

## **Board of Trustees Agenda Item**

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

**Title of Item:** Baldwin Winery & East Cottage Historic Renovation – Unilateral Change Order #12

### **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 #12 are:

PCO 09 - Upgrade to signage

PCO 30 – Door hardware change

PCO 60 Add fire retardant to awning fabric

The amount of this Unilateral Prime Contractor Change Order # is: \$31,284.00

The total Change Orders to date represent 6.5% 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 #12 with John Plane Construction, Inc.

Submitted by:	Charles Allen
Additional contact names:	Donna Jones-Dulin, Tom Armstrong,
Is backup provided?	Yes (Unilateral Change Order #12)



## 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: 12

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

**Baldwin Winery**

DSA# 01-110264

PCCO	Description	Amount
12	Upgrade to signage package, Door hardware changes, Upgrade to awning	\$ 31,284.00

**East Cottage**

DSA# 01-110101

PCCO	Description	Amount
NA	NA	\$ -

**Total Combined**  
**\$ 31,284.00**

The original Contract Value was	\$ 3,270,000.00
Sum of changes by prior Prime Contract Change Orders	\$ 180,851.00
The Contract Value prior to this Prime Contract Change order was	\$ 3,450,851.00
The Contract Value will be changed by this Prime Contract Change Order in the amount of	\$ 31,284.00
The new Contract Value including this Prime Contract Change Order will be	\$ 3,482,135.00
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. Resolution of Contractor requests for schedule extension for each of these PCOs remains unresolved. Agreement by Owner, Architect, and Contractor to extend the contract schedule for any of the PCOs included herein may be reached after the execution of this Prime Contract Change Order and any agreed extension shall be documented in a subsequent Prime Contractor Change Order.

This unilateral Change Order with no time or extended 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: 012

The Contract is hereby revised by the following items:

**(Unilateral Change Order)**

Change Order 12

PCO	Description	Amount
009	JPC 34R, CCD #7 - Upgrade signage - Owner request	\$21,431
030	JPC 35, Bulletin #4 - Door Hardware Change - Owner request	\$8,185
060	JPC 65.1, Add Fire retardant to Awning Fabric - Architect's Direction	\$1,668

The original Contract Value was.....	\$2,296,900
Sum of changes by prior Prime Contract Change Orders.....	\$168,216
The Contract Value prior to this Prime Contract Change Order was.....	\$2,465,116
The Contract Value will be changed by this Prime Contract Change Order in the amount of.....	\$31,284
The new Contract Value including this Prime Contract Change Order will be.....	\$2,496,400
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. Resolution of Contractor requests for schedule extension for each of these PCOs remains unresolved. Agreement by Owner, Architect, and Contractor to extend the contract schedule for any of the PCOs included herein may be reached after the execution of this Prime Contract Change Order and any agreed extension shall be documented in a subsequent Prime Contract Change Order.

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Address

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District

**OWNER**

12345 El Monte Road  
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Address

By Charles Allen

SIGNATURE

DATE

College Approval

By: Letha Jeanpierre

Signature

Date: