

**DENVER BOARD OF WATER COMMISSIONERS**

Meeting Date: February 24, 2010

Board Item: 2-A-2

**CHANGE ORDER NO. 3 WITH LILLARD & CLARK CONSTRUCTION CO.  
CONDUIT NOS. 12 AND 18 - 48-INCH AND 54-INCH STEEL  
PIPE RELOCATION AT THE SOUTH PLATTE RIVER  
CONTRACT 12019A**

Action by Consent

Action

Information

On August 12, 2009, the Board approved Contact 12019A with Lillard & Clark Construction Company, Inc. for the relocation of Conduit Nos. 12 & 18 at the South Platte River. The work includes relocation of 500 linear feet of 48-inch and 54-inch pipe under the South Platte River and is necessary due to the City & County of Denver's (City) South Platte River project which will lower the river bed in the area of the conduits. The City has agreed to reimburse costs for the conduit relocations under Agreement 11986A and subsequent letter of authorization for the entire project including Change Order No. 3.

During the process of obtaining the Colorado Discharge Permit for dewatering operations, higher than acceptable levels of lead, arsenic and uranium were discovered in the groundwater. In order to discharge the groundwater back to the river and meet the requirements of the permit, it has to be treated and tested. The original contract did not include costs to treat and test contaminated groundwater.

Change Order No. 3 will cover the added costs to filter, treat and dispose of contaminated groundwater during construction of Conduit No. 12 including settling tanks, ion exchange filters, holding tanks, testing of the treated groundwater and disposal of contaminants. *Note that Change Order No. 3 addresses construction of Conduit No. 12, and construction of Conduit No. 18 will be evaluated after construction of Conduit No. 12 is completed.*

The total Change Order cost will not exceed \$405,072.67. Actual costs will be tracked during construction and payment will be based on verified monthly invoicing from Lillard and Clark Construction Company, Inc. Due to the possibility of discovering additional contamination while constructing Conduit No. 18, additional change orders may be required. These costs were not identified in the existing IGA between the City and the Board, but the City has provided correspondence indicating the Board should proceed with the work and the City will reimburse the Board.

The 2010 Capital Improvement Plan (MPC 2DD0278) does not include funds for this Change Order. Funds will be provided via variance and reimbursed by the City.

**RECOMMENDATION**

It is recommended that the Board approve Change Order No. 3 to Contract 12019A to Lillard & Clark Construction Company, Inc. not to exceed \$405,072.67 with a completion date of May 28, 2010.

**Budget Considerations**

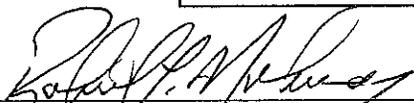
Master Plan Code(s): 2DD0278

Budgeted Item       Unbudgeted Item       Funds transferred from another project:

**Budget Information**

2010 Budget	\$850,000.00
Amount Requested This Item	\$405,072.67
YTD Expenditures	\$9,292.00
Additional Expenditures Anticipated	\$1,000,000.00
2010 Estimate	\$1,414,364.67
Variance Required	\$0.00

Approvals:

  
Robert J. Mahoney  
Director of Engineering

  
Manager Approval