#### State of Rhod land and Providence Plantations

Date:

DEPARTMENT OF TRANSPORTATION Construction Management Section

# **CONTRACT ADDENDUM (CA)**

FEIN:

CARDI CORPORATION 400 LINCOLN AVENUE Contractor:

WARWICK, RI 02888

PM:

Innocent, Robens

RE:

Moschetti, Michael

Purchase Order No. 3545687

**Award Date** 

CA No.

034

RIFAP No.

BRO-0038(010)

2017-CB-071

RIC No. PTSID No. FHWAOversight.

0013L

Project:

Bridge Group 38 - Rt 146 Corridor

Location:

North Smithfield, RI; Providence, RI

**BRIEF DESCRIPTION OF WORK:** 

INCENTIVE BONUS WOONSOCKET HILL BRIDGE NO. 442

[ ] This change should be considered for a TIME EXTENSION as it may impact the critical path of this contract.

Percent of increase to original contract:

2.20 %

Percent of increase to date:

34.48 %

**NEW INCREASE (DECREASE):** 

\$150,000.00

Acct No./Budget Code	F.A.P. No.	Amount	% Breakdown
	BRO-0038(010)	\$120,000.00	80% FEDERAL
	BRO-0038(010)	\$30,000.00	20% STATE

This CA represents work and/or changes contained in the attached Report of Change (ROC# 034)

	6		
6/24/19 1. Date	They by	Contractor	
2. 7(16(19 Date	DOT Director (si	gnature req'd if over \$100k)	
3. 7/23/14 Date 7	State Purchasin	g Agent/Authorized Agent	
, , ,			

Pelo	
7/3/17	

PTSID-GOI3L

6/22/2019

#### State of Rhod land and Providence Plantations

DEPARTMENT OF TRANSPORTATION

Construction Management Section

## REPORT OF CHANGE (ROC)

Purchase Order No. 3545687 FEIN: **Award Date** CARDI CORPORATION **Contractor:** 400 LINCOLN AVENUE ROC No. 034 WARWICK, RI 02888 RIFAP No. BRO-0038(010) PM: Innocent, Robens RIC No. PTSID No. 2017-CB-071 0013L RE: Moschetti, Michael

**Project:** Bridge Group 38 - Rt 146 Corridor

**Location:** North Smithfield, RI; Providence, RI

BRIEF DESCRIPTION OF WORK: INCENTIVE BONUS WOONSOCKET HILL BRIDGE NO. 442

[ ] This change should be considered for a TIME EXTENSION as it may impact the critical path of this contract.

Percent of increase to original contract:

2.20 %

Percent of increase to date:

34.48 %

**NEW INCREASE (DECREASE):** 

\$150,000.00

Acct No./Budget Code	F.A.P. No.	Amount	% Breakdown
12.070.39WID. R 649.0	BRO-0038(010)	\$120,000.00	80% FEDERAL
D. MO. 3885761. L9 WHIGH )	BRO-0038(010)	\$30,000.00	20% STATE

This document is a Report Of Change to the original contract, therefore, the work referenced above shall be performed as required under the original contract and in accordance with any supplementary or special provisions pertinent thereto.

	1.	6/24/19 Date	Contractor
	•	_	2-2019 Mf hum 5
	2.	Date	Construction Manager
	3.	6/28/19 Date	Const. AM/Mgr. Of Const. Management
N.	4.	07/02/19 Date	Project Manager
	5.	7 Space	Pyojec Management Manager
	6.	7/9/6g	Droject Managemen Administrator(if required)
	7.	N/A Date	Internal Audit Manager
		flen	hen M (hobbing 23USC/06B
	8.7	10/19 Date	Federal Agency Review(if required)
		11011	[ ] Non-Participating [/] Participating
	9.	7/12 Date 8	Federal Funding Review
		,	CC 12-19
			Page

Notes:	
Jak g Ung	

FHWAOversight.

## State of Rhode Island and Providence Plantations

Date:

6/22/2019

DEPARTMENT OF TRANSPORTATION Construction Management Section

## **REPORT OF CHANGE (ROC)**

Contractor:

CARDI CORPORATION

**PO Number** 

Project:

Bridge Group 38 - Rt 146 Corridor

**Award Date** 

ROC No.

034

Location:

North Smithfield, RI; Providence, RI

RIC No.

2017-CB-071

RIFAP No.

BRO-0038(010)

#### **SUMMARY**

ROC CATEGORY	%TOTAL ROCs OF THIS CATEGORY	TOTAL \$ AMT OF THIS CATEGORY	% THIS ROC OF THIS CATEGORY	\$ AMT THIS ROC OF THIS CATEGORY
CD - Discretionary - Change Directive	6.38 %	\$150,000.00	100.00 %	\$150,000.00
* DE - Potential Design Errors/Omissions/Unbuildable Designs	54.72 %	\$1,286,535.30	0.00 %	
DQ - Discretionary - Quality Adjustment	3.86 %	\$90,853.47	0.00 %	
DS - Differing Site Conditions	4.15 %	\$97,452.63	0.00 %	
LA - Liquid Asphalt/Diesel Fuel	3.23 %	\$75,989.30	0.00 %	
QA - Quantity Adjustment	27.66 %	\$650,222.19	0.00 %	
	TOTAL ROCs TO DATE	\$2,351,052.89	NET INCREASE THIS ROC	\$150,000.00
тот	AL ROCs % OF CONTRACT	34.48 %	THIS ROC % OF CONTRACT	2.20 %

<sup>\*</sup> This ROC category is for RIDOT's use only and is neither an express nor an implied admission or assignment of liability.

### **ITEM DETAILS**

ITEM	ROC CAT	DESCRIPTION	UNIT	EXISTING QUANTITY	REVISED QUANTITY	CHANGE IN QUANTITY	UNIT PRICE	AMOUNT
166.0001	CD	INCENTIVE BONUS WHB No. 442	LS	0.00	1.00	1.00	\$150,000.00	\$150,000.00
						TOTAL F	ROC AMOUNT:	\$150,000.00

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6/22/2019

#### State of Rhode Island and Providence Plantations

DEPARTMENT OF TRANSPORTATION
Construction Management Section

## REPORT OF CHANGE (ROC)

Contractor:

CARDI CORPORATION

Bridge Group 38 - Rt 146 Corridor

**PO Number** 

**Award Date** 

ROC No.

