

FUNDING REQUIRED: Yes No

By: _____
Finance Director

COUNCIL ACTION

Resolution _____ ✓
Ordinance _____
Introduced _____
Passed _____ 4-21-15
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

CONTRACT CHANGE ORDER NO. 2

City of Tuscaloosa, Office of the City Attorney

DATE: March 30, 2015
PROJECT: ALBERTA REVITALIZATION INFRASTRUCTURE PROJECT PHASE 1A
TO: CIVILWORX CONSTRUCTION, LLC
(Contractor)

TERMS: You are hereby authorized, subject to the provisions of your Contract for this Project, to make the following changes thereto in accordance with the attached Change Order Request and supporting documents and to:

FURNISH the necessary labor, materials and equipment to:

- Extension of Contract Time by (39) calendar days due to additional work added to the project and extended periods of wet weather or sub-freezing temperatures.

TOTAL ADDITION OR REDUCTION TO CONTRACT PRICE:

(Note: Numbers in parentheses are deductions).

ORIGINAL CONTRACT PRICE	\$	1,242,334.40
LESS CONTINGENCY/ALLOWANCE	\$	0
NET ORIGINAL CONTRACT PRICE	\$	1,242,334.40
Net total of previous Change Orders	\$	39,740.40
Previous revised Contract Price	\$	1,282,074.80
This Change Order No. <u>2</u> <input type="checkbox"/> Add <input type="checkbox"/> Deduct	\$	0
Revised Contract Price this date	\$	1,282,074.80

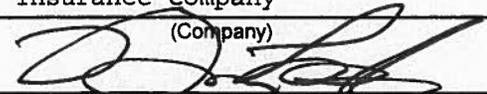
Extension of time resulting from this Change Order - 39 - (Indicate number of calendar days).

The amount of this Change Order will be the responsibility of The City of Tuscaloosa, Alabama

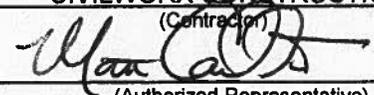
This Contract Modification constitutes full and mutual accord and satisfaction for all time and all cost related to this change. By acceptance of this Contract Modification, the Contractor hereby agrees that the modification represents an equitable adjustment to the Contract, and further, agrees to waive all right to file any further claims or changes arising out of or as a result of this change, or the accumulation of executed Contract Modifications on this Contract.

The Contractor and Owner(s) hereby agree to the terms of this Change Order as contained herein.

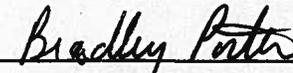
CONSENT OF SURETY

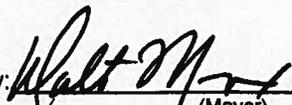
RLI Insurance Company
(Company)
By: 
Brandon LaBresh, Attorney-in-Fact

CONTRACTING PARTIES

CIVILWORX CONSTRUCTION, LLC
(Contractor)
By: 
(Authorized Representative)
Matt Caddis, President
CITY OF TUSCALOOSA

RECOMMENDED

By: 
WALKER ASSOCIATES, INC.
(Design Engineer or Architect)

By: 
(Mayor)



9025 N. Lindbergh Dr. | Peoria, IL 61615
Phone: (800)645-2402 | Fax: (309)689-2036

POWER OF ATTORNEY

RLI Insurance Company

Contractors Bonding and Insurance Company

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That this Power of Attorney may be effective and given to either or both of RLI Insurance Company and Contractors Bonding and Insurance Company, required for the applicable bond.

That RLI Insurance Company, a Illinois corporation, and/or Contractors Bonding and Insurance Company, a Washington corporation (as applicable), each authorized and licensed to do business in all states and the District of Columbia do hereby make, constitute and appoint:

Thomas W Moore, Marlin D Moore, III, Thomas Henry Bonhaus, Walter W Gary, Madison Andrew Hudson, Brandon LaBresh, Charles Bailey IV, jointly or severally

in the City of Tuscaloosa, State of Alabama, as Attorney in Fact, with full power and authority hereby conferred upon him/her to sign, execute, acknowledge and deliver for and on its behalf as Surety, in general, any and all bonds, undertakings, and recognizances in an amount not to exceed Ten Million Dollars (\$10,000,000.00) for any single obligation.

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

RLI Insurance Company and Contractors Bonding and Insurance Company, as applicable, have each further certified that the following is a true and exact copy of the Resolution adopted by the Board of Directors of each such corporation, and now in force, to-wit:

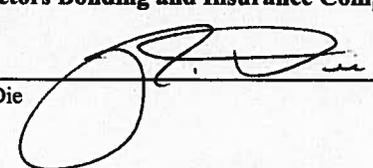
"All bonds, policies, undertakings, Powers of Attorney or other obligations of the Corporation shall be executed in the corporate name of the Corporation by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Corporation. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the Corporation. The signature of any such officer and the corporate seal may be printed by facsimile or other electronic image."

