



---

---

## SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY REGULAR MEETING AGENDA AUGUST 22, 2024, 9:00 A.M.

Chair Cory C. Moss  
Vice Chair Michael Greubel  
Board Member Steve Marcucci  
Board Member Mark D. Radecki  
Board Member Newell Ruggles

Location: City Council Chamber, 15651 Mayor Dave Way, City of Industry, California

---

### **Addressing the Agency:**

- **Agenda Items:** *Members of the public may address the Successor Agency on any matter listed on the Agenda. In order to conduct a timely meeting, there will be a one-minute time limit per person for any matter listed on the Agenda. Anyone wishing to speak to the Successor Agency is asked to complete a Speaker's Card which can be found at the back of the room and at each podium. The completed card should be submitted to the Secretary prior to the Agenda item being called and prior to the individual being heard by the Successor Agency.*
  
- **Public Comments (Non-Agenda Items Only):** *Anyone wishing to address the Successor Agency on an item not on the Agenda may do so during the "Public Comments" period. In order to conduct a timely meeting, there will be a one-minute time limit per person for the Public Comments portion of the Agenda. State law prohibits the Successor Agency from taking action on a specific item unless it appears on the posted Agenda. Anyone wishing to speak to the Successor Agency is asked to complete a Speaker's Card which can be found at the back of the room and at each podium. The completed card should be submitted to the Secretary prior to the Agenda item being called by the Secretary and prior to the individual being heard by the Successor Agency.*

*At the time of publication, no Board Members intend to take part in the meeting remotely under the provisions of AB 2449. Should that change between the time of publication and the start of the meeting, a live webcasting of the meeting will be accessible via the link, meeting ID, and meeting passcode listed below. Whenever possible, an announcement will be made at the start of the meeting via the live webcast to confirm whether or not a member will join remotely. If they will not be joining remotely, then the live webcast will terminate after the announcement.*

[www.microsoft.com/microsoft-teams/join-a-meeting](http://www.microsoft.com/microsoft-teams/join-a-meeting)

Meeting ID: 241 683 935 356

Meeting Passcode: fFS6zh

**Or call in (audio only)**

[+1 657-204-3264](tel:+16572043264)

Phone Conference ID: 212 100 039#

- **Americans with Disabilities Act:** *In compliance with the ADA, if you need special assistance to participate in any meeting (including assisted listening devices), please contact the Office of the Secretary to the Successor Agency (626) 333-2211. Notification of at least 72 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting.*

**Agendas and other writings:**

- *In compliance with Government Code Section 54957.5(b), staff reports and other public records permissible for disclosure related to open session agenda items are available at City Hall, 15625 Mayor Dave Way, City of Industry, California, at the office of the Secretary of the Successor Agency during regular business hours, Monday through Thursday, 8:00 a.m. to 5:00 p.m., Fridays 8:00 a.m. to 4:00 p.m. Any person with a question concerning any agenda item may call the City Clerk's Office at (626) 333-2211*
- 

1. Call to Order
2. Flag Salute
3. AB 2449 Vote on Emergency Circumstances (if necessary)
4. Roll Call
5. Presentations
6. **CONSENT ITEMS**

- 6.1 Consideration of the Register of Demands for August 8, 2024

*RECOMMENDED ACTION: Ratify the Register of Demands for July 11, 2024.*

- 6.2 Consideration of the Register of Demands for August 22, 2024

*RECOMMENDED ACTION: Approve the Register of Demands and authorize the appropriate Agency Officials to pay the bills.*

- 6.3 CONSIDERATION OF CHANGE ORDER NO. 10 in the amount of \$879,146.26 for the Grand Avenue and Golden Springs Drive Intersection Improvements (Contract No. GGS-0387)

*RECOMMENDED ACTION: Approved Change Order No. 10.*

7. **ACTION ITEMS-NONE**
8. **PUBLIC HEARINGS-NONE**
9. **CLOSED SESSION-NONE**
10. **EXECUTIVE DIRECTOR REPORTS**

11. **AB 1234 REPORTS**

12. **BOARD MEMBER COMMUNICATIONS**

13. **PUBLIC COMMENTS**

14. Adjournment. Next regular Successor Agency meeting is September 26, 2024.

*SUCCESSOR AGENCY*

ITEM NO. 6.1

**SUCCESSOR AGENCY TO THE  
INDUSTRY URBAN-DEVELOPMENT AGENCY  
AUTHORIZATION FOR PAYMENT OF BILLS  
August 8, 2024**

**FUND RECAP:**

<u>FUND</u>	<u>DESCRIPTION</u>	<u>DISBURSEMENTS</u>
222	IUDA ADMIN	320,692.87
221	IUDA PROJECT 1	0.00
	IUDA PROJECT 2	0.00
	IUDA PROJECT 3	0.00
TOTAL ALL FUNDS		320,692.87

**BANK RECAP:**

<u>BANK</u>	<u>NAME</u>	<u>DISBURSEMENTS</u>
WFBK	WELLS FARGO - CKING ACCOUNT	56,256.63
BOFA	BANK OF AMERICA	264,436.24
TOTAL ALL BANKS		320,692.87