034

RIC No.

2017-CB-071

Location:

Project:

North Smithfield, RI; Providence, RI

RIFAP No.

BRO-0038(010)

#### **BRIEF DESCRIPTION OF WORK:**

INCENTIVE BONUS WOONSOCKET HILL BRIDGE NO. 442

#### **JUSTIFICATION BY ITEM**

New Item #166.0001 INCENTIVE BONUS WHB No. 442 - This ROC/CA is being submitted to create an item in the amount of \$150,000.00 for the incentive bonus to compensate the contractor for being substantially complete on November 20,2018 and the opening of Woonsocket Hill Bridge No.442 on November 21, 2018 on time before the contract substantial completion of 12/15/2015 for Woonsocket Hill Bridge No. 442. Please refer to attached Approval Roc/Ca (BOO) Incentive Milestone Completion Date, contractor letter for substantial completion, request for extension of time and revision for the incentive bonus by the Department attachment # 2 and JS pages for backup.

This ROC/CA provides full and complete compensation for this work and has no affect on the substantial completion date of 12/15/2018 for Woonsocket Hill Bridge No. 442

# Construction ROC Check List

# PTSID # 0013L

Check Box	INCENTIVE BONS WHB #44 Subject 1801/10 # 034. CECT
N/A	Checked Major/Minor item Specification
N/A	Included Price analysis if required
X	Included pictures
N/A	Included appropriate plans sheets.
N/A	Unused Contract items utilized to reduce value of this ROC.
N/A	Checked F.A. Equipment rates, etc.
X	Checked and included Applicable J.S. pages
N/A	Included Contractor notice of Extra work
N/A	Is this an FHWA Oversite Project
N/A	Include Work done not paid form produced by latest payment
Х	Make sure you have correct funding Code for new items.
Х	Make sure you have correct Item Code for new items.
Х	Make sure to include PTSID number on all backups
X	Include copy of PM notification email.

Construction Manager MICHAEL J. MOSCHETTI	Area Engineer JON PEZZULLO / Tame One
Signature // / / / / / / / / / / / / / / / / /	Signature
4242019	

# 2017-CB-071 - ROC/CA # 34

# Moschetti, Michael (DOT)

Sat 6/22/2019 9:01 AM

To:Innocent, Robens (DOT) < Robens.Innocent@dot.ri.gov >;

Cc.Orr, James (DOT) <james.orr@dot.ri.gov>; Pezzullo, Jon (DOT) <jon.pezzullo@dot.ri.gov>;

## Robens

ROC/CA # 34 in amount of \$150,000.00 for the Incentive Bonus for Woonsocket Hill Bridge No. 442 is being submitted for processing.

## Thank you

Michael J. Moschetti Construction Management Project Supervisor

Rhode Island Department of Transportation
Construction Management Group
Two Capitol Hill
Providence, RI 02903
E-mail: Michael.Moschetti@dot.ri.gov
401-641-4034 State Cell
401-524-1515 Personal Cell



## CONSTRUCTION INDUSTRIES

## MAIN OFFICE ADDRESS: 400 LINCOLN AVE, WARWICK, RI 02888

November 19, 2018

Mr. Michael Moschetti Resident Engineer RIDOT 2 Capital Hill Providence, RI 02903 (401) 524-1515

RE: 2017-CB-071 - Improvements to Route 146 Corridor Bridges

Mr. Moschetti:

This is to inform you that as of tomorrow November 20, 2018, Woonsocket Hill Bridge will be substantially complete. We plan to open the bridge up to traffic on Wednesday November 21, 2018.

Should you have any questions or concerns, please feel free to contact me anytime at (401) 640-7958 or at amattiellocal cardicorn.

Sincerely,

Nicholas Nattiello

Cardi Corporation Nicholas Mattiello Project Superintendent

> Field Office Address: 100 Allens Ave Providence, RI 02908

PTSID#CC13C

specific times in accordance with the restrictions defined in the Transportation Management Plan (TMP).

## **Contract Completion Dates:**

All work of this contract is to be substantially complete by May 1, 2019.

- A. Work within the roadway shall be completed in accordance with the Traffic-Related Work Restrictions indicated in the Transportation Management Plan.
- B. One week prior to the Pre-Construction conference, the Contractor must submit to the Department for approval a detailed construction work sequence and time schedule in accordance with Section 12.108.03 of the latest revisions of the Rhode Island Procurement Regulations for the completion of all work associated with this Contract and the requirements it contains. Approval of the work sequence and time schedule is required before the start of any construction or other work associated with the contract. The proposed construction and time schedule must consider and address the safe vehicle and pedestrian passage through the Project.
- C. During the pavement removal operations, no over breakage into the operational travel lanes will be allowed.
- D. The Contractor shall plan his work such that at the end of each working day all of the pavement removal and/or paving operation shall be squared off from one edge of pavement to the other edge of pavement.
- E. The Contractor shall schedule pavement removal such that no location within the limits of the project over which traffic flow is to be maintained shall remain without the surface course for longer than 10 working days, unless otherwise approved in writing by the Engineer.
- F. Any deviations from the requirements stated here or detailed in the reference drawings, as well as any deviations from the approved construction work sequence and time schedule must be submitted to the Engineer in writing for approval.

#### 7. MAINTENANCE AND MOVEMENT OF TRAFFIC:

Approval of the work sequence and time schedule is required before the start of any construction or other work associated with this contract. The proposed construction and time schedule must consider and address the safe vehicle passage through the project.

In addition to the requirements of the Standard Specifications for Road and Bridge Construction and the Special Requirements of other sections of these contract documents, the Contractor must adhere to the following requirements;

The Contractor is advised that the signs and other traffic control devices shown on the Plans are minimum requirements, and it is the Contractor's responsibility to supplement these if necessary

PHSIDFACISC

Date:

09/13/17

RIC No: 2017-CB-071

## JOB SPECIFIC

CODE: 108.1000

## PROSECUTION AND PROGRESS

**DESCRIPTION:** In accordance with Section 108:08; FAILURE TO COMPLETE ON TIME, Para. a., Phased Completion, Interim Completion and Substantial Completion, the following defines the Interim and Substantial Completion Dates and Associated Liquidated Damages:

<u>Substantial Completion (Woonsocket Hill Bridge):</u> December 15, 2018. All Contract work shall be completed, as defined by Section 101.71.

