

**CONTRA COSTA COUNTY
PUBLIC WORKS DEPARTMENT
BUCHANAN AIRFIELD
550 SALLY RIDE DRIVE
CONCORD, CALIFORNIA 94520
(925) 681-4200**

Effective Date: September 19, 2024

File:

CHANGE ORDER NO. 106

Contract for
Construction of: BUCHANAN AIRFIELD AVIATION/ARFF/ADMINISTRATION BUILDING

Effective Date of
Contract: April 27, 2021

Authorization WO5304 and FAA AIP No. 03-06-0050-2

TO: W.E. Lyons Construction
1301 Ygnacio Valley Road, Suite 200
Walnut Creek, CA 94598

You are hereby directed to make the following changes in this Contract:

ADJUSTMENT IN COMPENSATION AT AGREED LUMP SUM PRICE:

Compensate Contractor for settlement of all claims relating to alleged delays, disruption, acceleration, extra expenses, extended overhead, interest, and other impacts on the above project, including without limitation:

Item [insert #]-01: All items described in Contractor's Claim Notices 01 through 06 (Claims #1 through #6) dated 5/17/2023.
Item [insert #]-02: All items described in Contractor's Claim Notices 07 and 08 (Claims #7 and #8) dated 6/2/2023.
Item [insert #]-03: All items described in Contractor's Claim Notice 09 (Claim #9) dated 8/10/2023.
Item [insert #]-04: All items described in Contractor's Claim Notices 11 through 13 (Claims #11 through #13) dated 3/26/2024. \$2,100,000.00
Item [insert #]-05: All items described in Contractor's Claim Notice 14 (Claim #14) dated 5/22/2024 and 6/20/2024.
Item [insert #]-06: All items described in Contractor's Claim Notice 15 (Claim #15) dated 6/5/2024.
Item [insert #]-07: All items described in the RFIs, CORs and TIEs referred to in the above Claim Notices and Claims.

For settlement of the above claims, Contractor shall receive and accept an agreed lump sum of \$2,100,000.00 and a time extension of 478 calendar days. This sum and time extension constitute full and complete compensation for providing all labor, material, equipment, tools, and incidentals, including all markups and overhead by reason of this change. By signature below, Contractor agrees to accept the lump sum and time extension as full compensation for all direct and indirect costs for the Change Order work and as full compensation for any effects the change may have on the project in its entirety and/or on time required to complete the project.

Global Settlement

This Change Order is intended to constitute a global settlement of all claims and issues on this project that have occurred, that have been mentioned in the project records or correspondence, or that could be asserted by Contractor at any time ("Released Claims"), including without limitation all indirect, cumulative, or impact costs arising from or related to the Released Claims. In consideration of payment of the agreed lump sum amount and time extension as specified in this Change Order, Contractor, on behalf of itself, its bonding company(ies), subcontractors, and suppliers, agrees to release and forever discharge County, its officers, agents, employees, architects, consultants, and attorneys from any and all claims, actions, liability, or damages arising from or related to the Released Claims. Nothing in this Change Order shall constitute an admission of liability on the part of County or an admission or implication of the validity of Contractor's claims.

As a further part of the global settlement, Contractor agrees, at its sole expense, to complete the following punch list items no later than February 28, 2025:

- (1) Repair/replace sliding doors in kitchen and watch room that are not rated for exterior use.
- (2) New sweeps under exterior doors
- (3) Repair parking lot birdbath area.

Pending completion of those items, \$200,000 shall be withheld from the agreed lump sum payment. Should Contractor fail to complete the punch list items by the deadline, the withheld amount shall be retained by County and not paid to Contractor.

Contract Summary:

The Original Contract Sum was	\$ 12,990,000.00
Net Change by previously approved Change Orders	\$ 2,544,003.42
The Contract Sum before this Change Order was	\$ 15,534,003.42
Contract Sum will be INCREASED by this Change Order	\$ 2,100,000.00
The new Contract Sum, including this Change Order will be	\$ 17,634,003.42

The Completion Time will be increased by this Change Order by 455 calendar days from January 31, 2023 to April 30, 2024, the date on which County occupied the project.

RECOMMENDED BY:



_____	_____	NA	_____
Vanir Construction Management, Inc	Date	Contra Costa Cty Buchanan Field	Date
R. Eric Martin		Russell Milburn	
Snr Project Manager		Assistant Director of Airports-Operations	

Not valid until signed by both County and Contractor. By signature below, Contractor indicates acceptance of price stated herein as full compensation for all direct and indirect costs for all work described above, and as full compensation for any effects this change may have on the project in its entirety, on the time required to complete the project, and/or on the cost to Contractor of completing the project.

COUNTY:

CONTRACTOR:

By _____	_____	By _____	_____
Contra Costa County	Date	WE Lyons	Date
Greg Baer			
Director of Airports		Title	