

Department of Transportation -- Harbors Division

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HAR-ESP  
3408.13

**CHANGE ORDER**

<b>Project Title</b>	The New Kapalama Container Terminal Wharf and Dredging Design	<b>Order No.</b>	1
Honolulu Harbor, Hawaii	<b>Job No. H.C.</b> 10498	<b>Date</b>	August 21, 2013
<b>Contractor</b>	Moffatt & Nichol	<b>Contract No.</b>	61625

Section **S1.3 Project Scope** of Attachment – S1 of Contract No. 61625 shall be deleted and replaced in its entirety with the following:

**S1.3 Project Scope.** The CONTRACTOR shall provide the required preliminary engineering, planning, environmental and design services necessary to complete the work required for the PROJECT including, but not limited to, the following:

1. Administration, Management and Coordination

- a. Supervise all project staff and sub-consultants to ensure the PROJECT is properly and effectively managed.
- b. Coordinate all work activities with the STATE and stakeholders. Includes conducting monthly meetings with the STATE, stakeholders and interested parties to provide PROJECT coordination and updates. Prepare necessary presentation materials for these meetings.
- c. Prepare summaries of all meetings in a timely manner, i.e., within three working days after each meeting is held.
- d. Provide detailed written updates of the PROJECT as needed and respond to correspondence received from the STATE in a timely basis, i.e., within 24 hours from the time of receipt.
- e. Conduct a kickoff meeting that includes all key PROJECT members to establish assignments and schedules, communication protocols, etc.
- f. Participate in the final EIS public meeting.
- g. Conduct quality control/quality assurance reviews and coordination, inclusive of all sub-consultant work products.
- h. Prepare a comprehensive project schedule, monitor performance and progress, and adjust staffing as necessary (inclusive of sub-consultants), to ensure project remains on or ahead of schedule.

2. Data Collection and Site Evaluation

- a. Collect, compile and review data and information relating to the project site and its environs for incorporation in the design, including:
  - Literature review of any available relevant studies, surveys, design drawings, reports and other documents.
  - Review the *Kapalama Container Terminal Environmental Impact Statement* to understand the issues raised during the preparation of the document.

- Review the Harbors *Storm Water Management Program and Low Impact Development Standards* and any other regulatory requirements that have to be incorporated into the design.
- b. Conduct site visits of the project site to gain familiarity of the area, to confirm existing conditions, to establish property boundaries and to identify potential concerns.
- c. Meet with the Oahu District Manager, the Hawaii Pilots Association and other relevant parties to discuss issues and other concerns.
- d. Identify data gaps and recommend how to obtain additional data.
- e. Obtain or conduct additional site evaluation as needed, including, but not limited to:
  - Site and topographic surveys
  - Bathymetric survey.
  - Wind, wave and currents survey.
  - Mooring and berthing study.
  - Sediment testing.

### 3. Field Investigations and Special Studies

- a. After a review of all available information, conduct geotechnical investigations to support the PROJECT including, but not limited to:
  - Develop geotechnical exploration plan.
  - Develop subsurface characterization profiles.
  - After obtaining necessary clearances, conduct necessary borings.
  - Perform testing to determine load characteristics of the materials; and analyze the results.
  - Conduct a seismic evaluation.
  - Prepare a geotechnical report and recommend design parameters.
- b. Evaluate navigation issues to support the PROJECT including, but not limited to:
  - Consult stakeholders and identify navigational constraints to the development.
  - Determine design requirements and prepare concept layouts.
- c. Evaluate economic, technical and environmental viability of providing shore power / cold ironing along new wharf. Prepare a letter report summarizing findings of the shore power evaluation.

### 4. Environmental, Permits and Coordination

- a. Review all environmental reports and studies, and identify data gaps and recommend how to obtain additional environmental data required to support the PROJECT.
- b. Consult with Federal resource agencies to determine necessary steps to address impacts to marine resources.
- c. If deemed necessary, initiate Section 7 Endangered Species Act (ESA) consultation process with US Fish and Wildlife Service.
- d. Conduct a Habitat Equivalency Analysis (HEA) and develop a coral mitigation plan.
- e. Prepare and submit all necessary permits, including but not limited to:
  - Department of the Army (DA) permits (Sections 10, 404, 103).
  - State permits (Section 401, DCAB, NPDES).

- Utility permits (HECO, BWS, etc.).
- f. Coordinate with county agencies (Board of Water Supply, Honolulu Fire Department, etc.).
- g. Develop a dredge plan and consult with the US EPA on sediment testing to determine the suitability of dredged material for ocean disposal.
- h. Conduct sediment testing.
- i. Review the noise study and recommend mitigation measures.
- j. Incorporate noise mitigation measures in the PROJECT design, as appropriate.
- k. Additional services in support of HRS Chapter 343 Environmental Impact Statement (EIS):
  - Conduct Federal Aviation Administration Analysis.
  - Independent Utility Provision/Environmental Assessment Reviews.
  - Response to University of Hawaii public remarks on Piers 34/35.
  - Response to Tom Enos' letter to the editor.
  - Land ownership research and coordination of title report proposals for State Department of Transportation – Harbors Division.
  - Evaluation of Harbor Police Relocation from Pier 24.
  - Follow-up with federal agency meetings and reviews.
  - Comments/responses/coordination with National Marine Fisheries Services, U.S. Fish and Wildlife Service – Marine Biological Community Structure Report and Study for federal purposes (environmental site assessment, essential fish habitats, and Clean Water Act 404).
  - Mock-up copy of Draft Environmental Impact Statement (DEIS) for Hawaii Harbor Users Group.
  - Update briefings with new U.S. Army Corps of Engineers additional tasks and production of additional version of DEIS.
  - Additional project management and monitoring of new studies, new Proposed Action, new Alternative Action, and dismissal of original Proposed Action.
  - Meetings and coordination on updated design including dredged / fill material and loss / gain of water surface area.
  - Evaluation of updated design and probable impacts of new Proposed Action, New Alternative Action, and dismissal of Original Proposed Action.
  - Update description of prior Proposed Action into an Alternative in Second DEIS as alternative not carried forward.
  - Update New Alternative Action to Proposed Action by moving the alternative 51 feet inland with no fill of Snug Harbor.
  - Add the strengthening and stabilization of Pier 40E.
  - Update the new access points in the layout of the container terminal. Two on Auiki Street and one on Sand Island Access Road.
  - Update the analyses for increased operations at Pier 20 with monthly grain operations versus quarterly offloading operations.
  - Revise the traffic study based on the new access points to the container terminal facilities and include the results and mitigation in the DEIS.
  - Update all the impacts and mitigation discussion in the Second DEIS document including the increase in the dredged and disposal volumes.

- Update all the socio-economic costs for the new construction costs \$415M for the project and the subsequent change in cost of \$266M for construction.
- Address the utility relocation near Sand Island Bridge.
- Update the Noise Study.

#### 5. Update Planning Studies

- a. Review and validate the *Kapalama Planning and Conceptual Plans (2007)* to ensure that the wharf and dredging components of the plans are workable and consistent with Harbors Division's goals and objectives. Provide suggested modification and updates to the plan to address information that may have been missing in the previous study, changes in the industry, changes in technology and changes in the total cost of ownership. Areas for review include, but are not limited to the following:
  - Project fact sheet.
  - Design vessels.
  - Wharf layout and utilities.
- b. Review and coordinate for utilities (electrical, lighting, cold ironing {pending concept evaluation}, water, fire suppression, drainage, sewer and communications) services.
- c. Preparation of the Conceptual Design (15%) (see Project Scope Item No. 6 – Conceptual Design (15%)) to support the acquisition of the necessary permitting for the designed improvements (per Project Scope Item No. 4 – Environmental Permits and Coordination).

#### 6. Conceptual Design (15%)

- a. Prepare a Basis of Design (BOD) report for design elements including, but not limited to:
  - Wharf.
  - Backland 300 feet landward of Piers 42 and 43 wharf face and 150 feet landward of Pier 41 wharf face.
  - Water and fire protection.
  - Storm water management and disposal.
  - Power and communication.
  - Pavement.
- b. Prepare Conceptual Design (15%) for all design elements including, but not limited to:
  - Wharf, including alternatives and seismic design considerations.
  - Yard 300 feet landward of Pier 42 and Pier 43 wharf face and 150 feet landward of Pier 41 wharf face.
  - Utilities including, but not limited to: electrical, lighting, cold ironing (pending concept evaluation), water, fire suppression, drainage, and communications.
  - Dredging.
  - Quay crane and its power system.
  - Cost estimates.

#### 7. Public Informational Meeting Number One

- a. Conduct a public informational meeting near the project site to present the proposed action, respond to questions and solicit input to encourage and facilitate public participation in the process.
- b. Includes securing meeting venue, providing public notification, preparation of all meeting materials and documentation of the meeting.
- c. The meeting shall comply with Title VI of the Civil Rights Act and Environmental Justice requirements of the US Environmental Protection Agency.
- d. Immediately prior to the public informational meeting, participate in a monthly Hawaii Harbors Users Group (HHUG) meeting. Prepare and present a PowerPoint presentation to brief HHUG on the project status and information to be presented at the public meeting.

8. Preliminary Design of Dredging and Wharf (30%)

- a. Prepare Preliminary Design (30%) for all design elements including, but not limited to:
  - Site civil design for backland area 300 feet landward of Piers 42 and 43 wharf face and 150 feet landward of Pier 41 wharf face.
  - Wharf related calculations (including, but not limited to: structural, electrical, cold ironing {pending concept evaluation}, lighting, grounding) and design.
  - Demolition plans for existing shoreline and landside structures affected by construction of new wharf and adjacent backland 300 feet landward of Piers 42 and 43 wharf face and 150 feet landward of Pier 41 wharf face.
  - Demolition plans for all existing University of Hawaii Marine Center Buildings and structures at their Snug Harbor leased property.
  - Utility plans for new wharf and adjacent backland 300 feet landward of Piers 42 and 43 wharf face and 150 feet landward of Pier 41 wharf face (including, but not limited to: electrical, lighting, water, fire suppression, drainage, sewer and communications).
  - Wharf design, specifications and plans.
  - Dredging design, specifications, and plans.
  - Cost estimates.

9. Public Informational Meeting Number Two

- a. Conduct a public informational meeting near the project site to present the proposed action, respond to questions and solicit input to encourage and facilitate public participation in the process.
- b. Includes securing meeting venue, providing public notification, preparation of all meeting materials and documentation of the meeting.
- c. The meeting shall comply with Title VI of the Civil Rights Act and Environmental Justice requirements of the US Environmental Protection Agency.
- d. Immediately prior to the public informational meeting, participate in a monthly Hawaii Harbors Users Group (HHUG) meeting. Prepare and present a PowerPoint presentation to brief HHUG on the project status and information to be presented at the public meeting.

10. Pre-Final Design of Dredging and Wharf (80%)

- a. Prepare Pre-final Design (80%) for all design elements including, but not limited to:
- Site civil design for backland area 300 feet landward of Piers 42 and 43 wharf face and 150 feet landward of Pier 41 wharf face.
  - Wharf related calculations (including, but not limited to: structural, electrical, cold ironing {pending concept evaluation}, lighting, grounding) and design.
  - Demolition plans for existing shoreline and landside structures affected by construction of new wharf and adjacent backland 300 feet landward of Piers 42 and 43 wharf face and 150 feet landward of Pier 41 wharf face.
  - Demolition plans for all existing University of Hawaii Marine Center Buildings and structures at their Snug Harbor leased property.
  - Utility plans for new wharf and adjacent backland 300 feet landward of Piers 42 and 43 wharf face and 150 feet landward of Pier 41 wharf face.(including, but not limited to: electrical, lighting, water, fire suppression, drainage, sewer and communications).
  - Wharf design, specifications and plans.
  - Dredging design, specifications, and plans.
  - Cost estimates.

11. Final Design of Dredging and Wharf (100%)

- a. Prepare Final Design (100%) for all design elements including, but not limited to:
- Site civil design for backland area 300 feet landward of Piers 42 and 43 wharf face and 150 feet landward of Pier 41 wharf face.
  - Wharf related calculations (including, but not limited to: structural, electrical, cold ironing {pending concept evaluation}, lighting, grounding) and design.
  - Demolition plans for existing shoreline and landside structures affected by construction of new wharf and adjacent backland 300 feet landward of Piers 42 and 43 wharf face and 150 feet landward of Pier 41 wharf face.
  - Demolition plans for all existing University of Hawaii Marine Center Buildings and structures at their Snug Harbor leased property.
  - Utility plans for new wharf and adjacent backland 300 feet landward of Piers 42 and 43 wharf face and 150 feet landward of Pier 41 wharf face(including, but not limited to: electrical, lighting, water, fire suppression, drainage, sewer and communications).
  - Wharf design, specifications and plans.
  - Dredging design, specifications, and plans.
  - Cost estimates.

