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OTO TUAMOKUMO
SCOTT B. HOLMES

CITY OF TUSCALOOSA



LEGAL AFFAIRS ADMINISTRATOR
CYNTHIA NOLAND

2201 UNIVERSITY BLVD. (35401)
POST OFFICE BOX 2089
TUSCALOOSA, ALABAMA 35403

TELEPHONE NO. (205) 248-5140
FAX NO. (205) 349-0328
www.tuscaloosa.com

September 3, 2015

Henry Hinds
John Plott Inc
2804 Rice Mine Road
Tuscaloosa, Alabama 35406

RE: Contract for Rosewood Sanitary Sewer Improvements, Phase Two
Our File Number: A15-0536

Dear Mr. Hinds:

Enclosed please find a fully executed change order #1 for your files. If you have any questions or comments, please feel free to contact Jimmy Duncan, Wendy McBride or Kristen Love.

Sincerely yours,

A handwritten signature in black ink that reads "Melinda Causey". The signature is written in a cursive style with a large, looped "M" and "C".

Melinda Causey
Office Administrator

MLC

Enclosure

c: Jimmy Duncan, McGiffert and Associates
Wendy McBride, Office of the City Engineer
Ashley Price, Recovery

APPROVED AS TO FORM

CDW
Office of the City Attorney

Prepared By: mlc
Requested: Projects Committee
Presentation on: 9/1/15
Suspension of Rules: No

RESOLUTION

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR
ROSEWOOD SANITARY SEWER IMPROVEMENTS, PHASE TWO
(A15-0536)**

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 John Plott Company, Inc., (Contractor's Name); and,

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

Substitute the required sewer main lining from "Protecto 401" to "Permax CTF" (no additional cost); Add sanitary sewer service laterals and appurtenances (\$5,852.50 additional); Add 12" diameter sewer main, associated bypass pumping and appurtenances \$5,248.52 additional); Add grout filing of existing mains to be abandoned (\$15,829.27 additional); Increase contract time by 45 days due to delays acquiring sales tax exemption certificate.

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)

- 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 amount of \$26,925.29 (Change Order Cost), time 45 (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

Water & Sewer RFF
614-27010-610210 AV = 772,51X
CDBG DR-2
228 17162-20131 RV = 1,008,100

By: [Signature]
Finance Director

COUNCIL ACTION

Resolution ✓
Ordinance _____
Introduced _____
Passed 9-1-15
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

CONTRACT CHANGE ORDER NO. 1

City of Tuscaloosa, Office of the City Attorney

DATE: August 11, 2015 PROJECT: Rosewood Sanitary Sewer Improvements Project Phase Two

TO: John Plott Company, Inc.
(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:

Substitute the required sewer main lining from "Protecto 401" to "Permax CTF" (no additional cost); Add sanitary sewer service laterals and appurtenances (\$5,852.50 additional); Add 12" diameter sewer main, associated bypass pumping and appurtenances (\$5,243.52 additional); Add grout filling of existing mains to be abandoned (\$15,829.27 additional); Increase contract time by 45 days due to delays acquiring sales tax exemption certificate.

TOTAL ADDITION OR REDUCTION TO CONTRACT PRICE:

(Note: Numbers in parentheses are deductions).

ORIGINAL CONTRACT PRICE	\$297,389.00
LESS CONTINGENCY/ALLOWANCE	\$ 0.00
NET ORIGINAL CONTRACT PRICE	\$297,389.00
Net total of previous Change Orders	\$ 0.00
Previous revised Contract Price	\$297,389.00
This Change Order No. <u>1</u> <input checked="" type="checkbox"/> Add <input type="checkbox"/> Deduct	\$ 26,925.29
Revised Contract Price this date	\$324,314.29

Extension of time resulting from this Change Order 45 (Forty-Five) (Indicate number of calendar days).

