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Contract Change Order for Additional Construction Efforts for the Interstate 405 Improvement Project Between State Route 73 and Interstate 605

Overview

On November 14, 2016, the Orange County Transportation Authority Board of Directors approved Agreement No. C-5-3843 with OC 405 Partners, a joint venture, for the design and construction of the Interstate 405 Improvement Project between State Route 73 and Interstate 605. A contract change order is needed to incorporate polymer fibers in all concrete bridge decks on the project to comply with revised California Department of Transportation standards.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 21 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$1,463,020, to incorporate polymer fibers in all concrete bridge decks on the Interstate 405 Improvement Project to comply with revised California Department of Transportation standards.

Discussion

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation (Caltrans), is implementing the Interstate 405 (I-405) Improvement Project between State Route 73 (SR-73) and Interstate 605 (I-605) (Project). The Project will add one general purpose lane from Euclid Street to I-605, consistent with Measure M2 (M2) Project K, and will add an additional lane in each direction that would combine with the existing high-occupancy vehicle lane to provide dual express lanes in each direction on I-405 from SR-73 to I-605, otherwise known as the 405 Express Lanes.

Contract Change Order for Additional Construction Efforts for the Interstate 405 Improvement Project Between State Route 73 and Interstate 605 Page 2

On November 14, 2016, the OCTA Board of Directors (Board) approved Agreement No. C-5-3843 with OC 405 Partners (OC405), a joint venture, for the design and construction of the Project. The contract was executed and Notice to Proceed (NTP) No. 1 was issued to OC405 on January 31, 2017. NTP No. 2, for the full design and construction of the Project, was issued to OC405 on July 27, 2017.

Near the end of the procurement of the design-builder in 2016, Caltrans standards changed to require polymer fibers be incorporated in bridge deck concrete to prevent premature bridge deck cracking and reduce long-term maintenance requirements. OCTA's request for proposals did not adequately address the need for the design-builder to include polymer fibers in the technical and financial proposals.

As such, a contract change order (CCO) for additional materials and labor during construction is now needed in order for OC405 to incorporate polymer fibers in all concrete bridge decks on the Project and comply with Caltrans standards.

The cost to incorporate polymer fibers in all concrete bridge decks is funded from the Project contingency and will not increase the total Project estimate of \$1.9 billion. The Project contingencies have been approximately 27 percent expended to date. This is in line with the percent complete for the Project from both a time and earned value standpoint.

Procurement Approach

The procurement was handled in accordance with the best-value selection process authorized by AB 401 (Chapter 586, Statutes of 2013) for design-build (DB) projects, and with OCTA's Board-approved procedures for public works projects, which conform to both federal and state requirements. On November 14, 2016, OCTA approved Agreement No. C-5-3843 with OC405 for the design and construction of the Project through a DB contract.

Board approval is required for this proposed CCO, in the amount of \$1,463,020, to provide compensation to OC405 for the additional material and construction efforts necessary to comply with Caltrans revised standards.

Attachment A lists the CCOs that have been executed to date and the pending CCOs that are currently under negotiation with OC405.

Contract Change Order for Additional Construction Efforts for the Interstate 405 Improvement Project Between State Route 73 and Interstate 605 Page 3

Fiscal Impact

The funding for the Project was approved in OCTA's Fiscal Year 2017-18 Budget, Capital Programs Division, accounts 0017-9084-FK101-0GM and 0037-9017-A9510-0GM, and is funded with a combination of federal, state, and local funds. M2 funds will be used for improvements specific to M2 Project K, and non-M2 funds will be used for improvements specific to the 405 Express Lanes.

Summary

Staff recommends Board of Directors' authorization for the Chief Executive Officer to negotiate and execute Contract Change Order No. 21 to Agreement No. C-5-3843 with OC 405 Partners, a joint venture, in the amount of \$1,463,020, to incorporate polymer fibers in all concrete bridge decks on the Interstate 405 Improvement Project to comply with revised California Department of Transportation standards.

Attachment

A. OC 405 Partners, Agreement No. C-5-3843, Contract Change Order Log

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