APPROVED PER EXECUTIVE DIRECTOR



---

DATE



---

**Successor Agency To The  
Industry Urban Development Agency  
Wells Fargo Bank  
August 8, 2024**

Check	Date	Payee Name	Check Amount
-------	------	------------	--------------

**IUDAADM.WF.CHK - IUDA Admin WF Checking**

Check	Date	Description	Amount
33378	07/24/2024	WALNUT VALLEY WATER DISTRICT	\$7,335.78
	Invoice		
	5044328	6/1-6/30/24 SVC-SE GRAND XING PKWY #1	\$300.28
	5044329	6/1-6/30/24 SVC-SE GRAND XING PKWY #2	\$297.50
	5044330	6/1-6/30/24 SVC-SE GRAND XING PKWY #3	\$357.69
	5044331	6/1-6/30/24 SVC-SE GRAND XING PKWY #4	\$350.28
	5044332	6/1-6/30/24 SVC-SE GRAND XING PKWY #5	\$139.62
	5044326	6/1-6/30/24 SVC-SE GRAND XING PKWY #6	\$212.31
	5044325	6/1-6/30/24 SVC-SE GRAND XING PKWY #7	\$274.35
	5044333	6/1-6/30/24 SVC-MARCELLIN DR MTR#1	\$328.06
	5044334	6/1-6/30/24 SVC-MARCELLIN DR MTR#2	\$304.45
	5044322	6/1-6/30/24 SVC-MARCELLIN DR MTR#3	\$339.63
	5044335	6/1-6/30/24 SVC-MARCELLIN DR MTR#4	\$310.00
	5044347	6/1-6/30/24 SVC-MARCELLIN DR MTR #5	\$282.22
	5044348	6/1-6/30/24 SVC-MARCELLIN DR MTR#6	\$74.79
	5044341	6/1-6/30/24 SVC-INDUSTRY WAY #1	\$270.18
	5044342	6/1-6/30/24 SVC-INDUSTRY WAY #2	\$315.10
	5044336	6/1-6/30/24 SVC-INDUSTRY WAY #3	\$164.62
	5044337	6/1-6/30/24 SVC-INDUSTRY WAY #4	\$169.71
	5044338	6/1-6/30/24 SVC-INDUSTRY WAY #5	\$168.79
	5044339	6/1-6/30/24 SVC-INDUSTRY WAY #6	\$155.82
	5044340	6/1-6/30/24 SVC-INDUSTRY WAY #7	\$154.90
	5044346	6/1-6/30/24 SVC-INDUSTRY WAY #8	\$316.48
	5044343	6/1-6/30/24 SVC-INDUSTRY WAY #9	\$313.24
	5044344	6/1-6/30/24 SVC-INDUSTRY WAY #10	\$205.36
	5044345	6/1-6/30/24 SVC-INDUSTRY WAY #11	\$322.97

**Successor Agency To The  
Industry Urban Development Agency  
Wells Fargo Bank  
August 8, 2024**

Check	Date		Payee Name	Check Amount
<b>IUDAADM.WF.CHK - IUDA Admin WF Checking</b>				
	5044241	07/08/2024	6/1-6/30/24 SVC-KOHL'S CENTER/MEDIAN	\$204.11
	5044369	07/08/2024	6/1-6/30/24 SVC-SE GRAND CROSSING PKWY-TEMP	\$1,003.32
<b>33379</b>	<b>08/08/2024</b>		<b>CNC ENGINEERING</b>	<b>\$34,610.00</b>
	Invoice	Date	Description	Amount
	510754	07/25/2024	IBC-SLOPES LANDSCAPE MAINT	\$3,580.00
	510755	07/25/2024	IMPROVEMENTS TO MAIN ACCESS RDS	\$12,105.00
	510756	07/25/2024	IBC-FUTURE PHASES AND STUDIES	\$11,400.00
	510753	07/25/2024	GRAND AVE/GOLDEN SPRINGS DR IMPROVEMENTS	\$1,920.00
	510757	07/25/2024	INDUSTRY EAST TRAFFIC MITIGATION	\$2,250.00
	510758	07/25/2024	IE TRAFFIC MITIGATION-BREA CYN/CHERYL LN	\$3,130.00
	510759	07/25/2024	IE TRAFFIC MITIGATION-VALLEY BLVD/LEMON AVE	\$225.00
<b>33380</b>	<b>08/08/2024</b>		<b>LEIGHTON CONSULTING INC</b>	<b>\$5,373.50</b>
	Invoice	Date	Description	Amount
	63182	07/12/2024	GEO SVC-GRAND AVE WIDENING	\$5,373.50
<b>33381</b>	<b>08/08/2024</b>		<b>MX GRAPHICS, INC.</b>	<b>\$1,074.85</b>
	Invoice	Date	Description	Amount
	31661	07/11/2024	BLUEPRINT SVC-MP 99 31 16	\$1,074.85
<b>33382</b>	<b>08/08/2024</b>		<b>NV5, INC.</b>	<b>\$2,380.00</b>
	Invoice	Date	Description	Amount
	398021	07/17/2024	IBC MASTER AGREEMENT	\$2,210.00
	398024	07/17/2024	IBC MASTER AGREEMENT	\$170.00
<b>33383</b>	<b>08/08/2024</b>		<b>PBLA ENGINEERING, INC.</b>	<b>\$4,962.50</b>

**Successor Agency To The  
Industry Urban Development Agency  
Wells Fargo Bank  
August 8, 2024**

Check	Date		Payee Name	Check Amount
<b>IUDAADM.WF.CHK - IUDA Admin WF Checking</b>				
	Invoice	Date	Description	Amount
	108-3-0724	07/01/2024	DRAINAGE DESIGN-IBC PROJ	\$4,962.50
<b>33384</b>	08/08/2024		<b>RKA CONSULTING GROUP</b>	<b>\$520.00</b>
	Invoice	Date	Description	Amount
	35000	07/09/2024	CITY OF WALNUT-STREET IMPROVEMENTS	\$520.00

Checks	Status	Count	Transaction Amount
	Total	7	\$56,256.63



**Successor Agency To The  
Industry Urban Development Agency  
Bank of America  
August 8, 2024**

Check	Date	Payee Name	Check Amount
-------	------	------------	--------------

---

**PJ2.BOFA.CHK - Project 2 BofA Checking**

2328	07/24/2024		IUDA-ADMINISTRATIVE ACCOUNT	\$264,436.24
	Invoice	Date	Description	Amount
	A2 REG 7/25/24	07/24/2024	TRANSFER FUNDS-SA REG 7/25/24	\$264,436.24

---

Checks	Status	Count	Transaction Amount
	Total	1	\$264,436.24

*SUCCESSOR AGENCY*

ITEM NO. 6.2

**SUCCESSOR AGENCY TO THE  
INDUSTRY URBAN-DEVELOPMENT AGENCY  
AUTHORIZATION FOR PAYMENT OF BILLS  
August 22, 2024**

**FUND RECAP:**

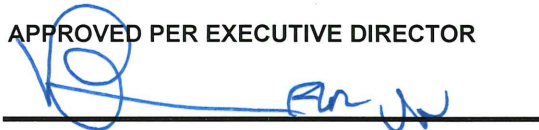
<u>FUND</u>	<u>DESCRIPTION</u>	<u>DISBURSEMENTS</u>
222	IUDA ADMIN	243,845.93
221	IUDA PROJECT 1	0.00
	IUDA PROJECT 2	0.00
	IUDA PROJECT 3	0.00
TOTAL ALL FUNDS		243,845.93

