



# DeKalb County Government

Manuel J. Maloof Center  
1300 Commerce Drive  
Decatur, Georgia 30030

## Agenda Item

File ID: 2023-0188

Substitute

6/27/2023

**Purchasing Type:** Change Order (CO)

**Public Hearing:** YES  NO

**Department:** Purchasing & Contracting

### AGENDA ITEM:

**Commission District(s):** 3 and 7

CO - Change Order No. 5 to Contract No. 13-902684 Construction Management (CM) Services for Snapfinger Creek Advanced Wastewater Treatment Plant Expansion - Phase II: for use by the Department of Watershed Management (DWM). This contract consists of providing construction management services for the Snapfinger Advanced Wastewater Treatment Facilities Expansion - Phase II. This request is to increase funds and the contract term through December 31, 2024. Awarded to Tetra Tech, Inc. Amount Not To Exceed: \$2,781,477.40.

**Information Contact:** Michelle Butler, Procurement Manager

**Phone Number:** (404) 687-3581

### PURPOSE:

Awarded by the BOC on July 16, 2013, for an amount not to exceed \$10,278,218.00. On December 13, 2016, the BOC approved Change Order No. 1 to increase the contract term to December 31, 2021, and funding in an amount not to exceed \$7,221,351.53. On December 17, 2019, the BOC approved Change Order No. 2 authorizing overtime work up to an estimated \$448,000.00 using existing contract funds. On August 25, 2020, the BOC approved Change Order No. 3 to increase the contract term to June 30, 2022, and funding in an amount not to exceed \$9,162,850.00. On June 14, 2022, the BOC approved Change Order No. 4 to increase the contract term to November 30, 2023. This contract consists of the provision of various construction management services, to include pre-construction services; construction inspection and other field services; progress meetings; contractor submittal review; construction safety plan reviews; construction change order reviews and final inspections; and project close out. This request, to increase funds and the contract term, will provide for the continuation of construction management services in furtherance of needed modifications to one of the County's wastewater treatment plants.

This substitute is submitted to revise the request to increase contract term and funds.

### RECOMMENDATION:

Recommend approval of Change Order No. 5 with:

Tetra Tech, Inc., 1899 Power Ferry Road, Suite 400, Atlanta, GA 30339

Amount Not to Exceed: \$2,781,477.40

and authorize the Chief Executive Office to execute the change order and all associated documents.



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## **ADDITIONAL INFORMATION:**

1. LSBE Participation: 28.23%
2. Contract Effective Date: August 7, 2013
3. Contract Expiration Date: November 30, 2023
4. Amount Spend To Date: \$25,591,141.32
5. Funding: 2022 Bond and/or Renewal & Extension  
CIP Line No. 52 (DWM)



# PROPOSED CHANGE ORDER REQUEST

Department of Watershed Management

Contract Name: Snapfinger Creek AWTP Expansion - Phase II Construction Management Services Date: 5/15/2023  
 Contractor: Tetra Tech  
 Contract Number: 13-902684 Contract Amendment Number: 5  
 Contract Amendment Category:  Cost  Schedule  Scope  Deliverables

Original Contract \$ Amount:	Contract Start Date:	Original Contract Time:(TERM)	Original Contract End Date:
\$10,278,218.00	8/16/2013	1598	12/31/2017

NTP Start Date:	Original Performance Days:(TIME)	Original Performance End Date:
8/20/2013	1594	12/31/2017

Previous Change Order:	Previous Time Extensions (Days):	Previous Changes to \$ Amount:
Change Order No. 1:	1461	\$7,221,351.53
Change Order No. 2:	0	\$0.00
Change Order No. 3:	181	\$9,162,850.00
Change Order No. 4:	519	\$0.00

  

Current Contract Amount:	Current Performance Time (Days):	Current Performance End Date:	Current Contract End Date:
\$26,662,419.53	3755	11/30/2023	11/30/2023

**Description of Proposed Changes:** This Amendment 5, requested for your consideration, extends Tetra Tech's existing scope of services until July 1, 2024, which will align with the Construction Management schedule with the Contractor's (Archer Western Construction, LLC) construction schedule for the project and provide additional time and funding for project closeout after Final Completion of the project.