Liquidated Damages: \$5,000 Per Calendar day.



. Date:

09/13/17

RIC No: 2017-CB-071

# JOB SPECIFIC

CODE: 108.11

## INCENTIVES AND DISINCENTIVES

**DESCRIPTION:** The payment provisions set forth elsewhere in the Contract are supplemented by the terms of this Special Provision.

## SUBSTANTIAL COMPLETION DATE #1:

A monetary incentive or disincentive will be applied to the following interim completion duration according to the terms herein:

Substantial Completion Date #1 (hereafter referred to as "SCD #1"): as defined in Code 108.1000 Prosecution and Progress, shall be completed.

## INCENTIVE AND DISINCENTIVE ASSESSMENT:

Incentive (positive assessment): For each day that the defined work is completed prior to SCD #1, an incentive equal to the sum of \$5,000.00 per calendar day up to a maximum of thirty days will be added to any monies due the Contractor. This incentive will be calculated from SCD #1 up to the actual completion time of the defined work.

Disincentive (negative assessment): Correspondingly, for each day that defined work remains incomplete after SCD #1, a disincentive equal to the sum of \$5,000.00 per calendar day will be deducted from any monies due the Contractor. This disincentive will be calculated from SCD #1 up to the actual completion time of the defined work.

In no case shall the incentive be greater than \$150,000.00 for SCD #1. There will be no limit to the total disincentive for the contract.

The disincentive amounts are assessed not as a penalty but as liquidated and ascertained damages based upon a percentage of road user costs for the time extending the SCD #1 beyond the specified date and time. The disincentive is for the purpose of recovering the road user costs resulting from delays to the Project. The Contractor should assume that disincentive assessments would commence at the specified completion date and time of from delays to the Project. The Contractor should assume that disincentive assessments would commence at the specified completion date and time of the SCD #1.

For purposes of determining whether the Contractor shall receive an Incentive Payment, the dates and times set forth in this specification will not be adjusted under any circumstance for any reason, cause, or circumstance whatsoever, regardless of fault. Should the Contractor be delayed in the commencement, prosecution, or completion of the work in SCD #1 for any reason, there shall be no revision of the Incentive Assessment calculation date and time or the Disincentive Assessment calculation date and time notwithstanding that there may be granted an extension of time for Work outside the SCD #1 in the Contract. Failure of the Contractor to complete the required work within the SCD #1 shall release and discharge the State, tire Department, and all of its officers, agents, and employees from all claims and demands for the payment of any incentive amount of damages arising from the refusal to pay any incentive amount.

Incentive Payment, if due the Contractor, will be made following acceptance of the project by the Engineer as substantial completion.

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Date:

09/13/17

RIC No: 2017-CB-071

Disincentive assessment will be deducted-horn monies due or to become due the Contractor upon determination by the Engineer that a Disincentive assessment is warranted. Any Disincentive assessed in accordance with this Special Provision shall be separate from and in addition to charges assessed in accordance with Subsection 937.05.02 and Code 937.1000.

ATTACHMENT #2
PTSID#CC13L

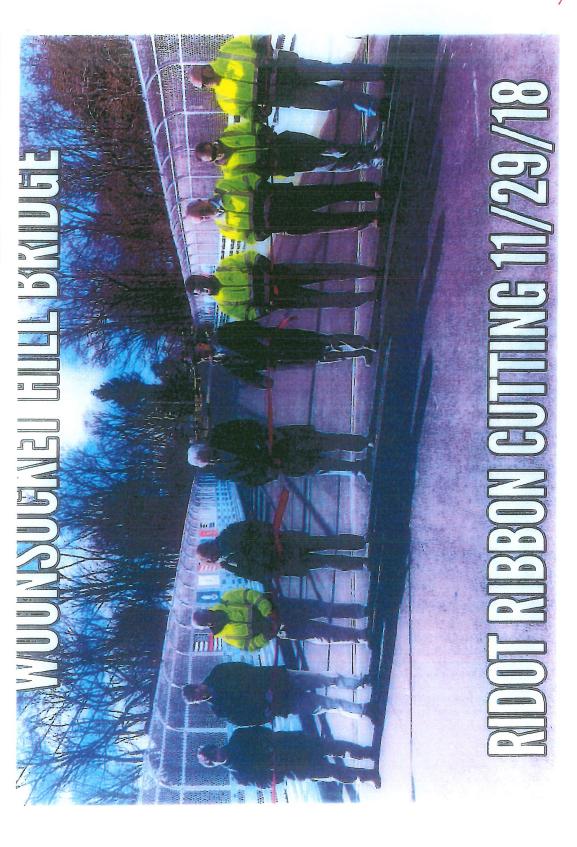
This ROC is being written in response to two notices of Potential Claim on the subject project. After careful consideration of past events and schedule we have decided on the following:

- In response to the Cardi's 4/13/18 correspondence requesting an 18-day delay towards the incentive milestone outlined in the contract. The Department agrees that Cardi was delayed by the work related to relocating two utility poles on either side of the bridge, which prevented pile driving activities. This delay directly affected Cardi's ability to achieve Substantial Completion Date #1 (SCD#1) as outlined in the JS Page #9 and 108.11 (December 15th, 2018 to open Woonsocket Hill Road). The Department offers to revise the cost per day of the incentive to give Cardi the opportunity to still achieve the maximum incentive amount. The new incentive amount will be \$12,500 per day if the work is completed prior to SCD #1, and shall be capped at \$150,000.00. The Department will hold December 15th, 2018 as SCD #1. The disincentive for completing after SCD#1 will remain the same, \$5,000.00 per day as outlined in the contract.
- In response to the 4/26/18 Notice of Potential claim regarding the rebar for the west abutment. Based on the conversation on Monday 4/30, the rebar in question does not affect the construction of the entire abutment, only the wing wall. The lead time for procurement of the additional rebar is not on the critical path for the milestone and therefore no additional time is warranted.

Now that all third-party work (i.e. utilities relocation etc..) is complete, any future delays will be handled as outlined in JS 108.11 Incentives and Disincentives.