**BANK RECAP:**

<u>BANK</u>	<u>NAME</u>	<u>DISBURSEMENTS</u>
WFBK	WELLS FARGO - CKING ACCOUNT	230,845.93
BOFA	BANK OF AMERICA	13,000.00
TOTAL ALL BANKS		243,845.93

APPROVED PER EXECUTIVE DIRECTOR

DATE

  
\_\_\_\_\_

  
\_\_\_\_\_

**Successor Agency To The  
Industry Urban Development Agency  
Wells Fargo Bank  
August 22, 2024**

Check	Date		Payee Name	Check Amount
<b>IUDAADM.WF.CHK - IUDA Admin WF Checking</b>				
33385	08/22/2024		AVANT-GARDE, INC	\$725.00
	Invoice	Date	Description	Amount
	10536	07/29/2024	GRAND AVE/SR60 OFF-RAMP	\$725.00
33386	08/22/2024		CNC ENGINEERING	\$42,171.25
	Invoice	Date	Description	Amount
	510827	08/08/2024	GRAND AVE/GOLDEN SPRINGS DR IMPROVEMENTS	\$1,920.00
	510832	08/08/2024	INDUSTRY EAST TRAFFIC MITIGATION	\$4,275.00
	510833	08/08/2024	IE TRAFFIC MITIGATION-BREA CYN/CHERYL LN	\$5,990.00
	510834	08/08/2024	IE TRAFFIC MITIGATION-VALLEY BLVD/LEMON AVE	\$450.00
	510828	08/08/2024	IBC-SLOPES LANDSCAPE MAINT	\$2,880.00
	510829	08/08/2024	IMPROVEMENTS TO MAIN ACCESS RDS	\$14,576.25
	510830	08/08/2024	IBC-FUTURE PHASES AND STUDIES	\$11,855.00
	510831	08/08/2024	IBC TRAFFIC MITIGATION	\$225.00
33387	08/22/2024		LEIGHTON CONSULTING INC	\$1,305.00
	Invoice	Date	Description	Amount
	63496	08/02/2024	GEO SVC-SETTLEMENT MONITOR ANALYSIS	\$1,305.00
33388	08/22/2024		MARIPOSA LANDSCAPES, INC	\$186,644.68
	Invoice	Date	Description	Amount
	109290	07/31/2024	LANDSCAPE SVC-IBC SLOPES	\$186,644.68

Checks	Status	Count	Transaction Amount
	Total	4	\$230,845.93

**Successor Agency To The  
Industry Urban Development Agency  
Bank of America  
August 22, 2024**

Check	Date	Payee Name	Check Amount
-------	------	------------	--------------

---

**PJ2.BOFA.CHK - Project 2 BofA Checking**

2329	08/01/2024		IUDA-ADMINISTRATIVE ACCOUNT	\$13,000.00
	Invoice	Date	Description	Amount
	A2 REG 8/8/24	08/01/2024	TRANSFER FUNDS-SA REG 8/8/24	\$13,000.00

---

Checks	Status	Count	Transaction Amount
	Total	1	\$13,000.00

*SUCCESSOR AGENCY*

ITEM NO. 6.3



SUCCESSOR AGENCY TO THE  
**INDUSTRY URBAN - DEVELOPMENT  
AGENCY**

**MEMORANDUM**

**TO:** Honorable Chair and Members of the Successor Agency Board  
**FROM:** Joshua Nelson, Executive Director  
**STAFF:** Mathew Hudson, Engineering Manager  
**DATE:** 08/22/2024  
**SUBJECT:** CONSIDERATION OF CHANGE ORDER NO. 10 in the amount of \$879,146.26 for the Grand Avenue and Golden Springs Drive Intersection Improvements (Contract No. GGS-0387)

---

**BACKGROUND**

On August 22, 2019, the Successor Agency awarded Contract No. GGS-0387, Grand Avenue and Golden Springs Drive Intersection Improvements to Los Angeles Engineering, Inc., in the amount of \$16,007,000.00. The project provides for improvements to Grand Avenue and Golden Springs Drive, including intersection widening, sidewalk widening, and streetscape enhancements. It also includes boring of a 120-inch diameter reinforced concrete pipe and a new golf course tunnel under Grand Avenue.

**DISCUSSION**

On June 27, 2024, the Successor Agency to the Industry Urban-Development Agency Board approved the following change order numbers 1 through 9.

**Change Order No. 1** --Total Cost for Change Order No. 1 is \$399,520.52 for various material and labor costs escalations . This cost has been paid under the Contingency bid item.

**Change Order No. 2** --Total Cost for Change Order No. 2 is \$945,041.61 for additional costs for various plan revisions. This cost has been paid under the Contingency bid item.

**Change Order No. 3** --Total Cost for Change Order No. 3 is \$103,800.42 for additional costs for unforeseen conditions. This cost has been paid under the Contingency bid item.

**Change Order No. 4** --Total Cost for Change Order No. 4 is \$155,522.84 for additional costs due to RFI responses. This cost has been paid under the Contingency bid item.

**Change Order No. 5** --Total Cost for Change Order No. 5 is \$362,832.60 for Overruns. This cost has been paid under the Contingency bid item.

**Change Order No. 6** -- Total cost for Change Order No. 6 is \$1,003,179.05 for the removal of petromat and additional cold milling and paving as well as escalation costs.

Of this amount \$33,282.01 will be paid under the contingency. The amount for Change Order No. 6 is \$969,897.04.

**Change Order No. 7** -- Total cost for Change Order No. 7 \$23,820.98 for the installation of new battery backup system.