**Justification of Proposed Changes:** Amendment to the construction management contract with Tetra Tech for the Snapfinger AWTP Phase II Expansion project. The Contractor (Archer Western Construction, LLC) will not complete the project prior to Tetra Tech's existing construction management contract expiration date of November 20, 2023. This amendment will extend Tetra Tech's construction management contract until July 1, 2024, which will allow for the extension of Construction Management and field inspection services through the currently expected completion date for the project and provide additional time for closeout activities after Final Completion.

Proposed Additional Performance Days:	Proposed Cumulative Performance Days:	Proposed Performance End Date:	Proposed Contract End Date:
213	3968	7/1/2024	12/31/2024

  

Proposed Changes to Dollar Amount:	Proposed Cumulative Contract Amount:	Amount Spent To Date:
\$2,781,477.00	\$29,443,896.53	\$24,552,486.37

Describe Any Risk Associated With This Change: None

Effect of NOT Approving This Change: No Construction Manager for the remainder of the construction project could result in delays from the Contractor. Construction Management and field inspection are required while the Contractor is working to ensure Work performed meets contractual requirements.

Engineering Manager's Approval:

Accepted

Rejected

Signature: Cassandra Marshall, PMP

Print Name: Cassandra Marshall

Date: 11/30/22

Digitally signed by Cassandra Marshall, PMP  
Date: 2022.11.30 15:54:55 -0500

Watershed Director's Approval:

Accepted

Rejected

Signature: David Hayes

Print Name: David Hayes

Date: 1.18.2023

Digitally signed by David Hayes  
Date: 2023.01.18 15:54:55 -0500

Chief Operating Officer's Approval:

Accepted

Rejected

Signature: 

Print Name: Zachary L. Williams

Date: 5-11-23

Contract Name: Snapping Creek AWTP Expansion - Phase II Construction Management Services

Contractor: Tetra Tech

Contract Number: 13-902684

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## **Snapfinger AWTP Phase 2 CM Services Request for Approval of: Change Order No. 5**

### **Background**

In August 2013, Tetra Tech was contracted by DeKalb County's Department of Watershed Management (DWM) to provide Construction Management Services for the Snapfinger AWTP Phase 2 project. In August 2015 construction began, and Tt was mobilized to the site to oversee construction activities being performed by the selected Contractor, Archer Western, LTD (Archer Western).

### **Change Order No. 1**

In September 2017, Tetra Tech received approval of Change Order No.1 in the amount of \$7,221,351.53 which authorized additional funds for Tetra Tech to continue to provide Construction Management Services for the Snapfinger AWTP Phase 2 project through the projected completion date of October 31, 2020.

### **Change Order No. 2**

In December 2019, Tetra Tech received approval of Changer Order No. 2 which aligned Tetra Tech's contract with that of Archer Western, specifically authorizing Tetra Tech to use the previously authorized funds to bill Dekalb County for overtime hours, at a time and a half rate when applicable, due to Archer Western working twelve-hour workdays, versus the eight-hour workday in Tetra Tech's contract. No additional time or funding was authorized under this Change Order.

### **Change Order No. 3**

In August 2020, Tetra Tech received approval of Change Order No.3, in the amount of \$9,162,850.00 which provided additional funding to reimburse Tetra Tech for funds expended covering Archer Western's Saturday work hours which began in February 2020; funding for Tetra Tech to review Archer Western's submission of Time Impact Analysis (TIA's) submitted by the Contractor in accordance with the Executive Level Agreement established between all parties in September 2018 and the recovery of expended funds related to additional services needed to process the high number of Potential Change Orders (PCOs) received on the project. Change Order No. 3 also extended Tetra Tech's contract to June 30, 2022, which at the time was approximately one (1) month after Archer Western's projected completion date for the project.

