



Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia
Contract

Order Date: 11-16-2021

CORRECT ORDER NUMBER MUST APPEAR ON ALL PACKAGES, INVOICES, AND SHIPPING PAPERS. QUESTIONS CONCERNING THIS ORDER SHOULD BE DIRECTED TO THE DEPARTMENT CONTACT.

Order Number:	CCT 0310 6546 DNR1800000003 4	Procurement Folder:	348702
Document Name:	A/E Services to Revise an Existing Design-New Lodge Addition	Reason for Modification:	
Document Description:	A/E Service-Cacapon Lodge Addition and Various Improvements	Change Order No. 03 issued to increase the contract as per the attached documentation.	
Procurement Type:	Central Contract - Fixed Amt		
Buyer Name:	Joseph E Hager III		
Telephone:	(304) 558-2306		
Email:	joseph.e.hageriii@wv.gov		
Shipping Method:	Best Way	Effective Start Date:	2017-10-10
Free on Board:	FOB Dest, Freight Prepaid	Effective End Date:	2021-10-09

VENDOR				DEPARTMENT CONTACT	
Vendor Customer Code:	000000220792			Requestor Name:	James H Adkins
PARADIGM ARCHITECTURE INC				Requestor Phone:	(304) 558-3397
2223 CHEAT RD # 300				Requestor Email:	jamie.h.adkins@wv.gov
MORGANTOWN	WV	265084494		<div style="font-size: 48pt; font-weight: bold;">22</div> <div style="font-size: 24pt; font-weight: bold;">FILE LOCATION</div>	
US					
Vendor Contact Phone:	999-999-9999	Extension:			
Discount Details:					
	Discount Allowed	Discount Percentage	Discount Days		
#1	No	0.0000	0		
#2	Not Entered				
#3	Not Entered				
#4	Not Entered				

INVOICE TO	SHIP TO
DIVISION OF NATURAL RESOURCES PARKS & RECREATION-PEM SECTION 324 4TH AVE SOUTH CHARLESTON WV 25305 US	SUPERINTENDENT DIVISION OF NATURAL RESOURCES CACAPON RESORT STATE PARK 818 CACAPON LODGE DR BERKELEY SPRINGS WV 25411 US

11-16-21
 BAT

Total Order Amount:	\$1,108,997.00
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Purchasing Division's File Copy

ENTERED

PURCHASING DIVISION AUTHORIZATION <i>Linda Harper</i> DATE: 11-16-2021 ELECTRONIC SIGNATURE ON FILE	ATTORNEY GENERAL APPROVAL AS TO FORM <i>John S. Gray</i> DATE: ELECTRONIC SIGNATURE ON FILE	ENCUMBRANCE CERTIFICATION <i>[Signature]</i> 11/22/2021 DATE: ELECTRONIC SIGNATURE ON FILE
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11/19/2021

Extended Description:

Change Order

Change Order No. 03 is issued to increase the original contract according to all terms, conditions, prices and specifications contained in the original contract including all authorized change orders.

Effective: 09/02/21

Original Contract Price: \$904,452.00

Change Order No. 03 Increase: 204,545.00

Contract New Total: \$1,108,997.00

All provisions of the original contract and subsequent change orders not modified herein shall remain in full force and effect.

NO OTHER CHANGES.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
1	81101508	0.00000		0.000000	\$904,452.00
Service From	Service To	Manufacturer		Model No	
2017-10-10	2021-10-09				

Commodity Line Description: Architectural engineering

Extended Description:

A/E design services and contract administration for revisions to an existing design for improvements to Cacapon State Park and construction of a new Lodge Addition.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
2	81101508	0.00000		0.000000	\$204,545.00
Service From	Service To	Manufacturer		Model No	
2017-10-10	2021-10-09				

Commodity Line Description: Change Order No. 03

Extended Description:

A/E design services and contract administration for revisions to an existing design for improvements to Cacapon State Park and construction of a new Lodge Addition.



APPROVED
[Signature]
11/12/21

**DIVISION OF NATURAL RESOURCES
PLANNING, ENGINEERING AND MAINTENANCE
324 4th Avenue
South Charleston, West Virginia 25303-1228
Telephone 304-558-2764
Fax 304-558-0077**

Stephen S. McDaniel, Director

To: **Jamie Adkins**
Chief Procurement Officer

From: **Brad Leslie, PE**
Chief Engineer

Re: **Cacapon Resort State Park
Lodge Addition Project
CCT DNR18*03
CHANGE ORDER #3**

Date: **September 15, 2021**

I am writing to request a change order to increase the amount of the referenced contract.

