

Council Member Barber made a motion to approve Resolution 2023-03. Commissioner LaTondresse seconded the motion. Following a vote, Resolution 2023-03 was approved.

4. MONTHLY REPORT ON CHANGE ORDERS

Nic Dial reviewed the report on new change orders under \$350,000. Since the last ECCB meeting, there were five new change orders to the Civil Construction contract and eleven for the Systems contract. All 16 change orders on this list had dollar amounts below the ECCB approval level.

Nic highlighted the changes that were over \$100,000.

Commissioner Goettel asked about Systems Change Order 57 and asked about the timing of this. Nic responded that the design was completed some time ago (contract was awarded in 2019). The original item as specified is no longer available. Dan Soler said when bidding so far in advance of the work, it is common that some items in the original spec may not be available anymore. Commissioner Goettel asked if the contingency is for the delta, which Dan responded that the contingency is for change orders. Commissioner Goettel said this should be a learning item for the future.

Commissioner Goettel asked about the status of the Systems agreement. Jim said the goal is to have a change order in place by February that will include the re-baseline schedule and a process to resolve the cost associated with the new schedule. The resolution process language will be similar to what we have used with the Civil contractor. Once the change order is in place the parties will work to resolve the amount which will ultimately be added to the contract value by change order. Jim noted that we have nationally recognized experts who will evaluate the contractor's data to help the Council determine a fair and reasonable price for the extended contract time. We will keep ECCB posted as we learn more.

Commissioner Goettel made a motion to receive the monthly report on change orders. Council Member Barber seconded the motion. Following a vote, the report was received.

5. ADJOURN

The meeting adjourned at 11:25. The next regular meeting is scheduled for February 10 may have to be adjusted, as Hennepin County has conflicts on that day.

Respectfully Submitted,

Dawn Hoffner, Recording Secretary