LETTER OF TRANSMITTAL

DATE 8-10-15

LEGAL FILE NO. A13-0062

CITY OF TUSCALOOSA
OFFICE OF THE CITY ATTORNEY
P.O. BOX 2089
TUSCALOOSA, AL 35403-2089
Telephone No. (205) 248-5140
Fax No. (205) 349-0328

TO: Robert Jamison
WAR Construction
P.O. Box 1218
Tuscaloosa, AL 35403

RE: Fire Station 4

WE ARE SENDING YOU BY:

- [x] ATTACHED
- [ ] UNDER SEPARATE COVER VIA _____

THE FOLLOWING:

- [ ] PERMIT
- [ ] RESOLUTION
- [ ] ORDINANCE
- [ ] COPY OF LETTER
- [ ] PLEADINGS
- [ ] CONTRACT
- [ ] FRONT-END LEGALS
- [x] CHANGE ORDER NO.# 3-TP4
- [ ] CONTRACT AMENDMENT
- [ ] OTHER: _____
- [ ] MEMO OF LAW

THESE ARE TRANSMITTED FOR THE PURPOSES CHECKED BELOW:

- [ ] FOR APPROVAL
- [ ] APPROVAL AS SUBMITTED
- [x] FOR YOUR USE
- [ ] FOR EXECUTION
- [ ] APPROVAL AS NOTED
- [ ] FOR REVIEW AND COMMENT
- [ ] AS REQUESTED
- [ ] RETURNED FOR CORRECTIONS
- [ ] RETURN EXECUTED ORIGINAL

REMARKS: Attached please find CO#3, TP4 for your files. Please provide a copy to the Contractor and Architect. Thanks!

COPY TO Cliff Penick, FM
Ashley Price, Recovery

SIGNED: Melinda Causey
Melinda Causey, Office Administrator
e-mail:mcausey@tuscaloosa.com

APPROVED AS TO FORM
GDW
Office of the City Attorney

Prepared By: CAN
Requested: Projects Cmte.
Presentation on: 08/04/2015
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 FOR FIRE STATION NO. 4 (TP.04) (A13-0062)

WHEREAS, heretofore, as a result of competitive bidding or as otherwise authorized by the Alabama Competitive Bid Law, Ala. Code §41-16-50, et seq. (1975) and/or Ala. Code §39-2-1, et seq. (1975), the City of Tuscaloosa awarded a contract for the above-referenced project to Rice Floor & Tile, Inc.; and,

WHEREAS, it has been determined that a change order to the above-referenced contract is necessary for the following reasons:

Deduct tax,

as set forth in the C.O. and accompanying documents); and,

WHEREAS, the Architect, the Engineer for the project, or the City's representative, as the case may be, have/has certified to the Council as per the attached change order request, that said change order is: (Mark applicable category)

X a. Minor change of a total monetary value less than required for competitive bidding.

___b. Changes for matters relatively minor and incidental to the original contract necessitated by unforeseeable circumstances arising during the course of work.

___c. Emergency arising during the course of work.

___d. 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.

___e. 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 ten (10) percent of the Contract Price.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

1. That the Mayor be, and he is hereby, authorized to execute that certain change order now before the Council for the above stated project in the deductive amount of $3,273.69 (Change Order Cost), time 0 (Calendar day extension of time), and for the reasons so stated, by and as an act for and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

2. That the Architect or Engineer or Owner's representative, as the case may be, shall implement this change order and properly document the same pursuant to all applicable contract documents.

FUNDING REQUIRED: ☐Yes ☒No

_____
_____
_____
_____
_____
_____
_____
_____

By:_____
Finance Director

COUNCIL ACTION

Resolution ✓
Ordinance _____
Introduced _____
Passed 8-4-15
2nd Reading _____
Unanimous_____
Failed _____
Tabled _____
Amended _____
Comments:_____

CONTRACT CHANGE ORDER NO. 3

City of Tuscaloosa, Office of the City Attorney

DATE: 29-JUNE-2015 **PROJECT: FIRE STATION NO. 4 CITY PROJECT NO. A11-0694**

TO: RICE FLOOR AND TILE A13-0062 TP4
(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:

DEDUCT TAX

TOTAL ADDITION OR REDUCTION TO CONTRACT PRICE:

(Note: Numbers in parentheses are deductions).

