

FILED

MAR 29 2024

JEANNIE GOFF *JG*
COUNTY CLERK, JEFFERSON COUNTY, MO

BILL NO.: 24-0321

ORDINANCE NO.: 24-01166

INTRODUCED BY: COUNCIL MEMBER(s) Groeteke

1 **AN ORDINANCE TO AUTHORIZE THE COUNTY EXECUTIVE TO**
2 **EXECUTE CHANGE ORDER NUMBER 2 FOR THE SOUTH BRIDGE BUNDLE**
3 **PROGRAM WITH GERSHENSON CONSTRUCTION CO. IN COUNCIL**
4 **DISTRICTS 5 AND 6.**

5 **WHEREAS**, Jefferson County, Missouri, (hereafter, the “County”), in response to
6 a certain Invitation for Bid, received and opened bids for the construction of the South
7 Bridge Bundle Program; and

8 **WHEREAS**, after reviewing the bids set forth above, the County determined that
9 it was in the best interests of the County to award the bid for the South Bridge Bundle
10 Program to Gershenson Construction Co. upon approval by the County Council and the
11 County Executive; and

12 **WHEREAS**, Pursuant to Ordinance 23-0199, Jefferson County, Missouri entered
13 into a Contract with Gershenson Construction Co. in the amount of two million, six
14 hundred forty-six thousand, seven hundred thirty dollars and twenty-five cents
15 **(\$2,646,730.25)**, subject to budgetary limitations, for the South Bridge Bundle Program;
16 and

17 **WHEREAS**, the Jefferson County, Missouri Council passed Ordinance 23-0533
18 on December 21, 2023, authorizing the County Executive to enter into Change Order No.

1 1 to the construction contract with Gershenson Construction Co. for an increase of six
2 thousand, five hundred twenty-three dollars and eleven cents (**\$6,523.11**) to the contract
3 sum, subject to budgetary limitations; and

4 **WHEREAS**, the approval of this Change Order will not add additional Working
5 Days to the contract; and

6 **WHEREAS**, the County finds that it is now necessary to adjust some quantities of
7 pay items in the contract. The differences in contract quantities reflect the necessary
8 changes made in the field and the actual final quantities of work. These figures represent
9 the difference between the value of construction and materials shown in the bid package
10 and the final quantities used and measured during construction; and

11 **WHEREAS**, the Jefferson County Council finds that it is now necessary and in the
12 best interest of the County to execute Change Order Number 2 for an increase of twelve
13 thousand, four hundred ninety-two dollars and sixty-five cents (**\$12,492.65**) to the contract
14 sum, subject to budgetary limitations with Gershenson Construction Co. for the South
15 Bridge Bundle Program Contract.

16 **BE IT ENACTED BY THE JEFFERSON COUNTY, MISSOURI, COUNCIL,**
17 **AS FOLLOWS:**

18 Section 1. Change Order Number 2 for an increase of twelve thousand, four
19 hundred ninety-two dollars and sixty-five cents (**\$12,492.65**) to the contract sum with
20 Gershenson Construction Co. for the South Bridge Bundle Program Contract, for a revised
21 total cost of two million, six hundred seventy-two thousand, two hundred sixty-nine dollars
22 and twelve cents (**\$2,672,269.12**) is approved, subject to budgetary limitations.

1 Section 2. The Jefferson County, Missouri, Council authorizes the County
2 Executive to execute Change Order Number 2 to the South Bridge Bundle Program with
3 Gershenson Construction Co. and any agreements or contracts necessary to effectuate the
4 award of the bids and proposals set forth in this Ordinance. The County Executive is further
5 authorized to take any and all actions necessary to carry out the intent of this Ordinance.

6 Section 3. Copies of all Invitations for Bid, response thereto, any contract
7 agreements and Change Orders shall be maintained by the Department of the County Clerk
8 consistent with the rules and procedures for the maintenance and retention of records as
9 promulgated by the Secretary of State.

10 Section 4. This Ordinance shall be in full force and effect from and after its date
11 of approval. If any part of this Ordinance is invalid for any reason, such invalidity shall
12 not affect the remainder of this Ordinance.