### **Change Order No. 4**

In June 2022, Tetra Tech received BOC approval of Change Order No. 4 which extended Tetra Tech's contract from June 30, 2022 to November 30, 2023 to align with Archer Western's projected completion date for the project at the time. This increase was for time only as Tetra Tech was still determining the anticipated date that existing funds would expire (see Tetra Tech's April 2022 letter, **Attachment 1**).

### **Amendment Basis**

At the request of DeKalb County, Tetra Tech is hereby submitting Change Order No. 5, as it is currently projected that all previously authorized funding will be expended by July 1, 2023. This amendment will provide additional funding for Tetra Tech to continue Construction Management services through July 1, 2024 approximately four months after Archer Western's currently projected project completion date of March 24, 2024, which will allow for project closeout activities. In 2021 Tetra Tech began reducing staff to align with

Archer Western's rate of progress on the project, Changer Order 5 will include funding for the following remaining staff on the project:

- **Project Manager (Tt)**
- **Resident Engineer/Construction Manager (Tt)**
- Construction Manager (Tt) – *Removal effective 6/10/2023*
- **Deputy Construction Manager (LSBE)**
- Process/Mechanical Inspector (LSBE) – *Removal effective 12/31/2022*
- **Electrical Inspector (LSBE)**
- **Site/Civil Inspector (LSBE)**
- Structural Inspector (LSBE) – *Removal effective 12/31/2021*
- Field Technician (LSBE) – *Removal effective 5/13/2022*
- **Construction Documents Administrator (LSBE)**
- **Assistant Construction Documents Administrator (LSBE)** – *Part Time only, effective 5/31/2022*
- **Construction Schedulers (Tt)** – *as needed only*

As noted above and summarized in **Table 1** below this amendment will provide Construction Management services, Monday to Friday, for 40 hours per week for staff as shown; overtime hours for one (1) Deputy Construction Manager and two (2) Field Inspectors Monday to Friday and one (1) Saturday per month. Please note that at the writing of this proposal Tetra Tech is only providing forty (40) hours per week of Construction Management Services, however additional hours are included in this amendment in the event that Archer Western's construction progress returns when all work on site resumes. It should also be noted that this amendment does not align with Archer Western's contracted 60 hour/ week timeframe allowed for field construction activities, however Tetra Tech will make a concerted effort to cover construction activities to the best of our ability. However, if Construction Management activities require construction management oversight beyond the proposed Amendment hours estimate, oversight may not be performed by Tetra Tech if we are unable to make staffing adjustments to sufficiently align with Archer Western's on-going field activities over the duration of this amendment period.

**Table 1: Field Staff Estimated Hours per Week**

Position	Estimated Hours per Week	Total Overtime M to F (hrs./week)	Total Overtime Saturday (1 Saturday per Month)
Project Manager	24	-	-
Resident Engineer/ Construction Manager	40	-	-
Deputy Construction Manager	40	10	8
Electrical Inspector	40	10	8
Site/Civil Inspector	40		
Construction Documents Administrator	40	-	-
Assistant Construction Document Administrator	24	-	-

*Note: Time and Half compensation will only be granted for hourly employees in alignment with Change Order No.2*

In September 2018, Tetra Tech was directed by DWM to begin the monthly analysis of additional TIA's submitted by Archer Western which exceed the one (1) TIA included in Tetra Tech's base scope of work. This amendment includes funding for Tetra Tech staff to analyze up to three (3) TIA's per month in accordance with DeKalb County's previous direction for the duration of the amendment period.

Please note that this amendment assumes a nominal amount of hours for processing Field Orders and Potential Change Orders (PCOs) to complete the remaining construction through July 1, 2024 as summarized above and outlined in attached Fee Summary. This amendment does not include extensive assistance to Dekalb County for legal purposes, disputed claim resolution, "global" claims, arbitration, or any other type of claim related services beyond the estimated hours summarized herein.

### Schedule

It is seeking additional funding for the period between July 1, 2024 (the projected expiration date of existing contracts funds) to July 1, 2024 (approximately four months after the currently projected completion date per Archer Western's latest submitted Project Schedule Update -May 2023).

### Proposed Fee

The proposed fee for the above Scope of Work is **\$2,781,477** to be billed on a Time and Materials basis (**Attachment 2**).