\*ATTACHMENT # 2 REVISON FOR INCENTIVE BONUS\*

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		RID	OT - ROC/O	A Approval Request	
	RIC No: 2017 - CB	-071	Fap No:		ROC/CA# 600 Start Date 4/6/19
	Project: Balphe	Group	38 - R+	Hle Corridor	PTSID 0013L
sent to:	Project Management:  Jon Possello Area Mgy Mgr Constr  Project Manager 1	Initials  JP  ROTE	Date 4/11	Finals Review  sent to 5/7  Finals (S.Robbins)  sent to	Initials Date SMR 5/9/19
4/11	Project Manager 3	SA An	5/c/11 11110	FHWA (if required)  LORE, THE  Comments: DELAY OF	25, FML THE WILLITY BECZENIEGO & PASSECT,
sem to:	Division Management:  Manager of Project Management  Division Chief:	Initials	Date 5319	Financial Management: sent to: Federal Programs/Grants Chief Financial Officer	Initials Date 27 5/16/19 DC 5/10/19
	Project Management Administrator	VI			Rev 2/28/2019

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4/6/2019

# State of Rhode Island and Providence Plantation

# DEPARTMENT OF TRANSPORTATION

Construction Management Section

REPORT OF CHANGE (ROC)

FEIN:		A Company of the Comp	THE PROPERTY COMMENTS OF THE PROPERTY OF THE P	TT STY Million (March Commerce) 1975-1987 (TV 1987) Print Street	JPurchase Order N	0.	
Contractor:	CARDI CORPORATION				Original PO Date		
	400 LINCOLN AVENUE				ROC No.	BOO	
PM:	WARWICK, RI 02888				RIFAP No.		
RE:	Innoceni,Robens				RIC No.	2017-CB-07	į
4/1739	Moschetti,Michael				PTSID No. FHWAOversight.	0013L []	
Project:	Bridge Group 38 - Rt 146 Cor	ridor					
Location:	North Smithfield, RI; Provider	nce, RI					
BRIEF DESCI	ription of work:	INCENTIVE MIL	ESTONE COMPLI	ETION DAT	Б		
[ ] This cha	nge should be considered for a	TIME EXTENSION	V as it may impact	the critical pa	th of this contract.		
Percent of	increase to original contract:	0.00 %					
	Percent of increase to date:	34.41 %	new increase	(DECREAS	SE):	.50	0.00
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Date

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4/6/2019

# State of Rhode Island and Providence Plantations

# DEPARTMENT OF TRANSPORTATION

Construction Management Section

REPORT OF CHANGE(ROC)

Contractor:

CARDI CORPORATION

Project:

Bridge Group 38 - Rt 146 Corridor

PO Number

Award Date

ROC No.

BOO

Date:

KIC No.

2017-CB-071

Location:

North Smithfield, RI; Providence, RI

RIFAP No.

#### INCENTIVE MILESTONE COMPLETION DATE

This Report of Change is submitted to revise the contractual milestone completion date for Woonsocket Hill Bridge as outlined in JS 108.1000-page #8 (December 15th, 2018 to open Woonsocket Hill Road Bridge). The milestone date revision will provide for delay associated with utility pole relocation work that prevented scheduled pile driving activities. No contractual utility durations or agreements were in place or provided in the contract bid documents that would have been considered/included in the project schedule.

Cardi Corp's 4.13.18 correspondence requests and their contract schedule indicate a 18 day milestone delay for Woonsocket Hill Road Bridge. This 18 day delay to January 2nd, 2019 is warranted, accepted, and granted by The Department with the following understanding and agreement:

The milestone date has an incentive/disincentive value associated with the opening of Woonsocket Hill Road Bridge as stated in JS 108.11-pages 9 & 10 (the sum of \$5000.00/day up to a maximum of thirty days). It is agreed to by both The Department and Cardi Corp that if the full incentive value of \$150,000.00 is achieve by Cardi Corp, then no additional compensation associated with this milestone date revision to January 2nd, 2019 for Woonsocket Hill Road Bridge shall be claimed by Cardi Corp.

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4/6/2019

Dair:

# State of Rhode Island and Providence Plantations

# DEPARTMENT OF TRANSPORTATION

Construction Management Section

# CONTRACT ADDENDUM (CA)

FEIN: 3545687 Purchase Order No. Contractor: CARDI CORPORATION 400 LINCOLN AVENUE Award Date CA No. BOO WARWICK, RI 02888 RIFAP No. PIVI Innocent, Robens RIC No. 2017-CB-071 RE: Woschetti, Wichael 00131 PTSID No. FHWAOversight.

Project:

Bridge Group 38 - Ri 146 Corridor

Location:

North Smithfield, RI; Providence, RI

BRIEF DESCRIPTION OF WORK:

INCENTIVE MILESTONE COMPLETION DATE

[ ] This change should be considered for a TIME EXTENSION as it may impact the critical path of this contract.

Percent of increase to original contract:

0.00 %

Percent of increase to date:

34.41 %

NEW INCREASE (DECREASE):

\$0.00

Acct No./Budget Code F.A.P. No. Amount % Breakdown

This CA represents work and/or changes contained in the attached Report of Change (ROC# BOO)

1. 48 Q Notes:

2. Date DOT Director (signature req'd if over \$100k)

3. 1 Date State Purchasing Agent/Authorized Agent

TSID CCI3L

# Construction ROC Check List

2018-CB-071	PTSID 0013L
Subject - INCENTIVE MILESTONE COMPLETION DATE	
Checked Major/Minor item Specification	
Included Price analysis if required	
Included pictures	
Included appropriate plans sheets.	
Unused Contract items utilized to reduce value of this RCC.	
Checked F.A. Equipment rates, etc.	
Checked and included Applicable J.S. pages	
Included Contractor notice of Extra work	
Is this an FHWA Oversite Project	
Include Work done not paid form produced by latest payment	
Make sure you have correct funding Code for new items.	
Make sure you have correct Item Code for new items.	
Make sure to include PTSID number on all backups	
Include copy of PM notification email.	
	Subject – !NCENTIVE MILESTONE COMPLETION DATE  Checked Major/Minor item Specification  Included Price analysis if required  Included pictures  Included appropriate plans sheets.  Unused Contract items utilized to reduce value of this RCC.  Checked F.A. Equipment rates, etc.  Checked and included Applicable J.S. pages  Included Contractor notice of Extra work  Is this an FHWA Oversite Project  Include Work done not paid form produced by latest payment  Make sure you have correct funding Code for new items.  Make sure to include PTSID number on all backups

Construction Manager MICHAEL J. MOSCHETTI	Area Engineer JON PEZZULLO	
Signature	Signature Ton R. Peyanllo 46 2019 1 4 11 6	Ji

# 2017-CB-071 Roc/Ca INCENTIVE MILESTONE TIME EXTENSION

# Moschetti, Michael (DUT)

Lat J 6 20 (9 5 3" 5 k)

- ! Impoent Robens (DOT) < Robens.Innocent@dot.rt.gov>:
- Fezzullo Jan (DOT) sjon.pezzullo@dotri.gov.