**Change Order No. 8** -- Total cost for Change Order No. 8 \$56,725.29 for repairs to the damaged landscaped slopes.

**Change Order No. 9** --Total cost for Change Order No. 9 (\$596,032.90) for Underruns.

Due to various project delays and added work the contractor submitted a request for a change order for direct field and overhead costs. The change order was reviewed by staff.

**Change Order No. 10** -- Total cost for Change Order No. 10 is \$879,146.26 for delays .

- TCL Permit delays from the County

- Preload Settlement delays due to the realignment of the 120" RCP storm drain
- Boring delay of the 120" RCP storm drain due to realignment of the 120" RCP storm drain
- Dewatering delays due to realignment of the 120" RCP storm drain
- Pavement design changes

## FISCAL IMPACT

Table 1 -- Summary of Extra Costs

Contract Amount	\$16,007,000.00
Change Order No. 1 Paid under Contingency	\$399,520.52
Change Order No. 2 Paid under Contingency	\$945,041.61
Change Order No. 3 Paid under Contingency	\$103,800.42
Change Order No. 4 Paid under Contingency	\$155,522.84
Change Order No. 5 Paid under Contingency	\$362,832.60
Change Order No. 6A Paid under Contingency	\$33,282.01
Change Order No. 6B	\$969,897.04
Change Order No. 7	\$23,820.98
Change Order No. 8	\$56,725.29
Deductive Change Order No. 9	(\$596,032.90)
Change Order No. 10	879,146.26
<b>Revised Project Cost</b>	<b>\$17,340,556.67</b>

The revised contract amount, including contingency, is \$17,340,556.67. Change Order Nos. 6B -- 10 total \$1,333,556.67. The revised contract amount, including contingency, is \$17,340,556.67. The approved funding agreements with Metro and the City totals \$16,818,915.00. To date, the Successor Agency has contributed \$9,246,580.25 of the \$10,091,349 committed to the project. In the approved ROPS 24-25, \$2,000,000.00 is approved under Line Item No. 128 (MP 99-31 #22) and is sufficient for the Successor Agency to cover the change order.

## RECOMMENDATION

1. Approve Change Order No. 10 in the amount of \$879,146.26 and
2. Authorize the Chair or her designee to execute the approved Change Order.

---

### Attachments

A. Change Order No. 10, dated August 22, 2024



SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY

15651 Mayor Dave Way  
 City of Industry, CA 91744  
 (626)333-2211

**CHANGE ORDER**

Change Order No. 10

Project Grand Ave. and Golden Springs Drive Intersection Improvements

Contract No. GG5-0387

Date August 22, 2024

Type Roadways, traffic signals, landscaping, storm drain and tunnel

Contractor LA Engineering

Location Grand Ave. and Golden Springs

**Explanation:**

Direct Field and Overhead Costs for Project Delays.

Extra Work by: \_\_\_\_\_ X \_\_\_\_\_ T & M  
 Contract Items Negotiated

The contractor is hereby directed to perform all labor and to provide all materials necessary to carry out the work described below.

ITEM NO.	ITEM	QUANTITY	UNIT PRICE	TOTALS (\$)	
				+	-
1	Direct Field and Overhead Costs for Project Delays	LS	\$ 879,146.26	\$ 879,146.26	
<b>TOTAL COST</b>				<b>\$879,146.26</b>	

\*PAID UNDER CONTINGENCY

**T & M SUMMARY**

*Labor Cost		Total Labor per Day	
*Equipment Cost (See attached breakdown)		Total Equipment per Day	
*Material Cost		Sub-Total	\$ -
(*Attach breakdown of labor, equipment and materials)			
<b>CHANGE ORDER SUMMARY</b>	% of Contract Amount	Other Additive (Profit & Bond Fee)	
Original Contract Amount	\$16,007,000.00	Total T & M	\$ -
Total Previous Change Orders	\$ 2,454,410.41 15.33%	Pay This	
Total Change Orders	\$ 1,333,556.67 8.33%	CHANGE ORDER	\$879,146.26 5.49%

Authorized by \_\_\_\_\_ Additional Contract Days 0

I hereby certify that the quantities shown and/or amounts shown for equipment, material and labor costs (if any) are correct to the best of my knowledge and the total cost shown above shall be considered final payment for the work specified by this change order. The total cost includes compensation for any delay in the preparation of this change order and the time to complete the specified work.

Pedram Afshar 08/12/2024  
Pedram Afshar (Aug 12 2024 14:50 PDT)  
 Contractor Representative Date  
Mathew Hudson 8/13/24  
 Engineering Manager Date

Joshua Nelson - Executive Director Date





# GG-0387 - Change Order No. 10

Final Audit Report

2024-08-12

Created:	2024-08-12
By:	Andrea Salazar (asalazar@cityofindustry.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAeO3Owkr7AG547C3ZDHRJu3TsCDECqU-2

## "GG-0387 - Change Order No. 10" History

-  Document created by Andrea Salazar (asalazar@cityofindustry.org)  
2024-08-12 - 9:17:16 PM GMT
-  Document emailed to Pedram Afshar (pafshar@laeng.net) for signature  
2024-08-12 - 9:17:20 PM GMT
-  Email viewed by Pedram Afshar (pafshar@laeng.net)  
2024-08-12 - 9:37:23 PM GMT
-  Document e-signed by Pedram Afshar (pafshar@laeng.net)  
Signature Date: 2024-08-12 - 9:50:37 PM GMT - Time Source: server
-  Agreement completed.  
2024-08-12 - 9:50:37 PM GMT



REQUEST FOR CHANGE ORDER # 051.R1

TO:	<b>SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY</b>	PROJECT:	<b>Grand and Golden Springs</b>
		LAE JOB #:	<b>1507</b>
		AGENCY #:	<b>No. 387</b>
		SPEC SEC.:	
		PLAN SHTS:	

ATTN:	<u>Gerry Perez</u> <u>CNC Engineering</u>	Sent Via:	FAX	MAIL	<b>E-MAIL</b>
-------	--	-----------	-----	------	---------------

We respectfully submit the following estimate / schedule of costs in response to:

- Written request for estimate / cost
- Verbal request
- Order to proceed

Labor, material and equipment for direct field expenses and Home Office and Overhead due to duration overrun, per rates in RFCO's 45 , 47-49 and BI's #3 & #6 (BI's OVR). **Total Duration ~~18.15~~ 14.15 MO (As negotiated)**

(All Prices Below include Markup)

45: Supervision Monthly Rate (PM and Super): \$30,153.21 / MO

47: Trailer and Toiler/Water: \$1192.21 / MO

48: Site Toilets: 609.86 / MO

49: Site Temp Fence: \$814.26 / MO

BI#3&#6 (BI's OVR): SWPPP & TC: \$ 11,139.58 / MO

HOV: \$18,239.35 / MO

\*\*\* The above Design Change represents a Changed Condition, and this Change Order is submitted pursuant to and in accordance with Section 3-4 of the Standard Specification for Public Works Construction. Section 4-1.06 of the Standard Specifications for the State of California, Section 7104 of the Public Contract Code and our Contract.