The contract administration of this contract has been long and difficult. There have been significant contractor delays as well as delays related to the covid 19 pandemic.

The attached request by Paradigm Architecture request additional fees for expenses related to administering the contract for 412 addition days beyond the 671-day construction contract period, for an actual construction period of 1083 days. His original construction contract administration cost was based on a 671-day construction contract period. The amount he requests for this work is \$138,835 which is a pro-rata amount based on the amount defined in our contract. Before this is done, he will have assisted for many more days than is included in this request.

He is requesting an additional \$46,210 in additional design cost for scope revisions requested by the owner or ordered by the State Fire Marshal.

Additionally, the interior design subconsultant is requesting additional \$19,500 for extra work related to changes in the work desired by the owner and delays by the contractor.

This total fee adjustment of \$204,545 is provided for in the contract documents under article 4 of the AIA B101 contract and the state supplemental conditions. Note also that there is no markup by Paradigm for any of his subconsultant costs and when you compare the proposed A/E contract amount including this increase to the current cost of construction contract it represents 3.64% of the construction cost.

I agree with this adjustment and considering the work required to complete this project, believe it is a moral obligation of the agency.

August 16, 2021

Mr. Brad Leslie, PE
Assistant Chief
WV DNR Parks & Recreation Section
324 Fourth Avenue, Room 203
South Charleston, WV 25303-1228

Re. Cacapon State Park Lodge Addition & Renovation

Mr. Leslie,

We are requesting fee for additional services provided during this project. This request is based on two primary factors: the extended time for construction services and additional scope of design and documentation provided after completion and bidding of the project. The time extension is partly due to the Covid delays and related to scope expansion. The scope items include unforeseen site and existing building conditions, repairs and maintenance issues, and new work identified during the construction phase.

First, I will address the issue of time. Our original Owner/Architect Agreement dated October 10, 2017, identified the construction phase as being April 1, 2018, to January 30, 2020. This results in a total of 671 days. The actual construction period for the project will be September 24, 2018, to September 10, 2021, or 1,083 days. This reflects an additional 412 days. Our agreement defines the fee for this phase as \$238,332.00. Using a pro rata amount applied to the additional time, the requested additional fee for time is **\$138,835.00**.

Next, we identified two categories of additional services based on scope changes. We took the worksheet listing the Change Order Proposals and narrowed it down to scope changes that resulted in additional design and construction documentation. The List is attached to this letter. I applied our fee percentage to this work and the resulting additional fee amount is **\$46,210.00**. We also included specific work performed by the Interior Design Firm included in the attached letter, dated 10.2.2020. This totals **\$19,500.00**.

In summary, we are requesting that our contract fee amount be increased by **\$204,545.00**.

Thank you for your consideration of this request.

Please let me know if I may be of any further assistance.

Best Regards,



Paul A. Walker, AIA, NCARB, President

Attachments: Change Order Proposal Scope Changes
Design Innovations Scope Review



Hager III, Joseph E <joseph.e.hageriii@wv.gov>

Re: CCT DNR18*03 CO3 Validated

1 message

Hager III, Joseph E <joseph.e.hageriii@wv.gov>
To: "Adkins, Jamie H" <jamie.h.adkins@wv.gov>

Tue, Oct 5, 2021 at 3:31 PM

Jamie,

On the breakdown, it looks good except for the one line item for the Designer @ \$86 an hour. That doesn't match any rates on page 16 of the AIA Docs. If you are looking at the original award, there is a rate sheet included from Miller Engineering that lists a designer @ \$85 an hour, I'm not sure if that is the same thing or not. This line item will have to match a rate that was included in the original contract or an explanation as to where that rate comes from.

Thanks,

Josh Hager

Senior Buyer

WV Purchasing Division

2019 Washington Street, East, Bldg 15

Charleston, WV 25305

Phone: 304-558-8801

Joseph.E.HagerIII@wv.gov

www.WVPurchasing.gov

On Tue, Oct 5, 2021 at 9:08 AM Adkins, Jamie H <jamie.h.adkins@wv.gov> wrote:

Josh,

See attached.