## Robens

Roc/Ca AOO # 1 is being submitted for Incentive Milestone Time Extension for Woonsocket Hill Bridge No. 442 for approval. There is no dollar value for this Roc/Ca

Thank you

## Michael J. Moschetti

Resident Engineer

Rhode Island Department of Transportation Construction Management Group Two Capitol Hill Providence, RI 02903 E-mail: Michael.Moschetti@dot.ri.gov

Mobile: 401-641-4034

PT > 0013L



## CONSTRUCTION INDIVIDUSTRIES

WARWICK RHODE ISLAND 02888 (401)739 8300

April 13, 2018

Mr. Mike Moschetti Resident Engineer

Re: Request for Extension of Time Rhode Island Contract No. 2017-CB-071 Route 146 Corridor Bridges

Dear Mr. Moschetti:

As you know. Cardi Corporation was delayed by a total of it calendar days on the incentive milestone for the completion of the Woonsocker Hill Bridge. This delay was caused by the unforeseen need to relocate two utility poles at each abutment return wall. The overhead wires were in direct conflict with the planned pile driving operation at the East Abutment, which was on the critical path to the incentive milestone (see attached baseline schedule critical path to incentive milestone). Although the Department made a valent and commendable effort in order to mitigate the unforeseen utility delay in time to avoid delaying the critical pile driving operation, several sever snow storms in the Month of March 2018, pushed the utility work out further than anticipated. The utility delay caused a total loss of 18 calendar days to the incentive milestone for the completion of Woonsocket Hill Bridge. Cardi Corporation is respectfully requesting an 18 calendar day time extension request to the calculated November 15, 2018 full incentive milestone date.

Cardi Corporation was notified at the preconstruction conference that there were required utility relocations (National Grid Electric, Verizon, & Cox) which were not carried in the Contract documents. The Department immediately began to procure purchase orders with the individual utilities in order to avoid any delay to the Contractors intended work sequence. Fortunately, the superstructure and a majority of the substructure were removed without the utility relocation, leaving small section of return wall at each abutment until the poles could be relocated. Cardi Corporation informed the Department that the utilities would need to be relocated a few days prior March 27, 2018 (to complete return wall demo and completion of structural excavation), the critical start date for the pile driving operations (return wall to be removed and completion of structural excavation), or the incentive date would be delayed.

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The Department had a projected completion date of mid-March 2018 for the utility relocations. This projected utility relocation completion date was delayed by the utility companies due to the shortage of labor resources caused by several sever show storm events (Nor'easters) causing power outages experienced throughout the Northeast. The utility coles were relocated by April 6, 2018 and the demo of the return wall / structural excavation at the East Abutment was completed on April 10, 2018, with pile driving projected to commence on April 12, 2018.

The unforeseen utility work became the driving activity on the critical path to the incentive milestone in Schedule Update No. 4 (Data Date 3/14/18). At the schedule progress meeting on 3/14/18 Cardi was informed by the Department that the utility work had yet to be completed. Accordingly, the completion of the utility work was projected out to 3/28/18 in this update, resulting in an 11 calendar day delay to the incentive milestone (see attached UP04 critical path to incentive milestone). The utility delay remained the leading activity on the critical path to the incentive milestone in Schedule Update No. 5 (Data Date 3/28/18). The physical work had commenced but was not yet completed, resulting in a projected 29 calendar day delay to the incentive milestone (see attached UP05 critical path to incentive milestone), based on a newly projected April 11, 2018 completion date for the utility relocation work. The utility relocation work was completed on April 06, 2013 with the removal of the utility poles as captured in Schedule Update No. 6 (Data Date No. 04/11/18) allowing Cardi Corporation to remove the partial return walls and complete the structural excavation at the east abutment by April 10, 2018. The H-pile work operation was now the leading activity on the critical path to the incentive milestone (see attached UP06 critical path to incentive milestone), which was now showing a total delay of 18 calendar days behind schedule.

Accordingly, Cardi Corporation is respectfully requesting an excusable time extension of 18 calendar days to the calculated full incentive milestone date of November 15, 2018. This extension of time would extend the calculated full incentive interim milestone date from November 15, 2018 to December 3, 2018, which may require the extension of the December 15, 2018 contractual milestone, depending on the chosen method of milestone adjustment or direct reimbursement. Cardi Corporation considers this extension of time as an equitable and fair adjustment to compensate the Contractor for lost incentive time caused by unforeseen circumstances well beyond the Contractors control.