\*\*\*\* LAE reserves the right to claim whatever damages are incurred, but not captured in this Change Order, as a result of delays per Greenbook Section 6-4.3 at a later date.

**TOTAL CHANGE ORDER VALUE: \$ ~~4,427,668.47~~ \$ 879,146.26**

- Notes:           This work will not be done until approved and a written Change Order is issued
- Signature below authorizes us to proceed with the work described above at the stated price
- Extension of time necessary for this change                  CAL DAYS ~~18.15~~ 14.15 CAL MONTHS
- This work was performed in accordance with your authorization to proceed. Please issue Change Order

Name: _____	For LAE: <u>Pedram Afshar</u>
Title: _____	Title <u>Project Manager</u>
Signature: _____	Signature: _____
Date: _____	Date: <u>3/15/2024-7/29/24</u>

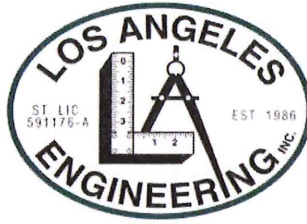
APPROVED AND PENDING PROPOSED COST CHANGE ORDERS									
LAE	#	VOID				Base To Contingency	CNC	Notes	
14	2	Cost Paid Data	1.0	LS	\$	17,343.50	\$	17,343.50	D RFI 12
3	3	IR Wire and Conductor 1	1.0	LS	\$	26,866.66	\$	26,866.66	D RFI 11
4	4	Conductor Release	1.0	LS	\$	7,310.13	\$	7,310.13	B PR#2
9	5	DOTY Box, Con's Water	1.0	LS	\$	3,170.88	\$	3,170.88	C
10	6	Poles	1.0	LS	\$	49,326.00	\$	49,326.00	B PR#1-8
7	7	Over-Base	0.0	LB	\$	-	\$	-	
11	8	Weather Beams T&M	1.0	LS	\$	18,523.35	\$	18,523.35	C
8	9	Reinforce Weather	1.0	LS	\$	49,074.33	\$	49,074.33	B PR#3
12	10	Anchor Excavation (Rebar)	1.0	LS	\$	14,133.53	\$	14,133.53	A
20	11	Formwork Excavation (Form)	1.0	LS	\$	68,515.98	\$	68,515.98	A
38	12	Formwork Excavation (Plan Revision)	1.0	LS	\$	30,308.38	\$	30,308.38	B PR#3,7
13	13	RCP Structure	0.0	LB	\$	-	\$	-	
17	14	Protective Area	1.0	LS	\$	41,043.67	\$	41,043.67	B PR#7
15	15	Base Night Work	1.0	LS	\$	1,530.41	\$	1,530.41	C
22	16	Base Stone Boxes	1.0	LS	\$	18,669.00	\$	18,669.00	D RFI 44
19	18	120' RCP Alignment (Estimate to be added to BH45)	1.0	LS	\$	410,195.29	\$	410,195.29	B PR#3,8
21	19	SW V-Ditch Material Excavation	1.0	LS	\$	16,414.97	\$	16,414.97	A
40	20	IR PP Changes	1.0	LS	\$	85,394.84	\$	85,394.84	B PR#3
24	21	Excavation Masonry Excavation	1.0	LS	\$	7,144.00	\$	7,144.00	A
37	22	C-900 Reinforce Weather	1.0	LS	\$	155,827.19	\$	155,827.19	B PR#3
39	23	Formwork Excavation Wall Side Tunnel	1.0	LS	\$	55,423.00	\$	55,423.00	B PR#7
42	24	Landscaping and Environment Project Excavation	1.0	LS	\$	25,201.82	\$	25,201.82	A
43	25	Base Poles RCB Structure - Ground Interference	1.0	LS	\$	34,700.18	\$	34,700.18	C
28	28	Utility Structure Base - RCB Structure (163-267-83)	0.0	LB	\$	-	\$	-	
50	27	Ditch Drain and 120' Lateral Reinforcement	1.0	LS	\$	41,571.30	\$	41,571.30	D RFI 77
52	28	Masonry Concrete	1.0	LS	\$	30,688.10	\$	30,688.10	D PR#5
51	29	Temp Light Pedestals	1.0	LS	\$	12,311.78	\$	12,311.78	C
63	30	Grass and Organic Excavation	0.0	LB	\$	-	\$	-	F PAVHIG
64	31	Concrete Voids Excavation	1.0	LS	\$	10,702.56	\$	10,702.56	A
65	32	Steel Grate (T&M Work) Excavation	1.0	LS	\$	10,313.38	\$	10,313.38	A
62	33	Base Pad Ditch	1.0	LS	\$	24,961.54	\$	24,961.54	D RFI 81
58	34	Temp Light Pedestal 2	1.0	LS	\$	4,078.38	\$	4,078.38	C
66	35	Stone Under Structure	1.0	LS	\$	16,067.08	\$	16,067.08	D RFI 68
67	38	Paver Base Cost Area	1.0	LS	\$	10,043.76	\$	10,043.76	D RFI 45
68	37	PCC Material Excavation	1.0	LS	\$	67,818.70	\$	67,818.70	A
38	38	Formwork Structure (1,290-72)	0.0	LB	\$	-	\$	-	
69	39	Aggregate Excavation (CAB CPB Stone)	1.0	LS	\$	63,419.57	\$	63,419.57	A
70	40	PP (Material) Excavation	1.0	LS	\$	6,629.05	\$	6,629.05	A
35	41	RCB Street Excavation	1.0	LS	\$	74,344.33	\$	74,344.33	A
71	42	Brickwork Material Excavation	1.0	LS	\$	22,204.35	\$	22,204.35	A
72	43	Stump Clearing	1.0	LS	\$	21,276.01	\$	21,276.01	A PR#DB
73	44	AC Paving Grading and Preliminary Layout Overlap	0.14866	LS	\$	223,980.05	\$	33,282.01	F PAVHIG
74	46	Trailer Release (7,241.85)	1.0	LS	\$	13,152.73	\$	13,152.73	C
79	50	BBS Contractor	0.0	LB	\$	-	\$	-	K
80	52	Block Sub Layer Excavation	1.0	LS	\$	12,678.28	\$	12,678.28	A
81	53	Stone Repair	0.0	LB	\$	-	\$	-	K
82	54	Electrical Retention Core	1.0	LS	\$	4,779.52	\$	4,779.52	B
83	55	RCP Maintenance	1.0	LS	\$	11,987.13	\$	11,987.13	C
68	56	Formwork	0.0	LB	\$	-	\$	-	
84	57	Concrete AC Drain	1.0	LS	\$	4,394.16	\$	4,394.16	B
85	58	SCE Deck and Plastic Rollers	1.0	LS	\$	4,345.58	\$	4,345.58	C
VAR	BF# OVR	Base Item Overlap (Approved)	1.0	LS	\$	362,832.00	\$	362,832.00	E Unass
<b>SUBTOTAL PROJECTED CHANGE ORDERS</b>						<b>\$</b>	<b>3,080,443.31</b>		
<b>REMAINING PROPOSED AND ESCALATION CCO's</b>					<b>14.15</b>	<b>MO</b>			
46	46	Subcontractor Material Rate @ 21 days MO (PM: 698.11 / Day // Supp: 736.90)	14.15	MO	\$	426,413.22			H
47	47	Trailer and Tool Monthly (\$1,192.21 / MO)	14.15	MO	\$	16,969.77			H
48	48	Site Toilet Monthly (809.86 / MO)	14.15	MO	\$	8,629.52			H
48	48	Site Temp Power Monthly (814.28 / MO)	14.15	MO	\$	11,521.78			H
BF# OVR	BF# OVR	Base Item Overlap (SWPPP, TCI) (11,139.58 / MO)	14.15	MO	\$	157,625.10			H
HOV	HOV	HOV (599.85 / Day)	14.15	LS	\$	258,086.86			J
<b>TOTAL PROJECTED CHANGE ORDERS</b>							<b>\$3,929,589.57</b>		
<b>TOTAL PROJECTED CREDITS</b>							<b>-596,032.90</b>		
<b>TOTAL CHANGE ORDERS LESS TOTAL CREDIT</b>							<b>\$3,333,556.67</b>		
<b>TOTAL Remaining Budget (2,000,000)</b>							<b>-1,333,556.67</b>		
<b>TOTAL Budget To Contingency</b>							<b>\$</b>	<b>2,000,000.00</b>	

