



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

State of West Virginia Contract

Order Date: 08-02-2022

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 0211 4011 GSD2000000007 4	Procurement Folder:	569921
Document Name:	EOI: Central Chiller Plant Ice Farm and Upgrades	Reason for Modification:	Change Order 3 - To Renew and Increase Contract.
Document Description:	EOI: Central Chiller Plant Ice Farm and Upgrades		
Procurement Type:	Central Contract - Fixed Amt		
Buyer Name:	Melissa Pettrey		
Telephone:	(304) 558-0094		
Email:	melissa.k.pettrey@wv.gov		
Shipping Method:	Best Way	Effective Start Date:	2019-08-02
Free on Board:	FOB Dest, Freight Prepaid	Effective End Date:	2023-08-01

VENDOR	DEPARTMENT CONTACT																				
Vendor Customer Code: 000000229419 MILLER ENGINEERING INC 429 Laurel Run Rd Carmichaels PA 15320-2543 US Vendor Contact Phone: 304-291-2234 Extension: 2 Discount Details: <table><thead><tr><th></th><th>Discount Allowed</th><th>Discount Percentage</th><th>Discount Days</th></tr></thead><tbody><tr><td>#1</td><td>No</td><td>0.0000</td><td>0</td></tr><tr><td>#2</td><td>Not Entered</td><td></td><td></td></tr><tr><td>#3</td><td>Not Entered</td><td></td><td></td></tr><tr><td>#4</td><td>Not Entered</td><td></td><td></td></tr></tbody></table>		Discount Allowed	Discount Percentage	Discount Days	#1	No	0.0000	0	#2	Not Entered			#3	Not Entered			#4	Not Entered			Requestor Name: David K Parsons Requestor Phone: 304-352-5486 Requestor Email: david.k.parsons@wv.gov 23 FILE LOCATION _____
	Discount Allowed	Discount Percentage	Discount Days																		
#1	No	0.0000	0																		
#2	Not Entered																				
#3	Not Entered																				
#4	Not Entered																				

INVOICE TO	SHIP TO
DEPARTMENT OF ADMINISTRATION GENERAL SERVICES DIVISION 103 MICHIGAN AVENUE CHARLESTON WV 25305 US	DEPARTMENT OF ADMINISTRATION GENERAL SERVICES DIVISION BLDG 11 - CHILLER PLANT 218 CALIFORNIA AVE CHARLESTON WV 25305 US

Purchasing Division's File Copy

Total Order Amount: \$514,491.90

ENTERED

PURCHASING DIVISION AUTHORIZATION DATE: <i>Tara</i> 8/19/2022 ELECTRONIC SIGNATURE ON FILE	ATTORNEY GENERAL APPROVAL AS TO FORM DATE: <i>John & Grace</i> ELECTRONIC SIGNATURE ON FILE	ENCUMBRANCE CERTIFICATION DATE: <i>Melissa</i> AUG 22 2022 ELECTRONIC SIGNATURE ON FILE
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Extended Description:

Change Order 3

Change Order No. 3 is issued to renew the original contract according to all terms, conditions, and specifications contained in the original contract and all authorized change orders, except that the contract (unit prices, hourly rates, annual fee, etc.) is increased as defined in the attached documentation.

Effective date of renewal 8/2/22 through 8/1/23

Renewal Years Remaining: 0

Original Contract Amount - \$460,801.64

Change Order 3 (Increase) - \$53,690.26

New Contract Total - \$514,491.90

No other changes.

All provisions of the original Contract and subsequent Change Orders not modified herein shall remain in full force and effect.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
1	81100000	0.00000		0.000000	\$460,801.64
Service From	Service To	Manufacturer		Model No	
2019-08-02	2023-08-01				

Commodity Line Description: EOI: Central Chiller Plant Ice Farm and Upgrades**Extended Description:**

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
2	81100000	0.00000		0.000000	\$53,690.26
Service From	Service To	Manufacturer		Model No	
2019-08-02	2023-08-01				

Commodity Line Description: Change Order 3**Extended Description:**



25Jul22

James Jones, Procurement Administrator
WV Department of Administration
General Services Division
112 California Avenue, 5th Floor
Charleston, WV 25305

Reference: Request for Contract Extension
Central Chiller Plant Ice Farm and Upgrades
CCT 0211 4011 GSD2000000007

Mr. Jones:

Miller Engineering Inc. requests the renewal of the above noted project contract, for one year, from 8/2/2022 to 8/1/2023.

Thank you for your consideration, please do not hesitate to call me if you have any questions.

Sincerely,

Craig Miller, PE
President
Miller Engineering, Inc.