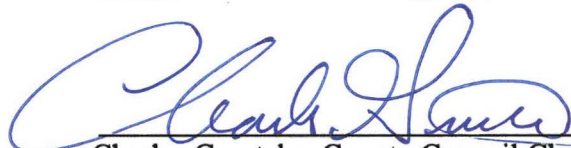
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THIS BILL BEING DULY INTRODUCED, THE MEMBERS OF THE JEFFERSON COUNTY, MISSOURI, COUNCIL VOTED AS FOLLOWS:

Council Member District 1, Brian Haskins	<u>yes</u>
Council Member District 2, Gene Barbagallo	<u>yes</u>
Council Member District 3, Lori Arons	<u>yes</u>
Council Member District 4, Charles Groeteke	<u>yes</u>
Council Member District 5, Scott Seek	<u>absent</u>
Council Member District 6, Daniel Stallman	<u>yes</u>
Council Member District 7, Bob Tullock	<u>yes</u>

THE ABOVE BILL ON THIS 25 DAY OF March, 2024:

PASSED FAILED


Charles Groeteke, County Council Chair


Cherlynn Boyer, Council Executive Assistant

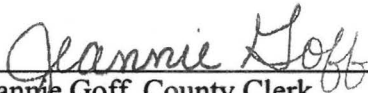
✓
THIS BILL WAS _____ APPROVED BY THE JEFFERSON COUNTY EXECUTIVE AND ENACTED AS AN ORDINANCE OF JEFFERSON COUNTY, MISSOURI, THIS 29 DAY OF march, 2024.

THIS BILL WAS _____ VETOED AND RETURNED TO THE JEFFERSON COUNTY, MISSOURI, COUNCIL WITH WRITTEN OBJECTIONS BY THE JEFFERSON COUNTY EXECUTIVE, THIS _____ DAY OF _____, 2024.



Dennis Gannon, County Executive

ATTEST:



Jeanne Goff, County Clerk

BY: 

Reading Date: 3-25-2024



ORDINANCE NO.

24-0116e

EXHIBIT A

CHANGE ORDER - #2

Sheet 1 of 5

Change Order No. 2

To: Gershenson Construction Co.,- Contractor

County Jefferson

You are hereby directed to make the following changes to the contract.

Route Ambruster, Doss Hollow, Harness

Project South Bridge Bundle

Job No. STP-5403(691)

1. Description and Reason for Change (Attach Supplemental Sheets if Required)

See attached sheets

2. Estimate of Cost of Work Affected by this Change Order.

(A) EST. LINE NO.	(B) CONTRACT ITEM NO.	(C) ITEM DESCRIPTION	(D) UNITS PREVIOUSLY PROVIDED FOR	(E) UNITS TO BE CONSTRUCTED	(F) UNITS OVERRUN UNDERRUN CONTINGENT	(G) CONTRACT OR AGREED UNIT PRICE	(H) AMOUNT OF OVERRUN OR PLUS CONTINGENT	(I) AMOUNT OF UNDERRUN OR MINUS CONTINGENT
Armbruster Road								
1	SP-1	Guardrail Type A	0	75	75	\$54.00	\$4,050.00	
2	6063015	Type A Crashworthy End Terminal	4	3	-1	\$4,100.00		-\$4,100.00
3	SP-2	Erosion Control Blanket	0	500	500	\$4.00	\$2,000.00	
Doss Hollow Road								
4	6096020	Furnishing Type 2 Rock Ditch Liner	22	33	11	\$61.00	\$671.00	
5	6096040	Placing Type 2 Rock Ditch Liner	22	33	11	\$82.00	\$902.00	
6	6113020	Furnishing Type 2 Rock Blanket	342	396	54	\$54.00	\$2,916.00	
7	6113040	Placing Type 2 Rock Blanket	342	396	54	\$38.00	\$2,052.00	
8	6061010	Guardrail Type A	50	75	25	\$54.00	\$1,350.00	
9	SP-3	25' Crashworthy End Terminal	0	1	1	\$3,500.00	\$3,500.00	
10	6063015	Type A Crashworthy End Terminal	4	3	-1	\$4,100.00		-\$4,100.00
11	SP-4	Shaping Slopes for Guardrail	0	1	1	\$2,091.95	\$2,091.95	
12	SP-5	Additional Rebar	0	1	1	\$512.56	\$512.56	
Harness Road								
13	SP-6	Additional Rebar	0	1	1	\$647.14	\$647.14	
14	5021106	Concrete Pavement (6 IN Non-Reinf)	175	0	-175	\$76.00		-\$13,300.00
15	SP-7	Substitute 6" of Bit. Base and 2" of BP-1 in lieu of 6" Concrete	0	1	1	\$13,300.00	\$13,300.00	
TOTALS							\$33,992.65	-\$21,500.00