Very truly yours:

CARDI CORPORATION

Sean Corrigan

Senior Project Scheduler

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CB10000020	Bid Opening	0183B - 0 18-Oct-17	0.000	0 ♦ Bid Opening
CB30150040	Prep & Sub Geotechnical Monitoring Instrumentation	. 7	23-Dec-17	
CB30150060	Rev & App Geotechnical Monitoring Instrumentation	- 45	_	1 Rev & App Geotechnical Monitoring Instrumentation
CB50050020	Nobilization	- 7		
CB50050010	Digsale	۰ ۰		1 Nobilization
CB50100010	Install Initial Temp Construction Signs - Woonsocket Hill Rd Br	0193B - 3 15-Feb-18	19-Feb-18	
CB50100030	Insiall Erosion Controls - Woonsocket Hill Rd Br		22-Feb-18	
CB50100050	Clear & Grub - Woonsocket Hill Rd Br	· a	28-Feb-18	2 Clear & Grub - Moonsonket Hill Rd Br
CB50100060	Install Barricades, Construction Signs, Barrels, and Close Bridge to Traffic - Woonsocket Hill Rd Br		01-Mar-18	
CB50100000	Install Lemporary Precast Barrier @ Bridge Approaches - Woonsocket Hill Rd Br	0193B - 2 02-Mar-18	05-Mar-18	-
CB60100020	Install o - r the ripulary Chain Link Fence で Gates - Vuoonsocket Hill Rd Br R&D Fxisting Proteotive Screen Fence - Rickes No. 442	သ	08-Mar-18	2 Install6-Ft Temporary Chain Link Fence & Gates - Woonsockei Hill Rd Br
CB80100000	DAD Evicting Apphali Bridge Payamoni Bridge No. 442	2	07-Mar-18	
CB60100040	Detour Route 146 NB & SB Traffic for Superstructure Demo Work - Route 146	0183B - 1 10 Mar 18	10 Mar 18	
CB60100050	ানstall Crane Mais over Exist Pavement on Route 146 - Bridge No. 442		10-Mar-18	
CB60100060	Sawcut & Demo Existing Conctrete Bridge Superstructure - Bridge No. 442	- 2	11-War-18	Sawout & Demo Pristing Concrete Ridge Superstructure Prison No. 442
CBBOLOUDOS	Remove Existing Steel Girders & Diaphragms - Bridge No. 442	2	11-Mar-18	1 Remove Existing Steel Girders & Diaphragms - Bridge No. 442
CB60100110	ReD Existing East Abulment Bearings. Backwalls. Stem. 8 Winnwalls. Br.No. 442		17-Mar-18	_
CB60100095	R&D Existing East Abutment & Wingwell Footings - Bridge No. 442	۸ ۷	20-War-18	
CB60100175	Structural Excavation Earth @ East Abut - Bridge No. 442	0193B - 3 22-Mar-18	26-Mar-18	New Existing East Abultment & Wingwall Footings - Bridge No. 442
CB60100180	Install H-Pile Driving Frame @ East Abut - Bridge No. 442	2	28-Mar-18	
CB60100190	Sev & Ann Dynamic Test II Blic Bootile & East Abutment - Bridge No. 442	0193B - 1 29-Mar-18	29-Mar-18	
CB60100195	Drive 27-Fa Production H-Diles @ Fact Abritmont - Bridge No. 442	_	30-Mar-18	
CB60100200	Remove H-Pile Driving Frame @ East Abutment - Bridge No. 442	. 00		Drive 27-Ea Production H-Piles @ East Abutment - Bridge No. 442
CB60100205	Cut 29-Ea H-Piles @ East Abutment - Bridge No. 442	0193B - 7 13-Apr-18		
CB60100210	Weld L-bars to H-Piles @ East Abutment - Bridge No. 442		23-Apr-18	
CB60100215	FRP East Abulment Fooling - Bridge No. 442	Gi .		
CB60100220	Cure, Strip. & Backfill East Abulment Footing - Bridge No 442	. 7	07-May-18	
CB60100220	FRE NE Abument Stein - Bridge No. 482	0163F : 6 08-May-18	15-May-18	
CB60100235	Cure & Strip NE Abulment Stem - Bridge No. 442  FRP SE Abulment Stem - Bridge No. 472	- 7	22-May-18	
CB60100240	Cure & Strip SE Abutment Stem - Bridge No. 442	. i	31-May-18	0 FRP SE Abulment Stem - Bridge No 442
CB60100465	Drill & Grout Bearing Anchor Bolls @ Abutments - Bridge M2	7		
CB60100470	Drill & Grout Bearing Anchor Bolls @ Pier No. 2 - Bridge 442		11-Jun-18	
CB60100475	Install All Bridge Bearings & Sole Plates - Bridge No. 442	۰,	12-Jun-18	
CB60100480	Detour Route 146 NB & SB Traffic for Superstructure Erection - Route 146	۰.۱	15-Jun-18	
CB60100485	Ereci & Field Splice Bridge Girders - Bridge No. 442	د د	13 Jun 18	
CB60100490	Remove Erection Detour - Route 146	0183B - 1 17-Jun-18		0   Erect & Field Splice Bridge Girders - Bridge No. 442
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CB60100507	Install Deck Overhang Forms - Bridge No. 442	- 12 11-Jul-18 2	8	☐ Install Deck Overhang Forms - Bridge No. 442
CB60100520	Insiall Bottom Mat of Repar - Bridge No 442	0163F - 10 27-Jul-18 09-Aug-18	18	☐ Install Bottom Wat of Rebar - Bridge No. 442
CB60100525	Install Top Mat of Rebar w Strip Seal HW - Bridge No. 442	10 10-Aug-18	3	☐ Install Top Mat of Rebar w Strip Seal HW/ - Bridge No. 442
CB60100530	Insiall Gamaco Rail - Bridge No. 442	2 27-Aug-18	2	install Gamaco Rail - Bridge No. 442
CB60100535	Set Gamaco Machine & Dry Run for Deck Pour - Bridge No. 442	1 29-Aug-18	18	Set Gamaco Machine & Dry Run for Deat: Pour - Bridge No. 442
CB60100540	Pour Bridge Deck (Sections 1) - Bridge No. 442	1 30-Aug-18	18	Pour Bridge Deck (Sections 1) - Bridge No. 442
CB60100545	72 Hour Cure Between Deck Pours - Bridge No. 442		18	72 Hour Cure Between Deck Pours - Bridge No. 442
CB60100550	Pour Bridge Deck (Section No. 2) - Bridge No. 442	1 04-Sep-18	18 0	Pour Bridge Deck (Section No. 2) - Bridge No. 442
CB60100555	Wet Cure Bridge Deck - Bridge No. 442	0183B - 14 05-Sep-18 18-Sep-18	18 0	Wet Cure Bridge Deck - Bridge No. 442
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CB60100570	Cure & Strip Bridge Deck Sidewalks - Bridge No. 449	0183B - 5 05-Oct-18 09-Oct-18	0	Cure & Skip Bridge Deck Sidewalks - Bridge No. 449
CB60100575	Install 4 Bar Bridge Rail - Bridge No. 442	0163F · 6 10-Oci-18 17-Oci-18	18 0	ि Install 4 Bar Bridge Rail - Bridge No 442
CB60100590	Install Type 1 Protective Screen - Bridge No. 442	0163F - 6 18-Oct-18 25-Oct-18	18 0	I Install Type 1 Protective Screen - Bridge No 442
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R&D Partial Return Walls at Abulments Once Utility Poles Are Relocated - Br. No. 442		0%		1 Mar-29-18 Mar-29-18	0	_	0193B -	New Fellual Return Walls at Abutments Once Utility Poles Are Relocated - Br. No. 44	Structural Excession Early @ E	CB60100175
Relocate Poles & Utility Wires / Add Switches - National Grid Electric / Vertzen	Relocate Poles & Utilio	-8 74.14%		15 Jan-17-18A Mar-28-18	56 1	58	0183B -	Relocate Poles & Utility Wires / Add Switches - National Grid Electric / Verizon	Relocate Poles & Utility Wires /A	DELAYODO 10
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II Install Top Mat of Rebar w Strip Seal HW - Bridge No. 442				2 28	v 5	0163F -	Install Gamaco Rail - Bridge No. 442	CB60100530
☐ Install Bottom Mat of Rebar - Bridge No. 442				10 Au	100	0163-	Install Top Mat of Repar w Strip Seal HW - Bridge No. 442	CB60100525
☐ Install Deck Overhang Forms - Bridge No. 442	8 0%		Aug-07-18 Aug-23-18	12 Au	12 0	0163F -	Install Deck Overhang Forms - Bridge No. 442	CB60100520
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I Install End, Intermediate, & Pier Diaphragms - Bridge No. 442			Jul-16-18 Jul-25-18	8 Jul	8 0	0163F -	Install End, intermediate, & Pier Diaphragms - Bridge No. 442	CB60100500
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Date:

09/13/17 RIC No: 2017-CB-071

JOB SPECIFIC CODE: 108,1000

# PROSECUTION AND PROCEEDS

DESCRIPTION: In accordance with Section 105.08; FAILURE TO COMPLETE ON TIME, Para. a., Phased Completion, Interim Completion and Substantial Completion, the following defines the Interim and Substantial Completion Dates and Associated Liquidated Damages:

Substantial Completion (Woonsocket Hill Bridge): December 15, 2018. All Contract work shall be completed, as defined by Section 101.71.

Liquidated Damages: \$5,000 Per Calendar day.

PTS10# 00/3L

Date:

09/13/17

RIC No: 2017-CB-071

# <u>IOB SPRCIFIC</u> CODE: 108.11 INCENTIVES AND DISINGENTI, LO

DESCRIPTION: The payment provisions set forth elsewhere in the Contract are supplemented by the terms of this Special Provision.

#### SUBSTANTIAL COMPLETION DATE \$1:

A monetary incentive or disincentive will be applied to the following interim completion duration according to the terms herein:

Substantial Completion Date #! (hereafter referred to as "SCD #!"): as defined in Code 108.1000 Prosecution and Progress, shall be completed.

#### INCENTIVE AND DISINCENTIVE ASSESSMENT:

Incentive (positive assessment): For each day that the defined work is completed prior to SCD #1, an incentive equal to the sum of \$5,000,000 per catendar day up restrict multiple days will be added to any money due the Companion. This incentive will be calculated from SCD #1 up to the actual completion time of the defined work.

Disincentive (negative assessment): Correspondingly, for each day that defined work remains incomplete after SCD #1, a disincentive equal to the sum of \$5,000.00 per calendar day will be deducted from any monies due the Contractor. This disincentive will be calculated from SCD #1 up to the actual completion time of the defined work.

In no case shall the incentive be greater than \$150,000,00 for SCD #1. There will be no limit to the total disincentive for the contract.

The disincentive amounts are assessed not as a penalty but as liquidated and ascertained damages based upon a percentage of road user costs for the time extending the SCD #1 beyond the specified date and time. The disincentive is for the purpose of recovering the road user costs resulting from delays to the Project. The Contractor should assume that disincentive assessments would commence at the specified completion date and time of from delays to the Project. The Contractor should assume that disincentive assessments would commence at the specified completion date and time of the SCD #1.

For purposes of determining whether the Contractor shall receive an Incentive Payment, the dates and times set forth in this specification will not be adjusted under any circumstance for any reason, cause, or circumstance whatsoever, regardless of fault. Should the Contractor be delayed in the commencement, prosecution, or completion of the work in SCD #1 for any reason, there shall be no revision of the Incentive Assessment calculation date and time or the Disincentive Assessment calculation date and time notwithstanding that there may be granted an extension of time for Work outside the SCD #1 in the Contract. Failure of the Contractor to complete the required work within the SCD #1 shall release and discharge the State, tire Department, and all of its officers, agents, and employees from all claims and demands for the payment of any incentive amount of damages arising from the refusal to pay any incentive amount.

Incentive Payment, if due the Contractor, will be made following acceptance of the project by the Engineer as substantial completion.

77510 CEISC

Date:

09/13/17

RIC No: 2017-CB-071

Disincentive assessment will be deducted-horn monies due or to become due the Contractor upon determination by the Engineer that a Disincentive assessment is warranted. Any Disincentive assessed in accordance with this Special Provision shall be separate from and in addition to charges assessed in accordance with Subsection 937.05.02 and Code 937.1000.

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specific times in accordance with the restrictions defined in the Transportation Management Plan (TMP).

## Contract Completion Dates:

All work of this contract is to be substantially complete by May 1, 2019.

- A. Work within the readway shall be completed in accordance with the Traffic-Related Work Restrictions indicated in the Transportation Management Plan.
- B. One week prior to the Pre-Construction conference, the Contractor must submit to the Department for approval a detailed construction work sequence and time schedule in accordance with Section 12.108.03 of the latest revisions of the Rhode Island Procurement Regulations for the completion of all work associated with this Contract and the requirements it contains. Approval of the work sequence and time schedule is required before the start of any construction or other work associated with the contract. The proposed construction and time schedule must consider and address the safe vehicle and pedestrian passage through the Project.
- C. During the pavement removal operations, no over breakage into the operational travel lanes will be allowed.
- D. The Contractor shall plan his work such that at the end of each working day all of the pavement removal and/or paving operation shall be squared off from one edge of pavement to the other edge of pavement.
- E. The Contractor shall schedule pavement removal such that no location within the limits of the project over which traffic flow is to be maintained shall remain without the surface course for longer than 10 working days, unless otherwise approved in writing by the Engineer.
- F. Any deviations from the requirements stated here or detailed in the reference drawings, as well as any deviations from the approved construction work sequence and time schedule must be submitted to the Engineer in writing for approval.

## 7. MAINTENANCE AND MOVEMENT OF TRAFFIC:

Approval of the work sequence and time schedule is required before the start of any construction or other work associated with this contract. The proposed construction and time schedule must consider and address the safe vehicle passage through the project.

In addition to the requirements of the Standard Specifications for Road and Bridge Construction and the Special Requirements of other sections of these contract documents, the Contractor must adhere to the following requirements;

The Contractor is advised that the signs and other traffic centrol devices shown on the Plans are minimum requirements, and it is the Contractor's responsibility to supplement these if necessary

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# Fw: 2017-CB-071 TE - Milestone Completion

Pezzullo, Ion (DOT)

Thu 4/4/2019 8.59 PM

To.Moschetti, Michael (DOT) <michael.moschet.i@dot.ri.gov>; Innocent, Robens (FOT) <Robens.Innocent@dot.ri.gov>; Soderlund, Steven (DOT) <steven.soderlund@dot.ri.gov>;

3 attachments (209 KB)

2017-CB-071 CS pages Substaintial Completion 51.19.pdf; 2017-CB-071 JS pages Milestone Date 12.15.18 and Incentive.pdf; 2017-CB-071 TF Milestone Completion Date docx

Hello Mike, Robens, and Steve,

Attachment #3 for your review, thoughts, comments, and suggestions is language for the TE/Milestone date revision based on previous discussions and emails.

Thanks,

Jon

PTSID ce13L

From: Soderlund, Steven (DOT)

Sent: Thursday, January 10, 2019 8:57 AM

To: Innocent, Robens (DOT) < robens. nnocent@dot.ri.gov> Subject: 146 Time Extension and Incentive ROC Language

Rob,

We should proceed with two change orders for the incentive.

#### o First:

- We need Mike to submit a ROC amending Spec section 108.11. The wording should be something like
  - In response to Cardi's 4/13/18 correspondence requesting an 18-day delay towards the incentive milestone outlined in the contract. The Department agrees that Cardi was delayed by the work related to relocating two utility poles on either side of the bridge, which prevented pile driving activities. This delay directly affected Cardi's ability to achieve Substantial Completion Date #1 (SCD#1) as outlined in the JS Page # 9 and 108.11 (December 15th, 2018 to open Woonsocket Hill Road). The Department offers to grant a time extension for SCD#1 to January 2<sup>nd</sup>, 2019, 18 days after the date in the contract to account for this delay. The incentive and disincentive amounts will remain as outlined in the contract.

#### Second

 Mike should then submit a ROC noting that Cardi hit substantial completion when they did in November, the 22<sup>nd</sup> I think, and that they are due the full \$150,000.00 as outlined in revised section 108.11 of the JS pages.

I think that should settle everything.

Thanks,

Steve Soderland, P.E., PMP

Project Manager

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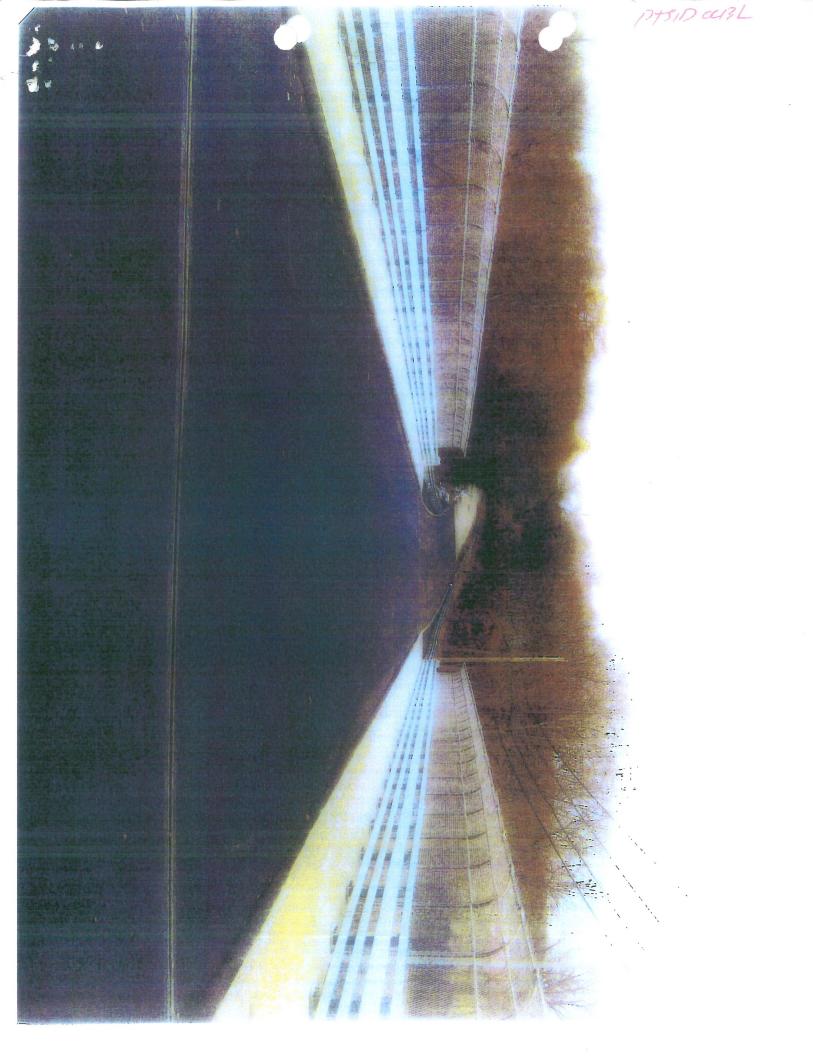
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i steven.soderlund@dol.ri.gov



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