Cc: file



25Jul22

Dave Parsons, Energy Manager
WV Department of Administration
General Services Division
112 California Avenue, 5th Floor
Charleston, WV 25305

Reference: Ice Storage and Chiller Plant Modifications PO# CCT 0211 4011 GSD20*07

Mr. Parsons:

Miller Engineering Inc. is requesting a contract change order related to an increase in scope of professional services on the project. GSD has requested MEI perform additional services related to the project. Those services are broken out on the attached and include:

- 1) Geotechnical investigation related to the site of the new Building 11 Annex, to determine soils suitability concerns by Owner related to abandoned house foundations in the vicinity of the site.
- 2) Additional construction contract administration related to multiple submissions of generator submittals by the contractor, and associated correspondence, interactions with Owner, research, etc.
- 3) Additional construction contract administration related to multiple submissions of generator submittals by the contractor, and associated correspondence, interactions with Owner, research, etc.
- 4) Additional construction contract administration related to multiple submissions of generator submittals by the contractor, and associated correspondence, interactions with Owner, research, etc.
- 5) Additional construction contract administration related to contractor failure to perform and meet the project substantial completion date, including failure to meet the project schedule, including related correspondence, interactions with contractor and Owner, research, etc.; per Section 4.2.4 of the B101- 2017 agreement. 5Mar22 through 30Mar22
- 6) Additional site visits and progress meetings beyond the original scope of work, as requested by the Owner, six extra site visits for construction contract administration, and four extra visits related to the precast panel quality issues; all

- beyond the 24 visits in the original proposal for contract administration. Other site visits listed in the proposal have been or are being used for their stated purpose.
- 7) Additional construction administration punch list visits, three beyond the one in the contract.

MEI is requesting an increase in fee of \$53,690 to \$514,491.90 based on the above additional services.

The result of the Change Order is a revised Lump Sum Fee of Five Hundred Fourteen Thousand Four Hundred Ninety One Dollars and Ninety Cents (\$514,491.90), associated with an hours/fee breakout as follows:

	Hours	Rate	Extended
Principal	236	\$150	\$35,400.00
Professional Engineer	31	\$125	\$3,875.00
Designer	42.5	\$95	\$4,037.50
<u>Subcontract (w/markup)</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,377.76</u>
CO #3 Fee			\$53,690.26

Project A&E Fee after CO #3 \$514,491.90

A breakout by scope of services is attached.

Additionally, we are requesting a contract renewal from 2Aug22 through 1Aug23. The delay in completion by the contractor has prevented completing final controls setup of the free cooling system. While the system is operable, the final controls setup must be accomplished in cold weather, which will not occur until winter 2022/23.

If this request meets with your satisfaction, we will provide the appropriate contract paperwork to complete the change order.

Thank you for your consideration, please do not hesitate to call me if you have any questions.

Sincerely,



Craig Miller, PE
President
Miller Engineering, Inc.

Cc: file

Chiller Plant Renovation Professional Additional Services

Item	Services	Performed by	Hours	Rate/ Cost	Extended
1	Geotechnical Investigation - Owner requested, performed by Potesta Engineering (w/ 15% markup)			\$ 9,024	\$ 10,377.76
2	Additional construction contract administration related to multiple submissions of generator submittals by the contractor, and associated correspondence, interactions with Owner, research, etc.	Principal - BCM	40.5	\$ 150	\$ 6,075.00
3	Additional construction contract administration related to multiple submissions of generator submittals by the contractor, and associated correspondence, interactions with Owner, research, etc.	Professional Engineer - TT	31	\$ 125	\$ 3,875.00
4	Additional construction contract administration related to multiple submissions of generator submittals by the contractor, and associated correspondence, interactions with Owner, research, etc.	Designer - JM	42.5	\$ 95	\$ 4,037.50
5	Additional construction contract administration related to contractor failure to perform and meet the project substantial completion date, including failure to meet the project schedule, including related correspondence, interactions with contractor and Owner, research, etc; per Section 4.2.4 of the B101- 2017 agreement. 5Mar22 to 30Mar22	Principal - BCM	68	\$ 150	\$ 10,200.00
6	Additional site visits and progress meetings beyond the original scope of work, as requested by the Owner, six extra site visits for construction contract administration, and four extra visits related to the precast panel quality issues; all beyond the 24 visits in the original proposal for contract administration. Other site visits listed in the proposal have or are being used for their stated purpose.	Principal - BCM	102	\$ 150	\$ 15,300.00
7	Additional construction administration punch list visits, three beyond the one in the contract	Principal - BCM	25.5	\$ 150	\$ 3,825.00
Add. Subcontracted Services					\$ 10,377.76
Additional Services					\$ 43,312.50
Original Contract					\$ 460,801.64
Total Change Order Amount					\$ 53,690.26
Revised Contract Amount					\$ 514,491.90

INVOICE



POTESTA & ASSOCIATES, INC. - Engineers and Environmental Consultants

7012 MacCorkle Avenue, S.E., Charleston, West Virginia 25304 - (304) 342-1400; FEIN 31-1509066

MILLER ENGINEERING INC

429 Laurel Run Road
Carmichaels, PA 15320

Invoice Number: 160932
Project Name: MILLER- WV Capital Chiller Plant
Project #: 0101-20-0148
Date: 5/28/2020

Scope of Work:

WV Capital Chiller Plant

PAID 11/23/2020

E-Mail Original Invoice To: cmiller@millereng.net

Phase: 000 WV CAPITAL CHILLER PLANT

Project Description: Utility Locate Getotech.