Change Cost per Condition Summary			
CNC	Change Type	Total Cost	CCO #
E	Base Item Overlap	\$ 462,832.00	5
B	Plan Revision	\$ 945,041.61	2
D	RFI	\$ 155,622.84	4
A	Material Excavation at Cost	\$ 399,520.52	1
C	Unassess	\$ 103,800.42	3
F	Extra Work not Covered (PAVHIG)	\$ 1,003,179.05	6*
K	Plan Contingency T&M	\$ 80,546.27	7,8
<b>TOTAL CCO's</b>		<b>\$ 3,050,443.31</b>	
<b>TOTAL Contingency Budget</b>		<b>\$ 2,000,000.00</b>	
<b>Extra Work not Covered</b>		<b>\$ 1,050,443.31</b>	
H	Subcontractor Material Rate	\$ 621,059.40	TBD
J	HOV (Hourly Overlap - Duration)	\$ 258,086.86	TBD
<b>TOTAL D/HOV CCO's</b>		<b>\$ 879,146.26</b>	<b>TBD</b>
<b>TOTAL ALL CCO's</b>		<b>\$ 3,929,589.57</b>	
G	<b>TOTAL Change CCO's</b>	<b>\$ (596,032.90)</b>	<b>0</b>

Delay Type	
<b>Sequence</b>	<b>Months</b>
Clear and Jack 5.25 - 6.1	0.25
Jack and Import 6.2 - 7.1	1
Rd Work Phase 3 or 4 10.18.23 - 1.19.24 (**less road work delays**)	3
Permit Delays - Slopes 10.29.20 - 2.23.21	4
<b>Time Delay No Work Added</b>	
Jack Sub Mob. Availibility Delay 11.24.21 - 1.23.22	2
Road Work DELAY 11.11.23 - 12.12.23 **	*** 1
Delay Rd Work 2 12.26.23 - 1.3.24 **	*** .25
Reload Settlement Delay 9.21.21 - 11.23.21	2
<b>Acts of God</b>	
Rain Month 3..10.22 - 3.31.22 - Atmospheric River (AOG)	0.75
Rain Week 12.19. - 12.22.23 -1000 Year Storm (AOG)	0.25
<b>Added Work</b>	
Add Import / Preload / Reload Install / Excavate	1.1
Import/preload 82:97 = (15 WK Days) - ReBaseline	
RMV Preload 3:11 = (8 WK Days ) -ReBaseline	
RCP Legnth, Depth, Location and Seal	1.3
Pit Depth and Bench Install and Excavate (15 WK Days) - CCO 018	
Legnth of Pipe 250 to 275 with radius (7 WK Days) - CCO 018	
Seal (5 WK days) - - CCO 018	
<b>Utilities</b>	
<del>C-900 3 Weeks (concurrent)</del>	0
<del>Restroom 1 weeks (concurrent)</del>	0
<b>Unforeseen Conditions</b>	
Dewatering Delay 2.1 - 4.11.22	2
RCB Phase I Struct Ex Unstult Mat Delay 10.11 - 10.21.22	0.5
<b>Total Months</b>	<b>18.15</b>







General Engineering Contractor

April 29, 2024

SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY  
c/o CNC Engineering

Attention: Gerry Perez

**RE: SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY PROJECT NO. 387  
GRAND AVENUE AND GOLDEN SPRINGS NO. GGS-0387 || As-Built Schedule and Fragnet Delay Narrative**

Dear Gerry,

Below is the narrative of the delays as submitted in the Franget and As-Built schedule.

