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Alameda Corridor Transportation Authority

January 14, 2022

To:	Governing Board
From:	Michael C. Leue, Chief Executive Officer 
Subject:	<i>FY21 Closeout Change Orders 74 and 56 to Agreement No. 27 with Alameda Corridor Engineering Team (APPROVAL)</i>

Recommendation:

Authorize the Chief Executive Officer or Chief Financial Officer to issue Change Orders to Contract Work Orders (CWO) with the Alameda Corridor Engineering Team (ACET) for FY21 as follows:

1. Change Order No. 74 for ACTA Support Work Order (ASA) CWO in the decreased amount of <\$100,111>
2. Change Order No. 56 for SR47 Project (SR47) CWO in the decreased amount of <\$102,181>

Final adjustments in the aggregate decreased amount of total contract value for FY21 in the amount of <\$202,292> from \$2,389,909 to \$2,187,617.

Discussion:

The annual ACET CWO process is comprised of three steps. First at the end of each fiscal year, the Governing Board approves CWOs for ACET for the next fiscal year beginning July 1 based on scope of work assumptions and corresponding cost estimates. The second step occurs during the fiscal year when amounts are shifted from one CWO to another as necessary to account for overruns and underruns, provided the aggregate annual Board-approved amount for both CWOs is not exceeded. If the aggregate amount will be exceeded, a separate item is brought to the Board for approval. The third and final step occurs after the end of the fiscal year when all actual costs have been compiled, including prior period audit adjustments, and the Board is asked to approve adjustment of the contract value accordingly.



The table below summarizes the proposed adjustments:

	FY21					Prior Period	Net FY21	
	FY21 Approved CWO	Transfer CWOs	FY21 New Approved Total	Actual FY21 Total Cost	CWO Remaining Balance	Audit Adjustments	Net FY21 Closeout Amount	Net FY21
ASA	\$1,880,048	\$170,000	\$2,050,048	\$2,037,421	\$ 12,627	\$87,484	<\$100,111>	\$1,949,937
SR47	<u>509,861</u>	<170,000>	<u>339,861</u>	<u>240,351</u>	<u>99,510</u>	<u>\$2,671</u>	<102,181>	<u>\$237,680</u>
Total	\$2,389,909	\$ -0-	\$2,389,909	\$2,277,772	\$112,137	\$90,155	<\$202,292>	\$2,187,617

This memorandum and adjustment request involves the final step described above and is broken down as follows:

ASA (Base) CWO – Proposed Change Order No. 74 (Transmittal 1)

FY21 efforts included involvement in the transfer of Corridor property to the ports and other jurisdictions, certain project closeout activity, maintenance and operations support, and certain ACTA administrative support.

In June 2020, the Board approved a FY21 CWO amount of \$1,880,048 for the ASA CWO. At that time, approval was also given to allow ACTA to move monies between CWOs as needed during the fiscal year, as long as the aggregate total amount is not exceeded. In June 2021, \$170,000 was transferred from the SR47 CWO to the ASA CWO bringing the total FY21 CWO amount to \$2,050,048. The ASA CWO closeout for FY21 is a net decrease of \$100,111 (net includes the JV firms’ overhead audit adjustments for the prior period). The final FY21 total requested to be approved is \$1,949,937. *Note that the amount shown in Transmittal 1 is cumulative of this and all previous adjustments.*

SR47 CWO – Proposed Change Order No. 56 (Transmittal 2)

FY21 efforts included oversight of environmental mitigation measures, various right-of-way acquisition and utility relocation activities, and support of the construction efforts as required by the cooperative agreements with Caltrans.

In June 2020, the Board approved a FY21 amount of \$509,861 for the SR47 CWO. In June 2021, \$170,000 was transferred to the ASA CWO reducing the total FY21 SR47 CWO amount to \$339,861. The SR47 CWO closeout for FY21 is a net decrease of \$102,181 (net includes the JV firms’ overhead audit adjustments for the prior period). The final total for FY21 requested to be approved is \$237,680. *Note that the amount shown in Transmittal 2 is cumulative of this and all previous adjustments.*

Budget Impact

There is a net decrease of \$202,292 to the total FY21 CWO value. There is no impact to FY22 Governing Board approved Budget. The final FY21 ACET CWO amount, if approved, is \$2,187,617. This final FY21 CWO amount does not include ACET work on the EPA oil release matter (Project R10).

Co-General Counsel:

ACTA's Co-General Counsel has reviewed and approved the proposed change orders as to form.

Transmittals:

- Transmittal 1 - Proposed Change Order No. 74 to ASA CWO
- Transmittal 2 - Proposed Change Order No. 56 to SR-47 CWO
- Transmittal 3 - CWO FY22 ACET Cumulative Contract Values
- Transmittal 4 - June 2020 ACTA Board Memo