Thanks,

J.H. "Jamie" Adkins

Chief Procurement Officer

West Virginia Division of Natural Resources

324 4th Avenue

South Charleston, WV 25303

(304) 558-3397

On Fri, Oct 1, 2021 at 11:34 AM Hager III, Joseph E <joseph.e.hageriii@wv.gov> wrote:

Jamie,

After Frank's review, they need help in figuring out how the vendor came up with their additional cost. Can we get a breakdown from them of all three increase amounts based on the hourly rates shown on page 16 of the AIA documents?

Thanks,

Josh Hager

Senior Buyer

WV Purchasing Division

2019 Washington Street, East, Bldg 15

Charleston, WV 25305

Phone: 304-558-8801

Joseph.E.HagerIII@wv.gov

www.WVPurchasing.gov

On Mon, Sep 27, 2021 at 1:42 PM Adkins, Jamie H <jamie.h.adkins@wv.gov> wrote:
Josh,

CCT DNR18*03 CO3 to increase the Cacapon A/E contract has been validated/held. The backup docs are attached to this email for your review. Please let me know when you are ready for this to be submitted.

Thanks!

J.H. "Jamie" Adkins

Chief Procurement Officer

West Virginia Division of Natural Resources

324 4th Avenue

South Charleston, WV 25303

(304) 558-3397

4 October 2021

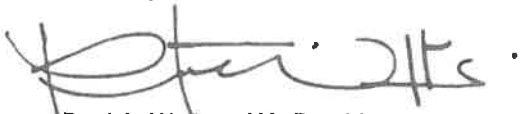
Mr. Brad S. Leslie, PE
Assistant Chief
WV DNR Parks & Recreation Section
324 4th Avenue, Room 203
South Charleston, WV 25303-1228

Re: Cacapon State Park Lodge Addition & Renovation

Mr. Leslie:

Attached is the requested breakdown for all three increase amounts based on the hourly rates shown on our contract. If you need anything else, please let us know.

Best regards,



Paul A. Walker, AIA, President

Attachment

Cacapon Additional Days - 412

Paul Walker	Principal	76 hrs. @	\$155	per hour	\$11,780
Dave Snider	Architect-Specifications Writer	45 hrs. @	\$125	per hour	\$5,625
Todd Christopher	Architect-Project Architect	45 hrs. @	\$110	per hour	\$4,950
Tyler Etris	Architect-Project Architect	30 hrs. @	\$110	per hour	\$3,300
Steve Konya	Senior Drafter/CAD	824 hrs. @	\$70	per hour	\$57,680
Aaron White	Senior Drafter/CAD	60 hrs. @	\$70	per hour	\$4,200
Sheryl Snider	Clerical	184 hrs. @	\$40	per hour	\$7,360
Craig Miller	Principal	198.5 hrs. @	\$125	per hour	\$24,813
Travis Taylor	Professional Engineer	81.25 hrs. @	\$105	per hour	\$8,531
Joseph Machnik	Designer	74.37 hrs. @	\$85	per hour	\$6,321
Taylor/Machnik	Draft Technician-Constr. Rep	57 hrs. @	\$75	per hour	\$4,275
					\$138,835

Cacapon Scope Changes

Paul Walker	Principal	73 hrs. @	\$155	per hour	\$11,315
Dave Snider	Architect-Specifications Writer	5 hrs. @	\$125	per hour	\$625
Steve Konya	Senior Drafter/CAD	425 hrs. @	\$70	per hour	\$29,750
Aaron White	Senior Drafter/CAD	50 hrs. @	\$70	per hour	\$3,500
Sheryl Snider	Clerical	25.5 hrs. @	\$40	per hour	\$1,020
Craig Miller	Principal	20 hrs. @	\$125	per hour	\$2,500
Travis Taylor	Prof Eng	6 hrs. @	\$105	per hour	\$630
Joseph Machnik	Designer	5 hrs. @	\$85	per hour	\$425
Taylor/Machnik	Draft Tech/CA Rep	5 hrs. @	\$75	per hour	\$375
					\$46,210

Interior Design Hours

Shannon Bayles/Ainsley Dreher	Interior Designer	150 hrs. @	\$130	per hour	\$19,500
Total Increase					\$204,545

08/15/21

Paradigm Architecture
Paul Walker
2223 Cheat Lake Road, Suite 300
Morgantown, WV 26508

**Cacapon Resort State Park – West Virginia
Scope Additions, Changes, Delays Overview**

Below is an abbreviated list of some examples of aspects of the Cacapon project that have cost Design Innovations additional time beyond the original scope of work.

