

CHANGE ORDER No. 12

Project: 2017 Nacimiento Dam Spillway Emergency Repair Project	Date: May 1, 2024
Project No.: 005	Notice to Proceed: December 8, 2017
Owner: Monterey County Water Resources Agency 1441 Schilling Place – North Building Salinas, CA 93901	Contractor: Graniterock Company 5225 Hellyer Avenue, Suite 220 San Jose, CA 95138

The Non-Exclusive Emergency Repairs Agreement made and entered into by and between Monterey County Water Resources Agency (hereinafter “AGENCY”) and Graniterock (hereinafter “CONTRACTOR”) on December 7, 2017, (hereinafter “AGREEMENT”) is changed pursuant to Article 4 as follows:

Paragraph 3.1 shall read:

CONTRACTOR shall be compensated for work completed under this AGREEMENT on a time and materials basis per completed item in accordance with the terms, up to a total amount not-to-exceed \$ 1,581,217.

The remainder of the AGREEMENT is in full force and effect.

Purpose of the Changes: Time to Substantial Completion was extended to April 26, 2018, in Change Order No. 1 to complete work described in EXHIBIT B. Time to Substantial Completion was extended to December 31, 2018, by Change Order No. 2 due to late March 2018 rains as the Reservoir elevation rose and the high-level gates were used for spillway releases. Also, the Agency did not allow the contractor to work in the spillway during releases for safety and access reasons. Change Order No. 3 extended the Time to Substantial Completion to September 30, 2019, and increased funding for work remaining in EXHIBIT B and additional work in the spillway needed pursuant recommendations in the 2018 Nacimiento Dam Spillway Condition Assessment Report. Federal Energy Regulatory Commission (FERC) approval of the additional work is needed before contractor may proceed. Change Order No. 4 extended the Time of Substantial Completion to September 30, 2020, to accomplish the Nacimiento Dam Spillway Repair Scope of Work Revision 1, dated August 29, 2019. Work specified in the Nacimiento Dam Spillway Repair Scope of Work was unable to be completed in 2019 and early 2020 as FERC approval to proceed was received in October 2019 and equipment and personnel had to be removed from the spillway for potential 2019-20 winter reservoir operations. Change Order No. 5 increased the contract value and extended the Time of Substantial Completion to continue work specified in the Nacimiento Dam Spillway Repair Scope of Work. The amount allocated from Change Order #5 for payment in fiscal year 2019-2020 was under-estimated and Change Order #6 increased the contract amount to account for the total cost of work performed in fiscal year 2019-2020. Change Order #7 increased the contract amount to continue work specified in the Nacimiento Dam Spillway Repair Scope of Work in fiscal year 2020-21. Change Order #8 increased the contract amount and extended the Time of Substantial Completion to continue work specified in the Nacimiento Dam Spillway Repair Scope of Work in Fiscal Year 2021-22. Change Order #9 increases the contract amount to complete repair of spillway chute Panel 14R and grouting at adjacent spillway wall footing as a result of findings from Nacimiento Dam Spillway Repair Scope of Work Section 1.0 - Borescope Exploration. Repair of spillway chute Panel 14R and grouting at adjacent spillway wall footing will be performed in accordance with Plans dated April 18, 2022, and Technical Specifications dated April 2022 prepared by GEI Consultants, Inc. Change Order #10 extends the Time of Substantial Completion because late approval from regulatory agencies did not allow sufficient time for repair of spillway chute Panel 14R and grouting at adjacent spillway wall footing to occur prior to the fall/winter rainy season.

Change Order #11 did increase the contract amount and time of Substantial Completion in anticipation of completion of repair in 2023. This Change Order #12 will increase the contract amount to complete repair of spillway chute Panel 14R and grouting at adjacent spillway wall footing as a result of findings from Nacimiento Dam Spillway Repair Scope of Work Section 1.0 - Borescope Exploration. Repair of spillway chute Panel 14R and grouting at adjacent spillway wall footing will be performed in accordance with Plans dated April 18, 2022, and Technical Specifications dated April 2022 prepared by GEI Consultants, Inc. Work shall be paid for on a Time and Materials basis up to a Guaranteed Maximum Price of \$ 752,610 payable from FY 2023-24 Fund 116 – Nacimiento Dam Operation and Maintenance, to include one mobilization, one continuous operation, and regular Monday-Friday 8-hour per day work shifts.

Original value of AGREEMENT:		\$ 200,000.00
Value of increase by Change Order No. 1:	-----	\$ 89,000.00
Value of increase by Change Order No. 2:	-----	None
Value of increase by Change Order No. 3:	-----	\$ 123,000.00
Value of increase by Change Order No. 4:	-----	None
Value of increase by Change Order No. 5:	-----	\$ 260,000.00
Value of increase by Change Order No. 6:	-----	\$ 9,517.00
Value of increase by Change Order No. 7:	-----	\$ 30,000.00
Value of increase by Change Order No. 8:	-----	\$ 20,000.00
Value of increase by Change Order No. 9:	-----	\$ 769,700.00
Value of increase by Change Order No.10:	-----	None
Value of increase by Change Order No.11:	-----	\$ 80,000.00
AGREEMENT value including this Change Order:	-----	\$ 1,981,217.00

Time to Substantial Completion Change Order No. 1: 140 calendar days from Notice to Proceed
(Substantial Completion Date Change Order No. 1 - April 26, 2018)

Time to Substantial Completion Change Order No. 2: 384 calendar days from Notice to Proceed
(Substantial Completion Date Change Order No. 2 - April 26, 2018 – December 31, 2018)

Time to Substantial Completion Change Order No. 3: 653 calendar days from Notice to Proceed
(Substantial Completion Date Change Order No. 3 - December 31, 2018 – September 30, 2019)

Time to Substantial Completion Change Order No. 4: 1,028 calendar days from Notice to Proceed
(Substantial Completion Date Change Order No. 4 - September 30, 2019 – September 30, 2020)

Time to Substantial Completion Change Order No. 5: 1,485 calendar days from Notice to Proceed
(Substantial Completion Date Change Order No. 5 – September 30, 2020 – December 31, 2021)

Time to Substantial Completion Change Order No. 8: 1,850 calendar days from Notice to Proceed
(Substantial Completion Date Change Order No. 8 – December 31, 2021 – December 31, 2022)

Time to Substantial Completion Change Order No. 10: 2,215 calendar days from Notice to Proceed
(Substantial Completion Date Change Order No. 10- December 31, 2022- December 31, 2023)

Time to Substantial Completion: 2,580 calendar days from Notice to Proceed

The Substantial Completion Date is: December 31, 2024

Monterey County Water Resources Agency

Graniterock Company

Ara Azhderian, General Manager

Print Name

Date: _____

Signature

Title

Date: _____

Approved as to Form:

Deputy County Counsel

Auditor-Controller's Office

County Administrative Office

Date: _____

Date: _____

Date: _____