# **Attachment 1**





April 27, 2022

Mr. Wendell Brown  
DeKalb County, Georgia  
Department of Watershed Management  
Engineering and Construction Services  
4572 Memorial Drive  
Decatur, Georgia 30032

**RE: Tetra Tech Contract # 13-902684  
Snapfinger AWTP Phase II – Change Order #4**

Dear Mr. Brown:

Tetra Tech is aware that DeKalb County will be extending Archer Western's Contract Term from June 30, 2022 to November 30, 2023. As such, we are hereby requesting an extension of Tetra Tech's Scope of Services to November 30, 2023 to allow for Tetra Tech to continue to provide Construction Management Services for the Snapfinger AWTP Phase II project. At this time, we are not seeking an increase to our Contract Fee as we currently have approximately \$3.6 Million remaining in our Contract as shown on this month's invoice.

Please note that Tetra Tech does not expect the remaining \$3.6 Million to be sufficient funding for our team to continue to provide Construction Management services until the November 30, 2023 date as our current project spend rate shows a depletion of these funds by the end of 2022 or early 2023. However, per the request of the County, we will submit a detailed amendment request at a later time when the final depletion date of our funds is better known as we are currently reducing staff on the project to better align with the on-going field activities at this stage of the project.

Please let me know if you have any questions or would like to discuss this matter further.