Contractor Delays / Issues –

- Quartz Counters – Orders not placed on time and contractor attempts to make substitutions, requiring additional time following orders and working with vendors
- Poor Installations requiring additional design time to review and advise on
- Incorrectly laid control joint locations resulting in changes to floor patterns
- Lack of protection over installed surfaces resulting in additional time to review options to repair, clean, replace surfaces
- Job site continually not ready for promised dates for furniture and artwork installs resulting in rescheduling, coordinating storage, and revising travel plans
- Contractor estimated part one completion January 2020; delays cause the contract administration work to prolong.

Owner Adds / Changes –

- Addition of accent walls in the ALT-1 Package
- Mirror Changes
- Decision to take out pinewood paneling that was originally designed around, additional stain matching and review of finishes required
- Advising on signage
- Corridor view to roof below, determining best solution to block this view, working through various design ideas

Project Delays –

All items below have resulted in reselection and additional consulting

- Drapery fabric discontinued through course of the project
- Upholstery fabric discontinued through course of the project
- Carpet discontinued through course of the project
- Vinyl Wallcovering discontinued through course of the project
- Stone for stairs discontinued through course of the project

Other –

- Entire lighting package not priced correctly, and all fixtures substituted – Design Innovations reviewed substitutions and worked to provide comparable equals to originally designed lighting package.

Compensation Request

The estimated additional time associated with these changes, delays, and adds is approximately 150 hours. Compensation of \$19,500.00 is requested (150 hours x \$130/hour = \$19,500.00). It is noted, this estimate of hours is low, but we believe is fair and equitable to all parties involved.



AIA[®]

Document G801[™] – 2017

Notice of Additional Services

PROJECT: *(name and address)*
Cacapon Resort State Park Lodge
Addition
Berkeley Springs, West Virginia

AGREEMENT INFORMATION:
Date: August 07, 2018

NOTICE INFORMATION:

Date: September 2, 2021

OWNER: *(name and address)*
West Virginia Division of Natural
Resources
324 Fourth Avenue
South Charleston, WV 25303

ARCHITECT: *(name and address)*
Paradigm Architecture, Inc.

2223 Cheat Road, Suite 300
Morgantown, WV 26508

Select as appropriate:

- ADDITIONAL SERVICES THAT REQUIRE THE OWNER'S WRITTEN AUTHORIZATION TO PROCEED**
(Refer to the Owner-Architect Agreement for a list of Additional Services that require the Owner's written authorization to proceed.)

The Architect hereby notifies the Owner of the need, and requests the Owner's authorization, to perform the following Additional Services:

(Describe the proposed Additional Services and explain the facts and circumstances giving rise to their need.)

Request is based on additional time for construction administration and on percent of cost of construction for change orders (please see attachments).

Compensation Adjustment:
\$204,545.00

Schedule Adjustment:

- ADDITIONAL SERVICES TO AVOID DELAY IN CONSTRUCTION**
(Refer to the Owner-Architect Agreement for a list of Additional Services that the Architect may provide to avoid delay in Construction.)

The Architect hereby notifies the Owner of the need to perform the following Additional Services:
(Describe the Additional Services and explain the facts and circumstances giving rise to their need.)

Compensation Adjustment:

Schedule Adjustment:

Note: *The Architect may have already begun to provide these services to avoid delay in the Construction Phase of the Project. If the Owner determines that all or parts of these services are not required and elects to discontinue these services, the Owner must promptly notify the Architect and compensate the Architect for the services provided prior to the Architect's receipt of the Owner's notice.*

ISSUED BY THE ARCHITECT:

Paradigm Architecture, Inc.

ARCHITECT (Firm name)


SIGNATURE

Paul A. Walker, AIA, President

PRINTED NAME AND TITLE

9/2/21

DATE

OWNER'S AUTHORIZATION, IF REQUIRED:

West Virginia Division of Natural Resources

OWNER (Firm name)


SIGNATURE

Stephen S. McDaniel, Director

PRINTED NAME AND TITLE

9/22/2021

DATE