3. Settlement for Cost of the above Change to be made at Contract Unit Price

1. Contract Amount		\$2,653,253.36	The Terms of Settlement outlined above are hereby agreed to. Gershenson Construction Co. Digitally signed by Chuck Risley Date: 2024.03.14 14:35:15 -05'00' by: <u>Chuck Risley</u> _____ Date _____
2. Overrun This Order		\$12,492.65	
3. Overrun Previous	\$6,523.11		
4. Total Overrun to Date		\$19,015.76	
5. Total		\$2,672,269.12	

Wendy Stamm Submitted Engineer Date 3-21-2024
Wendy Stamm Approval County Executive Date 3/29/24
 _____ Approval Recommended MODOT Date _____
 _____ Approval MODOT Construction Date _____

Change Order #2 – Reasons Attachment

- Item 1:** Armbruster Road
SP-1 - Guardrail Type A - Overrun of 75 LF @ \$54.00/LF (This is not a contract unit price item.)
- Item 2:** Type A Crashworthy End Terminal - Underrun of 1 EA @ \$4,100.00/EA (This is a contract unit price item.)
- Item 3:** SP-2 - Erosion Control Blanket - Overrun of 500 SY @ \$4.00/SY (This is not a contract unit price item.)
- Item 4:** Doss Hollow Road
6096020 - Furnishing Type 2 Rock Ditch Liner - Overrun of 11 CY @ \$61.00/CY (This is a contract unit price item.)
- Item 5:** 6096040 - Placing Type 2 Rock Ditch Liner - Overrun of 11 CY @ \$82.00/CY (This is a contract unit price item.)
- Item 6:** 6113020 - Furnishing Type 2 Rock Blanket - Overrun of 54 CY @ \$54.00/CY (This is a contract unit price item.)
- Item 7:** 6113040 - Placing Type 2 Rock Blanket - Overrun of 54 CY @ \$38.00/CY (This is a contract unit price item.)
- Item 8:** 6061010 - Guardrail Type A - Overrun of 25 LF @ \$54.00/LF (This is a contract unit price item.)
- Item 9:** SP-3 - 25' Crashworthy End Terminal - Overrun of 1 EA @ \$3,500.00/EA (This is not a contract unit price item.)
- Item 10:** 6063015 - Type A Crashworthy End Terminal - Underrun of 1 EA @ \$4,100.00/EA (This was a contract unit price item.)
- Item 11:** SP-4 - Shaping Slopes for Guardrail - Overrun of 1 LS @ \$2,091.95/LS (This is not a contract unit price item.)
- Item 12:** SP-5 – Additional Rebar – Overrun of 1 LS @ \$512.56/LS (This is not a contract unit price item.)
- Item 13:** Harness Road
SP-6 - Additional Rebar - Overrun of 1 LS @ \$647.14/LS (This was not a contract unit price item.)
- Item 14:** Concrete Pavement (6 IN Non-Reinf) – Underrun of 175 SY @\$76.00/SY (This is a contract unit price item.)
- Item 15:** SP-7 - Substitute 8” of asphalt (6” of Bit. Base and 2” of BP-1) in lieu of 6” Concrete – Overrun of 1 LS @ \$13,300.00/LS (This is not a contract unit price item.)

Description:

- Items 1:** This item is an overrun of 75 LF of Guardrail Type A. The bid items called for a Type A Crashworthy End Terminal on all four corners of the bridge. However, the plans showed guardrail rather than an end terminal. We spoke with the designer, and he confirmed that the intent was to have guardrail at this location due to the entrance in this area. The contractor installed the guardrail in place of the end terminal.
- Item 2:** This item is an underrun of 1 EA of Type A Crashworthy End Terminal. As stated in Item 1, this crashworthy end terminal was removed to install the guardrail as originally designed.
- Item 3:** This item is an overrun of 500 SY of Erosion Control Blanket (ECB). Due to the 2:1 slopes on this site, the County chose to install the ECB to reduce erosion/avoid erosion issues. Even though this is additional work, no additional working days will be added to the contract.
- Item 4 & 5:** These items are an overrun of 11 CY of Furnishing/Placing Type 2 Rock Ditch Liner. Minor grading changes near STA 10+64 – 11+50 eliminated the need for ditch liner at this location. The ditch liner was replaced with rock blanket at the outflow of structure 2. The Type 2 Rock Ditch Liner was deemed necessary for the ditch started at the project limits on Frazier Road down to the grated inlet (structure 1).
- Item 6 & 7:** These items are an overrun of 54 CY of Furnishing/Placing Type 2 Rock Blanket. The rock blanket was not designed to extend over to the outflow of the flared end section (structure 2). To prevent erosion issues, we extended the rock blanket to the east side of end bent one, over to the flared end section. The rock blanket took the place of the rock ditch liner in front of the flared end section, all the way down to the creek.
- Item 8:** This item is an overrun of 25 LF of Guardrail Type A. We needed to extend the guardrail 25 LF on the SE corner of the bridge to get beyond the corner because the crashworthy end terminal will not perform as planned if it is installed in a corner.
- Item 9:** This item is an overrun of a 25' Crashworthy End Terminal. Installation of the 50' crashworthy end terminal (Item 6) would have required even more slope work than was necessary for this crashworthy. The design engineer confirmed that based on the speed of the road that the shorter crashworthy end terminal was within the design criteria.
- Item 10:** This item is an underrun of 1 EA of Type A Crashworthy End Terminal. As discussed in Item 5, a shorter crashworthy end terminal was used and this one was removed.

- Item 11:** This item is an overrun of 1 EA of Shaping Slopes for Guardrail. The existing topography did not allow for the proper 10:1 slope or flatter, as shown in the Missouri Standard Plans for Highway Construction. Therefore, additional grading and installation of rock was required. This cost included the equipment, materials, operator, along with overhead and profit (20%). Even though this is additional work, no additional working days will be added to the contract.
- Item 12:** This item is an overrun of 1 LS of Additional Rebar. The vertical rebar for the eastern wingwall on bent 1 was calculated the same as the other wingwalls. The vertical rebar in the other wingwalls extend out of the wall and into the barrier wall. This wall is at a different angle and is not located under the barrier wall, therefore new rebar had to be ordered. Some additional rebar was necessary in the abutment as well. The agreed upon price includes the cost of the steel plus 5% according to MoDOT specifications section 109.5.6. This overrun was due to a plan error and was not additional work, so no additional working days are needed.
- Item 13:** This item is an overrun of 1 LS of Additional Rebar. The bar list in the plans called for 20 K4 bars for the barrier walls and after review with the design engineer, it was determined that there was an error, and it should have been 80 K4 bars. The agreed upon price includes the cost of the steel plus 5% according to MoDOT specifications section 109.5.6. This overrun was due to a plan error and was not additional work, so no additional working days are needed.
- Item 14:** This item is an underrun of 175 SY of Concrete Pavement (6 IN Non-Reinf). Gershenson Construction Co. approached the County with the option to place 8" of asphalt (6" of Bit. Base and 2" of BP-1) in lieu of Concrete Pavement as a No Cost Change for Harness Road. Using asphalt in place of concrete pavement allowed the County to get the entrances completed without having to build temporary entrances for the residents to use while the concrete is curing.
- Item 15:** This item is an overrun of 1 EA of Substitute 8" of asphalt (6" of Bit. Base and 2" of BP-1) in lieu of 6" of Concrete. The cost of this overrun is equivalent to the underrun of item 13, which results in a no cost change.

APPROVED AS TO FORM

ATTEST: Jeannine Hoff
COUNTY CLERK

[Signature]
COUNTY COUNSELOR

Shelley Blankenship
DEPUTY CLERK

I hereby certify under section 50.660 RSMo there is either: (1) a balance of funds, otherwise unencumbered, to the credit of the appropriation to which the obligation contained herein is chargeable, and a cash balance otherwise unencumbered, in the treasury, to the credit of the funds from which payment is to be made, each sufficient to meet the obligation contained herein; or (2) bonds or taxes have been authorized by vote of the people and there is a sufficient unencumbered amount of the bonds yet to be sold or of the taxes levied and yet to be collected to meet the obligation in case there is not a sufficient unencumbered cash balance in the treasury.

Kristy W. Appell
COUNTY AUDITOR