ORIGINAL CONTRACT PRICE	$68,000.00
LESS CONTINGENCY/ALLOWANCE	$0.00
NET ORIGINAL CONTRACT PRICE	$68,000.00
Net total of previous Change Orders	$9,820.21
Previous revised Contract Price	$77,820.21
This Change Order No. 3 ☐Add ☒Deduct	$3,273.69
Revised Contract Price this date	$74,546.52

Extension of time resulting from this Change Order 0 (Indicate number of calendar days).

The amount of this Change Order will be the responsibility of CITY OF TUSCALOOSA

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

Auto-Owners Insurance Company
(Company)

By: [signature]

CONTRACTING PARTIES

Rice Floor + Tile, Inc
(Contractor)

By: Teresa Rice
(Authorized Representative)

RECOMMENDED

By: REX. B VERON

Rex B Veron
(Architect)

CITY OF TUSCALOOSA

By: [signature]
(Mayor

Office of the City Attorney
Form No. PW-01/ Rev. 03-2012

DATE AND ATTACH TO ORIGINAL BOND

AUTO-OWNERS INSURANCE COMPANY

LANSING, MICHIGAN

POWER OF ATTORNEY

NO. 66170926

KNOW ALL MEN BY THESE PRESENTS: That the AUTO-OWNERS INSURANCE COMPANY AT LANSING, MICHIGAN, a Michigan Corporation, having its principal office at Lansing, County of Eaton, State of Michigan, adopted the following Resolution by the directors of the Company on January 27, 1971, to wit:

"RESOLVED, That the President or any Vice President or Secretary or Assistant Secretary of the Company shall have the power and authority to appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity, and other writings obligatory in the nature thereof. Signatures of officers and seal of Company imprinted on such powers of attorney by facsimile shall have same force and effect as if manually affixed. Said officers may at any time remove and revoke the authority of any such appointee."

Does hereby constitute and appoint RICHARD H ROBINSON

its true and lawful attorney(s)-in-fact, to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and the execution of such instrument(s) shall be as binding upon the AUTO-OWNERS INSURANCE COMPANY AT LANSING, MICHIGAN as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

IN WITNESS WHEREOF, the AUTO-OWNERS INSURANCE COMPANY AT LANSING, MICHIGAN, has caused this to be signed by its authorized officer this 2nd day of January, 2014.

Kenneth R. Schroeder — Senior Vice President

STATE OF MICHIGAN }ss.
COUNTY OF EATON

On this 2nd day of January, 2014, before me personally came Kenneth R. Schroeder, to me known, who being duly sworn, did depose and say that they are Kenneth R. Schroeder, Senior Vice President of AUTO-OWNERS INSURANCE COMPANY, the corporation described in and which executed the above instrument, that they know the seal of said corporation, that the seal affixed to said instrument is such Corporate Seal, and that they received said instrument on behalf of the corporation by authority of their office pursuant to a Resolution of the Board of Directors of said corporation.

AMANDA LAMP NOTARY PUBLIC COUNTY OF EATON My Commission Expires JANUARY 1, 2020 Acting in the County of STATE OF MICHIGAN

My commission expires January 1st, 2020.

Amanda Lamp — Notary Public

STATE OF MICHIGAN }ss.
COUNTY OF EATON

I, the undersigned Senior Vice President, Secretary and General Counsel of AUTO-OWNERS INSURANCE COMPANY, do hereby certify that the authority to issue a power of attorney as outlined in the above board of directors resolution remains in full force and effect as written and has not been revoked and the resolution as set forth are now in force.

Signed and sealed at Lansing, Michigan. Dated this 18th day of August, 2014

AUTO-OWNERS INSURANCE CO. Seal LANSING, MICH.

William F. Woodbury, Senior Vice President, Secretary and General Counsel