IN WITNESS WHEREOF, RLI Insurance Company and/or Contractors Bonding and Insurance Company, as applicable, have caused these presents to be executed by its respective Vice President with its corporate seal affixed this 12th day of December, 2014.

State of Illinois }
County of Peoria } SS



RLI Insurance Company
Contractors Bonding and Insurance Company

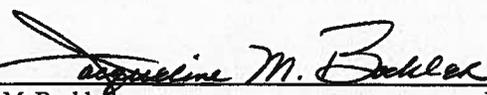


Roy C. Die Vice President

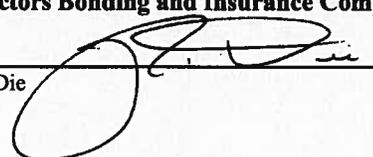
On this 12th day of December, 2014, before me, a Notary Public, personally appeared Roy C. Die, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the RLI Insurance Company and/or Contractors Bonding and Insurance Company, and acknowledged said instrument to be the voluntary act and deed of said corporation.

CERTIFICATE

I, the undersigned officer of RLI Insurance Company, a stock corporation of the State of Illinois, and/or Contractors Bonding and Insurance Company, a Washington corporation, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the RLI Insurance Company and/or Contractors Bonding and Insurance Company this 30th day of March, 2015.


Jacqueline M. Bockler Notary Public

RLI Insurance Company
Contractors Bonding and Insurance Company



Roy C. Die Vice President



**CITY OF TUSCALOOSA
OFFICE OF THE CITY ATTORNEY**

**CHANGE
ORDER
REQUEST**

OWNER: CITY OF TUSCALOOSA

ARCHITECT/ENGINEER: WALKER ASSOCIATES, INC.

CONTRACTOR: CIVILWORX CONSTRUCTION, LLC

PROJECT: ALBERTA REVITALIZATION INFRASTRUCTURE PROJECT PHASE 1A
CITY PROJECT NO. A12-1324

CHANGE ORDER REQUEST NO. 2 **DATE:** March 30, 2015

1. DESCRIPTION OF CHANGE:

- Extension of Contract Time by (39) calendar days due to additional work added to the project and extended periods of wet weather or sub-freezing temperatures.

2. CHANGE ORDER COSTS: None

Proposal Attached N/A **Cost Estimated/Proposal Required**

<i>Item</i>	<i>Quantity</i>	<i>Material Unit Price</i>	<i>Labor (Hours)</i>	<i>Labor Unit Price</i>	<i>Sub-Total Cost</i>
a.					
b.					
c.					
d.					
e.					
f.*					
TOTAL:					

*If more than 6 items, provide attachments.

3. INSTITUTED BY: City of Tuscaloosa

4. JUSTIFICATION OF NEED: Extension of Time due to additional work added to project and extended periods of wet weather and sub-freezing temperatures which reduced original contract work days.

5. JUSTIFICATION OF CHANGE ORDER VERSUS COMPETITIVE BIDDING: No bid required. Request for time extension.

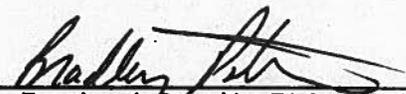
6. COSTS REVIEW: N/A

7. THIS CHANGE ORDER IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS THE FOLLOWING TYPE:

- Minor change of a total monetary value less than required for competitive bidding.
- Changes for matters relatively minor and incidental to the original contract necessitated by unforeseeable circumstances arising during the course of work.
- Emergencies arising during the course of work.
- Change or alternates provided for in the original bidding where there is no difference in price of the Change Order from the original best bid on the Alternate.
- Change of relatively minor terms not contemplated when the plans and specifications were prepared and the Project was bid and which are in the public interest and do not exceed 10% of the Contract Price.

8. EXTENSION OF TIME REQUESTED: Calendar Days: Thirty-nine (39) Calendar Days.
Project completion date: May 1, 2015.

RECOMMENDED:

BY: 
Tuscaloosa's Consulting Engineer/Architect
Bradley Porter, P.E., Walker Associates, Inc.

BY: 
City Representative

APPROVED:

BY: 
Contractor
Matt Caddis, CivilWorx Construction, LLC

BY: _____
Owner's Legal Advisor

BY: _____
Owner's Authorized Representative