Invoice for services rendered through May 23, 2020.

Labor

<u>Employee Type</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Senior Engineer	5.50	160.00	880.00
Senior Engineer	14.50	135.00	1,957.50
Staff Scientist	7.00	90.00	630.00
CADD Designer	1.00	65.00	65.00
Labor Subtotal	28.00		3,532.50

Reimbursables

<u>Activity/Vendor</u>	<u>Invoice</u>	<u>Date</u>	<u>Units</u>	<u>Rate</u>	<u>Amount</u>
Vehicles -Truck/Van/SUV w fuel					
In-House Expenses	022339	5/13/2020	1.00	175.00	175.00
Reimbursable Subtotal					175.00

Outside Consultants

<u>Activity/Vendor</u>	<u>Invoice</u>	<u>Date</u>	<u>Amount</u>
Other Services			
Ground Penetrating Radar Systems, Inc.	320880	5/11/2020	2,516.64

Page 1 of 2

Charleston, West Virginia - Morgantown, West Virginia - Winchester, Virginia

Please pay from this invoice. Interest charged at 1.5% per month on past due invoices

INVOICE



POTESTA & ASSOCIATES, INC. - Engineers and Environmental Consultants

7012 MacCorkle Avenue, S.E., Charleston, West Virginia 25304 - (304) 342-1400; FEIN 31-1509066

Project 0101-20-0148 MILLER- WV Capital Chiller Plant

Invoice 160932

Drilling Services			
D.L. Martin Construction &	3994	5/14/2020	2,800.00
Outside Consultants Subtotal			5,316.64
Phase Subtotal			9,024.14
Invoice Total			9,024.14



STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION
GENERAL SERVICES DIVISION
State Capitol
Charleston, West Virginia 25305

Mark D. Scott
Cabinet Secretary

William D. Barry
Director

Approved
Z. Taylor
8/17/22

MEMORANDUM

To: Melissa Pettrey, Senior Buyer, State Purchasing Division
From: Cody Taylor, Procurement Specialist, General Services Division
Date: August 1, 2022 *received 8/2/2022 end of day*
Ref: Change Order #3 – CCT 0211 GSD2000000007

Melissa:

Please accept this memorandum as our explanation and justification for our request for a Change Order (#3) to increase our contract (CCT 0211 GSD2000000007) with Miller Engineering for design services for the Ice Storage and Chiller Plant Modifications Project, and to extend the contract from August 2, 2022, to August 1, 2023.

We are requesting an increase, in the amount of \$53,690.26, to cover the following items:

1. Geotechnical Investigations related to the site of the new building 1 Annex, to determine the soil's suitability concerns by the Agency, related to abandoned house foundations in the vicinity of the site. At the agencies request, Miller Engineering sub contracted Potesta & Associates to do core sampling in the vicinity of the work area. The cost of this item is \$10,377.76.
2. Additional construction contract administration related to multiple submittals of the general submittals by the contractor, and associated correspondence, and interactions with owner. The contractor exceeded their number of covered submittals and to make sure the quality of work from the contractor would not suffer, the agency has allowed for Miller Engineering to review the extra submittals. This additional construction contract administration encompasses 40.5 hours of Principle -BCM (\$6,075.00), 31 Hours of Professional Engineering – TT (\$3,875.00), and 42.5 Hours of Design – JM (\$4,037.50) all of which totaling \$13,987.50.
3. Additional construction contract administration related to the contractor's failure to perform and meet the project substantial completion date, including failure to meet the project schedule, including related correspondence, interactions with contractor and owner, as well as research. Per section 4.2.4 of the B101 – 2017 agreement the agency agrees this is a warranted request and Miller Engineering should be compensated for additional work accrued because the contractor's failures withing the contract. The total of this work is \$10,200.00.
4. Additional site visits and progress meetings beyond the original scope of work, as requested by the Agency. Six extra site visits for construction administration, and four extra visits related to the precast concrete

panel quality issues. These visits were beyond the initial 24 visits in the original proposal for contract administration. The other 24 site visits have been used for their intended purpose. The additional visits were warranted as the contractor's materials (concrete panels) were not found to be acceptable by the agency. The agency needed Miller Engineering to find a viable solution to the contractor's use of suboptimal concrete panels. The cost of this item is \$15,300.00.

5. Three additional construction administrative punch list visits beyond the one in the contract. Compounding issues above needed addressed. To ensure the final work of the contractor was suitable, correct, and safe the Agency requested Miller Engineering to make three additional punch list visits than the one required in the initial contract. The cost of this item was \$3,825.00.

Original Contract Award Amount =	\$460,801.64
Change Order #3 Increase Requested=	\$53,690.26
New Contract Amount =	\$514,491.90

Please make these changes effective immediately.

Please notify of me if you require additional information and/or documentation to complete the processing of this change order.

Thank you for your timely consideration of this request.

Cody Taylor, Procurement Specialist, GSD