

## **Board of Trustees Agenda Item**

**Board Meeting Date:** August 29, 2011

**Title of Item:** Baldwin Winery & East Cottage Historic Renovation – Unilateral Change Order #11

### **Background and Analysis:**

This is a unilateral Change Order. The amount of any increase in the performance period, and the amount of any additional compensation for extended General Condition's Costs, are in dispute at this time and are the subject of ongoing negotiations. Therefore, this change order is being issued unilaterally to compensate John Plane Construction, Inc., for direct and indirect costs including overhead and profit for the changed work, but does not include any compensation for extended general conditions.

PCO's included in Unilateral Prime Contractor Change Order #11 are:

BW PCO 47 - Demo concrete at door 17A

BW PCO 71 - Add new phone cable and splice box

EC PCO 29 - Deduct for unused dry rot allowance

The amount of this Unilateral Prime Contractor Change Order # is: -(\$14,486.00)

The total Change Orders to date represent 5.5% against the original contract amount.  
Funding for this change is included in the current budget.

### **Recommendation:**

Executive Director of Facilities, Operation and Construction Management Charles Allen recommends Board approval of the Unilateral Change Order #11 with John Plane Construction, Inc.

Submitted by:	Charles Allen
Additional contact names:	Donna Jones-Dulin, Tom Armstrong,
Is backup provided?	Yes (Unilateral Change Order #11)



## Prime Contract Change Order

203 Baldwin Winery and East Cottage Project

Project #1183-203

Gilbane/MAAS

Date: 7/8/2011

**To Contractor:**

John Plane Construction  
1000 South Bascom Ave.  
San Jose CA 95128

Project # 1183-203  
Contract Date: 1/16/2009  
Contract Number 1  
Change Order Number: 11

The Contract is hereby revised by the following items: **(Unilateral Change Order)**

**Baldwin Winery**

DSA# 01-110264

PCCO	Description	Amount
11	Demo concrete at Door 17A, and new phone cable to building	\$ 10,514.00

**East Cottage**

DSA# 01-110101

PCCO	Description	Amount
4	Deduct for unused dry rot repair allowance (01211-3.01 B)	\$ (25,000.00)

**Total Combined**  
**\$ (14,486.00)**

The original Contract Value was	\$ 3,270,000.00
Sum of changes by prior Prime Contract Change Orders	\$ 195,337.00
The Contract Value prior to this Prime Contract Change order was	\$ 3,465,337.00
The Contract Value will be changed by this Prime Contract Change Order in the amount of	\$ (14,486.00)
The new Contract Value including this Prime Contract Change Order will be	\$ 3,450,851.00
The Contract duration will be changed by	0 Days

The revised Substantial Completion date as of this Contract Change Order is

10/16/2010

The Contract documents are hereby amended to include the additional work described above. The Contractor shall furnish all labor, material and supervision to complete the work above.

This unilateral Change Order with no time or General Conditions is due to John Plane Construction, Inc. not providing adequate and sufficient supporting documentation.

Architectural Resources Group

ARCHITECT

Pier 9, The Embarcadero  
San Francisco, CA 94111

By \_\_\_\_\_

SIGNATURE

DATE

Foothill-De Anza Community College

OWNER

12345 El Monte Road  
Los Altos Hills, CA 94022

By Charles Allen \_\_\_\_\_

SIGNATURE

DATE

**COLLEGE APPROVAL**

By Letha Jeanpierre \_\_\_\_\_

SIGNATURE

DATE



## Prime Contract Change Order

Date: 7/8/2011

**To Contractor:**

John Plane Construction, Inc.  
100 North Hill Dr., Ste.12  
Brisbane, CA 94005

DSA Number

Project #

203B

Contract Date:

11/16/2009

Contract Number: 001

Change Order Number: 011

The Contract is hereby revised by the following items:

**(Unilateral Change Order)**

Change Order # 11

PCO	Description	Amount
047	JPC 23, RFI 53 - Demo concrete at door 17A - Field Condition	\$7,290
071	JPC 64, Add new phone cable and splice case - Field Condition	\$3,224

The original Contract Value was.....	\$2,296,900
Sum of changes by prior Prime Contract Change Orders.....	\$157,702
The Contract Value prior to this Prime Contract Change Order was.....	\$2,454,602
The Contract Value will be changed by this Prime Contract Change Order in the amount of.....	\$10,514
The new Contract Value including this Prime Contract Change Order will be.....	\$2,465,116
The Contract duration will be changed by.....	0 Days
The revised Substantial Completion date as of this Prime Contract Change Order is.....	10/16/2010

The Contract documents are hereby amended to include the additional work described above. The Contractor shall furnish all labor, material and supervision to complete the work above.

This unilateral Change Order with no time or extended General Conditions is due to John Plane Construction, Inc. not providing adequate and sufficient documentation.

Architectural Resources Group

ARCHITECT

Pier 9, The Embarcadero  
San Francisco, CA 94111

Address

By

SIGNATURE

DATE

Foothill-De Anza Community College  
District

OWNER

Address

By Charles Allen

SIGNATURE

DATE

College Approval

By: Letha Jeanpierre

Signature

Date:



## Prime Contract Change Order

Date: 7/8/2011

**To Contractor:**

John Plane Construction, Inc.  
100 North Hill Dr., Ste.12  
Brisbane, CA 94005

DSA Number

Project #

203C

Contract Date:

11/16/2009

Contract Number: 001

Change Order Number: 004

The Contract is hereby revised by the following items:

**(Unilateral Change Order)**

Change Order #4

PCO	Description	Amount
029	Deduct for unused dry rot allowance (01211-3.01 B)	\$(25,000)

The original Contract Value was.....	\$980,600
Sum of changes by prior Prime Contract Change Orders.....	\$37,412
The Contract Value prior to this Prime Contract Change Order was.....	\$1,018,012
The Contract Value will be changed by this Prime Contract Change Order in the amount of.....	\$(25,000)
The new Contract Value including this Prime Contract Change Order will be.....	\$993,012
The Contract duration will be changed by.....	0 Days
The revised Substantial Completion date as of this Prime Contract Change Order is.....	

The Contract documents are hereby amended to include the additional work described above. The Contractor shall furnish all labor, material and supervision to complete the work above.

This unilateral Change Order with no time or extended General Conditions is due to John Plane Construction, Inc. not providing adequate and sufficient documentation.

Architectural Resources Group

ARCHITECT

Pier 9, The Embarcadero  
San Francisco, CA 94111

Address

By

SIGNATURE

DATE

Foothill-De Anza Community College  
District

OWNER

12345 El Monte Road  
Los Altos Hills, CA 94022

Address

By Charles Allen

SIGNATURE

DATE

College Approval

By: Letha Jeanpierre

Signature

Date: