CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: March 21, 2022

ITEM:

Motion – Approving Change Order #27
MidAmerican Energy RecPlex – General Construction

FINANCIAL IMPACT:

Contract Summary:

Description	Amount	Date Approved	Remarks
Construction Contract	$16,900,000.00	April 6, 2020	
Change Order #1	$28,932.51	July 6, 2020	Structural revs & excavation
Change Order #2	$192,472.51	August 3, 2020	Design modifications
Change Order #3	$97,803.33	August 17, 2020	Design modifications
Change Order #4	$340,154.86	September 8, 2020	Design modifications
Change Order #5	$488,728.46	October 5, 2020	Miscellaneous
Change Order #6	$232,533.01	October 19,2020	Miscellaneous
Change Order #7	$130,151.48	November 2, 2020	Miscellaneous
Change Order #8	$273,851.35	November 16, 2020	Miscellaneous
Change Order #9	$118,239.83	December 7, 2020	Miscellaneous
Change Order #10	$175,795.81	December 21, 2020	Miscellaneous
Change Order #11	$10,521.00	January 4, 2021	Miscellaneous
Change Order #12	$143,981.62	February 1, 2021	Miscellaneous
Change Order #13	$254,274.39	February 15, 2021	Miscellaneous
Change Order #14	$31,327.71	March 1, 2021	Miscellaneous
Change Order #15	$12,462.00	March 15, 2021	Miscellaneous
Change Order #16	$43,959.27	April 5, 2021	Miscellaneous
Change Order #17	$63,625.53	April 19, 2021	Miscellaneous
Change Order #18	$20,793.00	May 3, 2021	Miscellaneous
Change Order #19	$75,891.00	May 17, 2021	Miscellaneous
Change Order #20	$79,439.82	June 7, 2021	Miscellaneous
Change Order #21	$18,714.00	June 21, 2021	Miscellaneous
Change Order #22	$37,069.45	July 6, 2021	Miscellaneous
Change Order #23	$10,427.00	October 4, 2021	Miscellaneous
Change Order #24	$213,466.03	November 1, 2021	Fire alarm devices
Change Order #25	$207,839.34	December 6, 2021	Miscellaneous
Change Order #26	$476,629.55	February 7, 2022	Miscellaneous
Change Order #27	$213,673.89	Pending	Miscellaneous
Total	**$20,892,757.75**		

Costs for these change order items will be paid from account no. 692.400.700.5250.490 with the ultimate funding proposed from General Obligation Bonds backed by Local Option Sales Taxes.

BACKGROUND:

The project consists of the General Construction of the MidAmerican Energy RecPlex including mechanical, electrical, plumbing, and fire protection. The Grand Opening of the MidAmerican Energy RecPlex took place on October 3, 2021.

Change Order #27 includes costs for additional power requirements based on the final design of the IT server systems by Lumen, final coordination and installation of power for ice resurfacer battery chargers, changes required to comply with requests made by the WDM Fire Marshall for additional and relocation of exit signs and life safety items, changes to E-Sports space to coordinate with Owner-supplied furniture and gaming equipment, additional work required to coordinate with access control systems, and additional labor and materials to address requirements of State Elevator Inspector. City Staff recommends approval of Change Order #27.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Motion Approving Change Order #27 for MidAmerican Energy RecPlex – General Construction.

Lead Staff Member: Brian J. Hemesath, P.E., City Engineer

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

CITY OF WEST DES MOINES

Department of Engineering Services
4200 Mills Civic Parkway, Ste 2E
Wes Des Moines, IA 50265-0320
(515) 222-3475 Fax (515) 273-0603

CHANGE ORDER

Distribution:

Owner	X
Engineer	X
Contractor	X
Owner's Rep	X

Contractor: **ATO Building, LLC**
201 S 84th Street
Lincoln, NE 68510

Project Title	MidAmerican Energy Company RecPlex General Construction	
WDM Project File Number	0510-055-2018	
Purchase Order Number	2020-00000841	
Orig. Contract Amount & Date	$16,900,000.00	April 6, 2020
Change Order Number	27	
Date	~~March 7, 2021~~ March 21, 2022	

THE CONTRACT IS CHANGED AS FOLLOWS: The Change Order includes ~~Credits for~~ the following costs ~~incurred by the City from other contractors working at the RecPlex due to ATO Building missing promised schedule dates or damaging work of others~~:

- **Additional power requirements based on final design of IT server systems by Lumen.**
- **Final coordination and installation of power for resurfacer battery chargers.**
- **Changes required to comply with requests made by WDM Fire Marshall for additional and relocation of Exit Signs and Life Safety Items.**
- **Changes in Esports space to coordinate with Owner supplied furniture and gaming equipment mounted to ceiling.**
- **Additional work required to coordinate with access control systems not described in the bid documents.**
- **Additional materials and labor required to respond to requirements of state Elevator Inspector.**

Item	Description	Unit	Unit Price	Quantity Adjustment	Value Adjustment
1.01AA	Data room power requirements, resurfacer battery chargers, Fire Marshal exit signs and devices, Esports power changes, additional access control coordination with electrical, elevator electrical changes	LS	$213,673.89	1.0	$213,673.89
			TOTAL		$213,673.89

CHANGE ORDER SUMMARY

The Original Contract Sum was	$16,900,000.00	
Net Change by previously authorized Change Orders	~~$3,382,454.31~~	$3,779,083.86
The Contract Sum prior to This Change Order was	~~$20,282,454.31~~	$20,679,083.86
The Contract Sum will be revised by this Change Order in the amount of	$213,673.89	
The new Contract Sum including this Change Order will be	~~$20,496,128.20~~	$20,892,757.75
Aggregate Change Order as a percent of Original Contract (if greater than 10% of the original contract, Council Subcommittee recommendation and all signatures through the full Council are required)	~~20.04%~~	23.63%
The Contract Time will be changed by	0	
The date of Substantial Completion as of the date of this Change Order therefore is	November 13, 2020	

NOT VALID UNTIL SIGNED BY THE CONTRACTOR, OWNER'S REPRESENTATIVE (if applicable) AND OWNER

See Attached AIA Forms for Signatures

Owner: **City of West Des Moines**

☐ ≤ $24,999.99 City Engineer (≤ 10% original contract) x_____ Date _____

☐ ≥ $25,000 to $50,000 City Council approved or ratified at Council Date_____

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Change Order

PROJECT: *(Name and address)*
MidAmerican Rec Plex BP4
West Des Moines

CONTRACT INFORMATION:
Contract For: General Construction
Date: April 6, 2020

CHANGE ORDER INFORMATION:
Change Order Number: 028
Date: March 7, 2022

OWNER: *(Name and address)*
City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, Iowa 50265

ARCHITECT: *(Name and address)*
Shive-Hattery, Inc.
4125 Westown Parkway, Suite 100
West Des Moines, Iowa 50266

CONTRACTOR: *(Name and address)*
ATO Builders, LLC
201 South 84th Street, Suite F
Lincoln, Nebraska 68510

THE CONTRACT IS CHANGED AS FOLLOWS:
(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

RCO-190R - City of WDM - IDF-MDF Power - CCD-002: $44,873.15
RCO-201R - City of WDM - Ice Equipment Electrical - CCD-012: $8,937.94
RCO-203R - City of WDM - Exit Lights - CCD-026: $67,739.52
RCO-205R - City of WDM - E-Sports Electric - CCD-034: $18,996.82
RCO-234R - City of WDM - Add Raceways: $58,504.77
RCO-235R - City of WDM - Elevator Wiring: $13,002.88
RCO-243R - City of WDM - Electrical Data E-Sports - CCD-045: $1,618.81

Total: $213,673.89

The original Contract Sum was	$	16,900,000.00
The net change by previously authorized Change Orders	$	3,779,083.86
The Contract Sum prior to this Change Order was	$	20,679,083.86
The Contract Sum will be increased by this Change Order in the amount of	$	213,673.89
The new Contract Sum including this Change Order will be	$	20,892,757.75

The Contract Time will be unchanged by Zero (0) days.
The new date of Substantial Completion will be the same.

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Shive-Hattery, Inc.	ATO Builders, LLC	City of West Des Moines
ARCHITECT *(Firm name)*	**CONTRACTOR** *(Firm name)*	**OWNER** *(Firm name)*
SIGNATURE	**SIGNATURE**	**SIGNATURE**
James Moore, Project Manager	Craig Thurston Director of Construction	Brian Hemesath, City Engineer
PRINTED NAME AND TITLE	**PRINTED NAME AND TITLE**	**PRINTED NAME AND TITLE**
3/9/2022	3/4/2022	03/09/2022
DATE	**DATE**	**DATE**

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User Notes: (3B9ADA45)

ATO BUILDERS
www.atobuilders.com

204 East 25th Street Suite 3
Kearney, NE 68847
844-447-3286

CHANGE ORDER REQUEST

TITLE:	CCD 002 - IDF - MDF Power	**DATE:**	12/28/2021
PROJECT:	Mid America Energy Rec Plex BP 4	**PROJECT #:**	ATO 19919

TO: City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, IA 50265

CONTRACT or PO# BP 4 General Construction
COST CODE 16.000
CHANGE ORDER # (RCO) 198R-1

AMOUNT OF CHANGE ORDER: **$44,873.15**

DESCRIPTION:

Update power for UPS in the IDF's and MDF. Per provided drawings.

COST BREAKDOWN

Installation - material, labor, equipment	$35,610.42
ATO Supervision/Admin	$5,183.73
ATO Builders P/O (10%)	$4,079.00
TOTAL	**$44,873.15**

BY: Craig Thurston Director of Construction
ATO Builders, LLC

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Kearney, NE 68847
844-447-3286

CHANGE ORDER REQUEST

TITLE:	CCD 012 - Ice Equipment Electrical	**DATE:**	12/28/2021
PROJECT:	Mid America Energy Rec Plex BP 4	**PROJECT #:**	ATO 19919

TO: City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, IA 50265

CONTRACT or PO# BP 4 General Construction
COST CODE 16.000
CHANGE ORDER # (RCO) 201R-1

AMOUNT OF CHANGE ORDER: **$8,937.94**

DESCRIPTION:

Sheet E102 – POWER & SYSTEMS PARTIAL FLOOR PLAN
UPDATE power and systems plan based on the clouded drawings.
Sheet E104 – POWER & SYSTEMS PARTIAL FLOOR PLAN
UPDATE power and systems plan based on the clouded drawings.

COST BREAKDOWN	
Electrical - material, labor, equipment	$6,579.03
ATO Supervision/Admin	$1,527.91
ATO Builders P/O (10%)	$831.00
TOTAL	**$8,937.94**

BY: Craig Thurston Director of Construction
ATO Builders, LLC

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Kearney, NE 68847
844-447-3286

CHANGE ORDER REQUEST

TITLE:	CCD 026 - Exit Lights	**DATE:**	12/28/2021
PROJECT:	Mid America Energy Rec Plex BP 4	**PROJECT #:**	ATO 19919

TO: City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, IA 50265

CONTRACT or PO# BP 4 General Construction
COST CODE 16.000
CHANGE ORDER # (RCO) 203R-1

AMOUNT OF CHANGE ORDER: **$67,739.52**

DESCRIPTION:

Update exit sign locations based on the walkthrough with the Fire Chief. Refer to the attached drawings.

1. Move the receptacle on the south wall of Multi-use C116 to above counter. Intercept conduit or install MC cable in existing CMU wall and install handy-box to keep conduit concealed. Provide black cover plate for receptacle mounted at 18". Refer to the drawings.

COST BREAKDOWN

Electrical - material, labor, equipment	$56,397.79
ATO Supervision/Admin	$5,183.73
ATO Builders P/O (10%)	$6,158.00
TOTAL	**$67,739.52**

BY: Craig Thurston Director of Construction
ATO Builders, LLC

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Kearney, NE 68847
844-447-3286

CHANGE ORDER REQUEST

TITLE:	CCD 034 - E-Sports Electric	**DATE:**	12/28/2021
PROJECT:	Mid America Energy Rec Plex BP 4	**PROJECT #:**	ATO 19919

TO: City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, IA 50265

CONTRACT or PO# BP 4 General Construction
COST CODE 16.000
CHANGE ORDER # (RCO) 205R-1

AMOUNT OF CHANGE ORDER: **$18,996.82**

DESCRIPTION:

E106 – Update based on clouded drawing.
E108 – Update based on clouded drawing.
E114 – Update based on clouded drawing.

COST BREAKDOWN	
Electrical - material, labor, equipment	$13,725.82
ATO Supervision/Admin	$3,544.00
ATO Builders P/O (10%)	$1,727.00
TOTAL	**$18,996.82**

BY: Craig Thurston Director of Construction
ATO Builders, LLC

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204 East 25th Street Suite 3
Kearney, NE 68847
844-447-3286

CHANGE ORDER REQUEST

TITLE:	CCD 000 - Add Raceways from Access Control Readers to Door Strikes	**DATE:**	3/1/2022
PROJECT:	Mid America Energy Rec Plex BP 4	**PROJECT #:**	ATO 19919

TO: City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, IA 50265

CONTRACT or PO# BP 4 General Construction
COST CODE 16.000
CHANGE ORDER # (RCO) 234R-1

AMOUNT OF CHANGE ORDER: **$58,504.77**

DESCRIPTION:

Added Raceways from Access Control Card readers to headers and strikes; work completed after the installation of the doors

COST BREAKDOWN

Electrical (see attached)	$47,994.46
ATO Supervision/Admin	$5,191.31
ATO Builders P/O (10%)	$5,319.00
TOTAL	**$58,504.77**

BY: Craig Thurston Director of Construction
ATO Builders, LLC

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Kearney, NE 68847
844-447-3286

CHANGE ORDER REQUEST

TITLE: CCD 000 - Elevator Wiring **DATE:** 3/1/2022

PROJECT: Mid America Energy Rec Plex BP 4 **PROJECT #:** ATO 19919

TO: City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, IA 50265

CONTRACT or PO# BP 4 General Construction
COST CODE 16.000
CHANGE ORDER # (RCO) 235R-1

AMOUNT OF CHANGE ORDER: **$13,002.88**

DESCRIPTION:

Moved controller for elevator pump 2 times as directed due to elevator inspector not allowing an outlet in the elevator pit.
None of this work was detailed on any drawings
Add disconnects for elevator and cab lights. None of this work was included on the design documents.

COST BREAKDOWN

Electrical (see attached)	$9,838.38
ATO Supervision/Admin	$1,982.50
ATO Builders P/O (10%)	$1,182.00
TOTAL	**$13,002.88**

BY: Craig Thurston Director of Construction
ATO Builders, LLC

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Kearney, NE 68847
844-447-3286

CHANGE ORDER REQUEST

TITLE:	CCD 045 - Electrical Data E-Sports	**DATE:**	3/1/2022
PROJECT:	Mid America Energy Rec Plex BP 4	**PROJECT #:**	ATO 19919

TO: City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, IA 50265

CONTRACT or PO# BP 4 General Construction
COST CODE 16.000
CHANGE ORDER # (RCO) 243R-1

AMOUNT OF CHANGE ORDER: **$1,618.81**

DESCRIPTION:

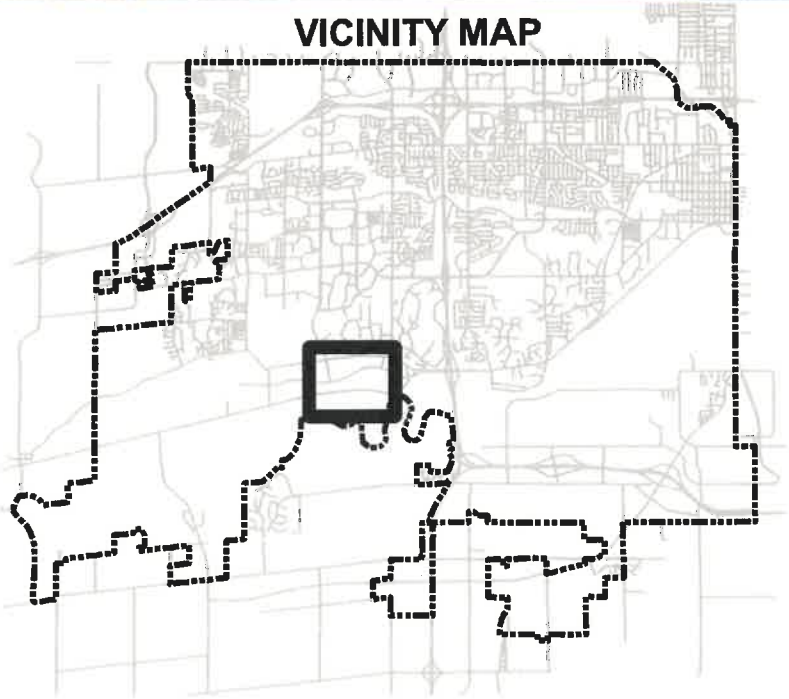
E108– ADD power and data to eSports C106. Refer to drawing E108 for the scope of work.

COST BREAKDOWN

Electrical (See Attached)	$394.81
ATO Supervision/Admin	$1,012.00
ATO Builders P/O (10%)	$212.00
TOTAL	**$1,618.81**

BY: Craig Thurston Director of Construction
ATO Builders, LLC

VICINITY MAP



LEGEND

PROJECT LOCATION

N
W E
S

THE CITY OF WEST DES MOINES

PROJECT:

MidAmerican Energy RecPlex

LOCATION:

Exhibit "A"

DRAWN BY: JPM	DATE: 10/13/2021	PROJECT NUMBER/NAME: 0510-055-2018	SHT. 1 of 1