1. TCL Permit Delays [10.29.20 - 2.23.21; 4 MONTHS]
  - a. Period after Hole 3 was complete but the TCL permit was not ready to allow construction on the Slope. Complete cessation of work.
2. Jacking Operation Sequencing (Per baseline schedule which never happened: [5.25.21 – 7.1.21; 1.25 MONTHS]
  - a. Original Baseline schedule noted that 120" jacking operation was to happen concurrently with the clear and grub and import/preloading (as there was no preload requirement for the storm drain only the RCB). However, due to the additional requirement to add preload to the 120" RCP location, added after the bid in PR#3&4, the jacking operation had to be re-sequenced to occur after the preload settlement, effectively pushing the duration of the contract by the duration which was to have occurred concurrently and by the amount of added work (noted separately below).
3. Add Preload Settlement Duration [9.21.21 - 11.23.21; 2 MONTHS]
  - a. While LAE was able to install the preload for Alignment #2 (deep elbow), plan revision #8 changed the alignment again, with the pipe moving northwardly. LAE was directed to install additional preload, and wait for it to settle, to account for the new alignment. The duration of extension required for install is noted below, this is for the settlement period only.
4. Jacking Subcontractor (Specialty Sub) Availability Delay [11.24.21 - 1.23.22; 2 MONTHS]
  - a. Due to the added settlement period the pipe jacking sub was forced to take on additional contract work, which continued after the preload was completed, making them unavailable after the preload was settled. This delay is to capture the period they required before they were available to perform this contract after the preload had settled.
5. Dewatering Delay [2.1.22 - 4.11.22; 2 MONTHS]
  - a. As the jacking sub was preparing to mobilize to perform the jacking operation it became clear the unforeseen condition of the contaminated ground water (previously thought to be addressed) had compounded. Despite LAE receiving the precise list of constituents to be filtered



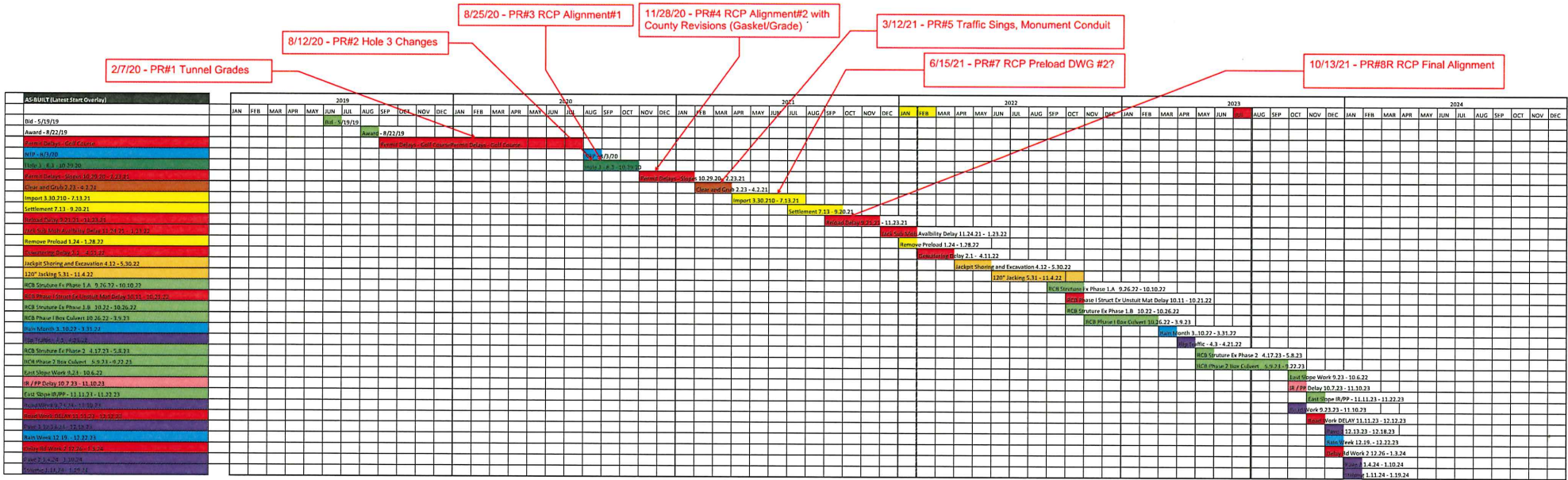
for from the Waterboard and submitting a design to filter for those constituents only, the approval of the design submitted, also included additional constituents (TDS) to be filtered which the design could not filter for. This delay is to capture the period during which LAE attempted to procure a design to filter for TDS, which prevented the jacking operation from starting.