Sincerely

Jillian Jack, P.E.  
Tetra Tech  
Vice President

## **Attachment 2**

# Tt Price Proposal

## Labor Plan

**DeKalb Snapfinger Phase II - CM Services**

Bill Rate \$/hr

244.78    226.87    95.52    252.12    233.68    98.39

Change Order No. 5

Submitted to: DeKalb County

Contract Type: T&M

Task Pricing Totals \$2,781,477

Specify Add'l Fees on Setup 0

Technology Use Fee

**Total Price \$2,781,477**

### Pricing by Resource

Project Phases / Tasks	Total Labor Hrs	Yr. 10 Bill Rates	Resident Engineer	Deputy Project Manager	Construction Admin 1	Yr. 11 Bill Rates	Resident Engineer	Deputy Project Manager	Construction Admin 1	Pricing by Resource					Task Pricing Totals
										Labor	Subs	Travel	Mat'ls & Equip	ODCs	
<b>Construction Management Svcs Year 10</b>	<b>240</b>		<b>160</b>	<b>80</b>	-		-	-	-	<b>57,314</b>	<b>5,000</b>	-	<b>2,008</b>	-	<b>\$64,322.40</b>
Project Management	80			80	-					18,150					\$18,149.60
Resident Engineer/ Construction Manager	160		160		-					39,165					\$39,164.80
Field Supplies	-				-								2,008		\$2,008.00
CM Software - Technical Support	-				-						5,000				\$5,000.00
<b>TT-Schedulers Year 10</b>	<b>-</b>		-	-	-		-	-	-	<b>-</b>	<b>29,480</b>	-	-	-	<b>\$29,480.00</b>
CPM Scheduler (Brian Delaney)	-				-						11,919				\$11,918.72
CPM Scheduler (Dan M.)	-				-						17,561				\$17,561.28
<b>Benchmark Year 10</b>	<b>-</b>		-	-	-		-	-	-	<b>-</b>	<b>29,611</b>	-	-	-	<b>\$29,610.52</b>
Deputy Construction Manager	-				-						29,611				\$29,610.52
<b>Benchmark Year 10 Weekly Overtime &amp; Saturday</b>	<b>-</b>		-	-	-		-	-	-	<b>-</b>	<b>13,324</b>	-	-	-	<b>\$13,324.45</b>
Deputy Construction Manager	-				-						13,324				\$13,324.45
<b>CERM Year 10</b>	<b>-</b>		-	-	-		-	-	-	<b>-</b>	<b>23,309</b>	-	-	-	<b>\$23,308.98</b>
Site/Civil Inspector	-				-						23,309				\$23,308.98
<b>CERM Year 10 Overtime - Saturday</b>	<b>-</b>		-	-	-		-	-	-	<b>-</b>	<b>10,489</b>	-	-	-	<b>\$10,489.04</b>
Site/Civil Inspector	-				-						10,489				\$10,489.04
<b>Graham &amp; Assoc Year 10</b>	<b>-</b>		-	-	-		-	-	-	<b>-</b>	<b>62,105</b>	-	-	-	<b>\$62,104.95</b>
Electrical/Controls Inspector	-				-						29,617				\$29,617.14
Construction Documents Administrator	-				-						23,314				\$23,314.32
Admin Asst	-				-						9,173				\$9,173.48
<b>G&amp;A Year 10 Weekly Overtime + Saturday</b>	<b>-</b>		-	-	-		-	-	-	<b>-</b>	<b>13,327</b>	-	-	-	<b>\$13,327.44</b>
Electrical/Controls Inspector	-				-						13,327				\$13,327.44
<b>Construction Management Svcs Year 11</b>	<b>2,700</b>		-	-	-		<b>1,800</b>	<b>900</b>	-	<b>664,131</b>	<b>14,558</b>	-	<b>2,000</b>	-	<b>\$680,688.61</b>
Project Management	900				-			900	-	210,308					\$210,308.49
Resident Engineer/Construction Manager	1,800				-		1,800		-	453,822					\$453,822.12
Field Supplies	-				-				-				2,000		\$2,000.00
CM Software - Technical Support	-				-				-		5,558				\$5,558.00
Plangrid Software	-				-				-		9,000				\$9,000.00
<b>TT-Schedulers Year 11</b>	<b>-</b>		-	-	-		-	-	-	<b>-</b>	<b>125,062</b>	-	-	-	<b>\$125,062.40</b>
CPM Scheduler (Brian Delaney)	-				-				-		50,025				\$50,024.96
CPM Scheduler (Dan M.)	-				-				-		75,037				\$75,037.44
<b>Benchmark Year 11</b>	<b>-</b>		-	-	-		-	-	-	<b>-</b>	<b>343,118</b>	-	-	-	<b>\$343,118.05</b>
Deputy Construction Manager	-				-				-		343,118				\$343,118.05
<b>Benchmark Year 11 - Overtime &amp; Saturdays</b>	<b>-</b>		-	-	-		-	-	-	<b>-</b>	<b>142,391</b>	-	-	-	<b>\$142,391.05</b>
Deputy Construction Manager	-				-				-		142,391				\$142,391.05
<b>CERM Year 11</b>	<b>-</b>		-	-	-		-	-	-	<b>-</b>	<b>270,098</b>	-	-	-	<b>\$270,098.14</b>
Site/Civil Inspector	-				-				-		270,098				\$270,098.14
<b>CERM Year 11 - Overtime - Saturday</b>	<b>-</b>		-	-	-		-	-	-	<b>-</b>	<b>112,085</b>	-	-	-	<b>\$112,085.08</b>
Site/Civil Inspector	-				-				-		112,085				\$112,085.08
<b>Graham &amp; Assoc Year 11</b>	<b>-</b>		-	-	-		-	-	-	<b>-</b>	<b>719,645</b>	-	-	-	<b>\$719,645.28</b>

Electrical/Controls Inspector	-				-			-		343,183				\$343,183.14
Construction Documents Administrator	-				-			-		270,165				\$270,164.77
Admin Asst	-				-			-		106,297				\$106,297.37
<b>G&amp;A Year 11 - Weekly Overtime &amp; Saturday</b>	-	-	-	-	-	-	-	-	-	<b>142,421</b>	-	-	-	<b>\$142,421.00</b>
Electrical/Controls Inspector	-				-			-		142,421				\$142,421.00
<b>Totals</b>	<b>2,940</b>	<b>160</b>	<b>80</b>	<b>-</b>	<b>1,800</b>	<b>900</b>	<b>-</b>	<b>721,445</b>	<b>2,056,024</b>	<b>-</b>	<b>4,008</b>	<b>-</b>	<b>\$2,781,477.40</b>	