

**RESOLUTION NO. 23-48**

A RESOLUTION OF KITSAP TRANSIT BOARD OF COMMISSIONERS AUTHORIZING STAFF TO ISSUE AN EQUITABLE ADJUSTMENT TO SCI INFRASTRUCTURE CONSTRUCTION CONTRACT KT 21-734 FOR THE SILVERDALE TRANSIT CENTER PROJECT.

**WHEREAS**, at its regular meeting on January 4, 2022, the Board approved Resolution No. 22-09, authorizing staff to award the Silverdale Transit Center Construction Contract KT 21-734 to SCI Infrastructure LLC; and

**WHEREAS**, on June 15, 2022, SCI Infrastructure LLC requested an equitable adjustment, based on Contract General Provisions Section 3.17, for fuel price increase and material shortages related to delays caused by military conflict, impacts from COVID-19 pandemic, and delays based on third party utilities and other parties that the contractor has no control over; and

**WHEREAS**, the equitable adjustment is deemed justifiable per Section 3.17 of the General Provisions based on delay to the contractor in performing the work resulting from the site not being made available due to the delay in property acquisition; and

**WHEREAS**, on June 16, 2022, Kitsap Transit requested SCI Infrastructure LLC submit the required detailed price calculations, backup and signed documentation from subcontractors and vendors substantiating the request for equitable adjustment; and

**WHEREAS**, on November 17, 2022, SCI Infrastructure LLC, submitted a Request for Equitable Adjustment (REA), with cost backup of one million seven hundred fifty-six thousand three hundred eighty-five dollars and thirty-eight cents (\$1,756,385.38); and

**WHEREAS**, staff conducted negotiations and the Construction Management Team has completed its review and analysis of a fair and reasonable settlement amount for an equitable adjustment in an amount of five hundred fourteen thousand one hundred twelve dollars and seventy-seven cents (\$514,112.77).

**NOW THEREFORE, BE IT RESOLVED** the Board of Commissioners hereby authorize staff to issue an equitable adjustment to SCI Infrastructure LLC, construction contract KT 21-734 for the Silverdale Transit Center Project in an amount of five hundred fourteen thousand one hundred twelve dollars and seventy-seven cents (\$514,112.77).

**ADOPTED** by the Kitsap Transit Board of Commissioners at a regular meeting held on the 11<sup>th</sup> day of July 2023.

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Rebecca Erickson, Chairperson

ATTEST:

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Jackie Bidon, Interim Clerk of the Board