6. RCB Structure Excavation – Unsuitable Materials [10.11.22 - 10.21.22; 0.5 MONTHS]
  - a. LAE encountered several large boulders during the excavation of the RCB Phase I (West), which prevented the advancement of the excavation until the plates could be cut, boulders removed and new plates welded up.
- ~~7. Rain Month Atmospheric River [3.10.22 - 3.31.22; 0.75 MONTHS]
  - a. During the month of March 2022, LAE was building the RCB phase I and was near completion and preparing to “flip traffic” (move to the next phase of the project, phase 4) when the project experience an Act of God (Force Majeure), the first of two such events. What was dubbed an atmospheric river rained on the project for 3 straight weeks. While rain events are typically non-compensable, we believe the in this case the fact that even if with the latest start (6 months after award), LAE would never have encountered this rain event. Even accounting for all the inefficiencies on the RCB and RCP, we still would have missed both rain events as depicted in the final Fagnet schedule. This can be directly attributed to the TCL and other permit delays the project experienced which delayed the start of critical path activities for over 1.5 years, which LAE is not requesting direct payment for as a delay, but which clearly impacted this project as well as the adjacent projects.~~
8. Road Work Sequencing [10.18.23 - 1.19.24; 3 MONTHS]
  - a. Primary delay: This delay is to capture the duration which LAE spent performing the final phase of construction, Phase 5. LAE was able to determine that phase 5 road work could be performed during Phase 3 and potentially during phase 4. At the time LAE was in phase 3. We met with the project team and everyone agreed that LAE should submit an RFI with a proposed rough traffic design. LAE did submit and received approval to continue with a formal and complete design from the City of Diamond bar via email correspondence on 4.27.22, and in RFI 63 (4.22.22) response from the design team with some comments on how to revise the drawing. In order to complete the design, we needed the CAD files, which we had requested and received for all other like-scopes of work requiring design submittals. In this case however, we were stonewalled for over a year with varying responses from silence to, “it would take over 8 hours to separate the traffic drawings from the rest” (we even asked for the full stack and would separate ourselves and got nothing). As such, LAE was prevented from resequencing the project- an effort to mitigate some of the inefficiencies on the construction of the RCP and RCB.
    - i. If “8.a” is accepted “8.b, 8.c and 8.d” are moot as they are captured in the total road work period; however, if “a” is not accepted “8.b, 8.c and 8.d” still must be accounted for as unforeseen delays.
  - b. Road Work Design Delay [11.11.23 - 12.12.23; 1 MONTH]
    - i. Secondary Delay 1: This delay represents the period from the completion of the Median Curbs to when the AC paving design was formalized and LAE could mobilize their paver. The design changed multiple times as the Agency and Designer attempted to mitigate a massive quantity bust, and allow for conductivity and safety (6” girding leaves very large and dangerous grade breaks in the AC), the Agency decided to change the profile for the Grind and Pave from 6/6 to 3/3 and then 3/2 and then finally 4/2. The process of producing changes/revisions for approval and scheduling and rescheduling the plant for 4,000 Tons of AC delayed the start of the paving operation.
  - ~~c. Rain Week, 1000 years storm [12.19.23 - 12.22.23; 0.25 MONTHS]~~

- i. Secondary Delay 2: This is Act of God 2. The 1,000-year storm that washed all the sand out of the pavers and eroded the western slopes also prevented LAE from moving from Grinding to Paving.
  - d. Plant Availability Delays (due to 8.b and 8.c) [12.26.23 - 1.3.24; 0.25 MONTHS]
    - i. As a result of all the changes, the completion of the grinding operation was pushed right to the day before the 1,000-year storm started, preventing paving from continuing until after the rain and streets had dried. By the time it had ended all paving operations were clamoring for paving dates with various plants and LAE had to wait in line like everybody else.
- 9. Added Work
  - a. Import, place and excavate added 120" RCP preload. [ 1.1 MONTHS / 23 Working Days]
    - i. Duration added for additional work: soil to be imported, placed and excavated after settlement (added requirement). Duration per Re-Baseline schedule.
  - b. RCP Alignment, Elevation, Pit depth and added Bench, added length of pipe and seal. [1.3 MONTHS / 27 Working Days]
    - i. Duration added due to realignment of pipe and added length and seal requirements. Specifics are detailed in the approved CCO, however, the new pit location and depths on the west side (as a result of new alignments and depths) required LAE to build a bench up and around the excavation site to create a reactive load to jack against. This required the install and removal of the bench, added depth of excavation and backfill for the pit. Additional ~25' of radius pipe was added and all joints were to be sealed.

Best Regards,

Pedram Afshar



Delay Type	Months
<b>Cesation of Work, Sequencing, Unforseen and Acts of God</b>	
CW Permit Delays - Slippage 10.20.20 - 2.13.21	4
SQ Clear and Jack 5.25 - 6.1	0.25
SQ Jack and Import 6.2 - 7.1	1
CW Relineat Settlement Delay 9.21.21 - 11.23.21	2
UNF Jack Sub Mob. Availability Delay 11.24.21 - 1.23.22	2
UNF De-watering Delay 2.1 - 4.11.22	2
UNF RCP Phase I Struct Ex Uninstall Mat Delay 10.11 - 10.21.22	0.5
AOG Rain Month 3..10.22 - 3.31.22 - Atmospheric River (AOG)	0.75
SQ Rd Work Phase 3 ord 10.18.23 - 1.19.24 (**less road work delays**)	3
UNF Road Work DELAY 11.11.23 - 12.13.23 **	*** 1
AOG Rain Week 12.19 - 12.22.23 - 1000 Year Storm (AOG)	***0.25
UNF Delay Rd Work 2 12.26.23 - 1.3.24 **	***.25
<b>Added Work</b>	
Add Import / Preload / Relineat Install / Excavate	1.1
ADWK Import/preload 82:97 = (15 WK Days) - ReBaseline	
ADWK RMV Preload 3:11 = (8 WK Days) - ReBaseline	
RCP Legnth, Depth, Location and Seal	1.3
ADWK Pit Depth and Bench Install and Excavate (15 WK Days) - CCO 018	
ADWK Legnth of Pipe 250 to 275 with radius (7 WK Days) - CCO 018	
ADWK Seal (5 WK days) - CCO 018	
Utilities	
€-900-3-weeks-(concurrent)	0
Restroom-1-weeks-(concurrent)	0
<b>Total Months</b>	<b>17.9</b>

#	Date Received	Description
1	2/7/2020	Tunnel Grades
2	8/12/2020	Hole 3
3	8/25/2020	120" RCP Alignment #2
4	11/2/2020	120" Grades and County Revisions (Gasket)
5	3/12/2021	Traffic Sings and Monuments
6	n/a	not used
7	6/15/2021	Revised Preload Diagram for RCP Aignment 2 (elbows deep)
8 - Pre	9/7/2021	Reload Diagram For RCP Alignment 3 (elbows shallow)
8	10/7/2021	Official Plan 8
8R	10/13/2021	Final RCP Alignment #3