12. Pre-Construction and Construction Support Services

- a. Prepare site construction package for backland area 300 feet landward of Piers 42 and 43 wharf face and 150 feet landward of Pier 41 wharf face.
- b. Prepare dredging and wharf construction package.
- c. Participate in pre-bid conferences.
- d. Respond to information requests.

- e. Prepare bid tabulations.
- f. Provide construction administration services including, but not limited to:
  - Design team project management.
  - General administration during construction.
  - Participate in the pre-construction conference.
  - Review of contractor's construction schedule.
  - Review of procurement schedule.
  - Review of sequence of work items and critical path submittals.
  - Review of contractor time extension requests.
  - Review of contractor's staffing plan.
  - Participate in regular site meetings (limited to twice monthly).
  - Review and respond to requests for information.
  - Review of estimates.
  - Review of master schedule prepared by others.
  - Provide technical consultation.
  - Review of contractor change orders.
  - Review of contractor shop drawings and other contract-required submittals.
  - Review of contractor invoices and progress payments.
  - Participate in final inspections (two maximum).
  - Provide consultation for final punch list.
  - Conduct periodic site visits to assess general conformance with project drawings and specification (approximately monthly).
  - Review and preparation of record drawings.

Section **S2.2 Compensation and Payment for Services** of Attachment – S2 of Contract No. 61625 shall be deleted and replaced in its entirety with the following:

**S2.2 Compensation and Payment for Services.** The STATE shall pay the CONTRACTOR a total sum not to exceed SIX MILLION FIVE HUNDRED THOUSAND and 00/100 DOLLARS (\$6,500,000.00), inclusive of the State of Hawaii General Excise Tax for the satisfactory completion of all work required, as described in Attachment S1, under this Contract to the satisfaction of the STATE.

For payment purposes, the said sum shall be allocated as follows:

<u>Item</u>	<u>Amount</u>
1. Administrative, Management, and Coordination	\$ 405,929.69
2. Data Collection and Site Evaluation	\$ 211,850.50
3. Field Investigation and Special Studies	\$ 1,425,569.75
4. Environmental Permits and Coordination	\$ 562,704.57
5. Update Planning Study	\$ 62,425.23
6. Conceptual Design (15%)	\$ 262,110.64
7. Public Information Meeting Number One	\$ 11,404.71
8. Preliminary Design of Dredging and Wharf (30%)	\$ 671,333.44
9. Public Information Meeting Number Two	\$ 11,404.71
10. Pre-Final Design of Dredging and Wharf (80%)	\$ 1,123,791.53
11. Final Design of Dredging and Wharf (100%)	\$ 585,281.11
12. Pre-Construction and Construction Support Services	\$ 387,458.49
13. Title Search Allowance	\$ 30,000.00
Subtotal	\$ 5,751,264.37
14. Allowance for Reimbursable Cost	\$ 67,000.00
15. Allowance for Extra Work	\$ 681,735.63
Total	<u>\$ 6,500,000.00</u>

Section **S2.4 Compensation for Extra Work** of Attachment – S2 of Contract No. 61625 shall be deleted and replaced in its entirety with the following:

**S2.4 Compensation for Extra Work.** An allowance of SIX HUNDRED EIGHTY ONE THOUSAND SEVEN HUNDRED THIRTY FIVE AND 63/100 DOLLARS (\$681,735.63) is hereby provided for extra work. If the CONTRACTOR is required to perform additional work beyond that required under the contract, he shall be entitled to additional compensation which, if agreement is reached between the parties as to the amount, shall, together with the scope of the additional work, be incorporated into the contract by written amendment.

Except as aforesaid, the terms and conditions of said Contract No. 61625 shall remain unchanged and unaffected by this Change Order No. 1 to Contract No. 61625.

**RECOMMENDED:**

  
\_\_\_\_\_  
HMP Project Manager      8/15/13      Date

**REVIEWED:**

  
\_\_\_\_\_  
HMP Development Officer      8/19/13      Date

**CONCURRED:**

  
\_\_\_\_\_  
Harbors Engineering Program Manager      8/29/13      Date

  
\_\_\_\_\_  
Deputy Director for Projects      9/2/13      Date

**ACCEPTED:**

  
\_\_\_\_\_  
Contractor's Representative      08/23/2013      Date

**APPROVED:**

  
\_\_\_\_\_  
Director of Transportation      SEP 03 2013      Date