The amount of this Change Order will be the responsibility of The 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

WESTERN SURETY COMPANY
BY [Signature] (Company)
ATTORNEY-IN-FACT

By: _____

RECOMMENDED

By: [Signature]
McGiffert and Associates, LLC
(Design Engineer or Architect)

By: _____

CONTRACTING PARTIES

John Plott Company, Inc.
(Contractor)
By: [Signature]
(Authorized Representative)

By: _____

CITY OF TUSCALOOSA

By: [Signature]
(Mayor)

By: _____

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

**CHANGE
ORDER
REQUEST**

OWNER: CITY OF TUSCALOOSA

ARCHITECT/ENGINEER: McGiffert and Associates, LLC

CONTRACTOR: John Plott Company, Inc.

PROJECT: Rosewood Sanitary Sewer Improvements Project Phase Two

CHANGE ORDER REQUEST NO. 1 **DATE:** August 11, 2015

1. DESCRIPTION OF CHANGE:

Substitute the required sewer main lining from "Protecto 401" to "Permax CTF" (no additional cost); Add sanitary sewer service laterals and appurtenances (\$5,852.50 additional); Add 12" diameter sewer main, associated bypass pumping and appurtenances (\$5,243.52 additional); Add grout filling of existing mains to be abandoned (\$15,829.27 additional); Increase contract time by 45 days due to delays acquiring sales tax exemption certificate.

2. CHANGE ORDER COSTS: \$26,925.29 additional cost (see attached)

Proposal Attached _____ **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:

McGiffert and Associates, LLC and The City of Tuscaloosa

4. JUSTIFICATION OF NEED:

The "Permax CTF" lining is preferred over the "Protecto 401" lining due to long term maintenance issues. The remaining changes were requested by the City of Tuscaloosa Water and Sewer Department after the bid.

5. JUSTIFICATION OF CHANGE ORDER VERSUS COMPETITIVE BIDDING:

The changes are minor when considering the contract value and of a total monetary value less than required for competitive bidding.

6. COSTS REVIEW:

The proposed costs have been reviewed by the project engineer and found to be acceptable.

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

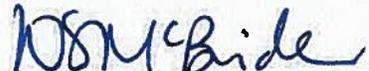
- Minor change of a total monetary value less than required for competitive bidding.
 - Changes for matters relatively minor and incidental to the original contract necessitated by unforeseeable circumstances arising during the course of work.
 - Emergencies arising during the course of work.
 - Change 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:

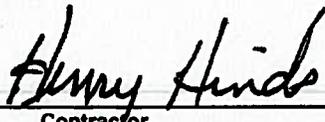
45 (Forty-Five)

RECOMMENDED:

BY: 
Tuscaloosa's Consulting Engineer/Architect

BY: 
City Representative

APPROVED:

BY: 
Contractor

BY: _____
Owner's Legal Advisor

BY: _____
Owner's Authorized Representative

Jimmy Duncan

From: Andrew Harshman <aharshman@jplott.com>
Sent: Monday, August 10, 2015 8:21 AM
To: Jimmy Duncan
Subject: Rosewood Changes

Jimmy,

Below is the requested pricing for the additional items on the Rosewood Sewer project. If you have any questions regarding the pricing give me a call.

Item:

1. 4" SDR 26 PVC Sanitary Sewer Laterals as revised on sheet C2.2, C2.6, C2.6A. Includes necessary 4" PVC, Magnetic markers, solvent weld caps, testing, connection to existing line, adjustments to manhole R-14, saw cutting pavements, Stone bedding and backfill, and Pavement replacement. Total Lump Sum - \$5,852.50
2. 12" SDR 26 PVC Sewer as revised on sheet C2.4. Includes necessary 12" PVC, saw cutting, Connection to existing manhole, Bypass pumping, reshaping invert, Stone bedding and backfill, and pavement replacement. Total Lump Sum - \$ 5,243.52
3. Grout Fill existing sewer mains as detailed on sheets C2.4, C2.6A, C2.7. Includes necessary excavation work, capping of exist mains and grouting of approximately 125 lf of existing 12" sewer and approximately 95 lf of existing 8" sewer in three separate locations. Total Lump Sum Price \$15,829.27
4. Manhole R-9A –To be paid per VF as set up in contract
5. Curb and Gutter replacement – to be paid as set up in contract

Thank You,

Andy Harshman
Project Manager / Safety Coordinator

John Plott Company
P.O. Box 20183
Tuscaloosa, AL 35402
Phone: 205-345-5678
Fax: 205-752-3245

