


APPROVED AS TO FORM


Office of the City Attorney

Prepared By: CWE
Requested: Projects Committee
Presentation on: 5/8/18
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR
ALBERTA REVITALIZATION INFRASTRUCTURE PHASE 2
(A17-1212)

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 GFC Construction, 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:

Relocation of an existing 12" cast iron water main due to minimal existing cover of the pipe with a new 12" ductile iron water main. Extension of Contract Time by (14) calendar days for the additional materials, installation, and testing of the new water main.

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 \$53,527.35

(Change Order Cost), time 14 (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

61207040-610050 ^{✓ add}
All of this CO is being
paid for out of the
WSRFF account for
the project.

WS RFF2
By: [Signature]
Finance Director

COUNCIL ACTION

Resolution ✓
Ordinance _____
Introduced _____
Passed 5-8-18
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

Memorandum

April 25, 2018

To: Public Projects Committee

From: Brad Matthews
Infrastructure and Public Services

RE: **Alberta Parkway Phase II**
Project 2016.036

Recommendation

The Office of City Engineer is requesting approval of change order number one with GFC Construction, Inc. The changer order is in the amount of **\$53,527.35**, and includes replacement of a 12" water main. The contract plans called for retaining the existing 12" line, but when the line was uncovered during the project, it was found to be too shallow to allow paving above it. The change order provides an additional 14 days so the water main can be rebuilt before construction of the roadway can resume in the area.

Project Description

Phase II will be an extension of the same scope that was constructed in Phases Ia and Ib. Project limits are from Kicker Road to 23rd Avenue East through the Jaycee Park area.

Funding

The budget for the project is \$4,074,421, with an available contingency of \$323,197.40. The funding sources are listed below.

DR1	\$ 867,138
DR2	\$3,067,682
WSRFFI	\$ 124,600
Miracle Grow	\$ 15,000



INFRASTRUCTURE & PUBLIC SERVICES

2201 University Blvd. • Tuscaloosa, AL 35401 • Phone 205-248-5890 • Fax 205-248-5769 • City Hall 205-248-5311

TUSCALOOSA.COM

 @TuscaloosaCity

CONTRACT CHANGE ORDER NO. 1

City of Tuscaloosa, Office of the City Attorney

DATE: 04/25/18 PROJECT: ALBERTA REVITALIZATION INFRASTRUCTURE PHASE 2

TO: GFC CONSTRUCTION, 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:

- COR#1 – Relocation of an existing 12" cast iron water main due to minimal existing cover of the pipe with a new 12" ductile iron water main. Extension of Contract Time by (14) calendar days for the additional materials, installation, and testing of the new water main.

TOTAL ADDITION OR REDUCTION TO CONTRACT PRICE:

(Note: Numbers in parentheses are deductions).

ORIGINAL CONTRACT PRICE	\$	<u>2,284,960.62</u>
LESS CONTINGENCY/ALLOWANCE	\$	<u>0</u>
NET ORIGINAL CONTRACT PRICE	\$	<u>2,284,960.62</u>
Net total of previous Change Orders	\$	<u>0</u>
Previous revised Contract Price	\$	<u>2,284,960.62</u>
This Change Order No. <u>1</u> <input checked="" type="checkbox"/> Add <input type="checkbox"/> Deduct	\$	<u>53,527.35</u>
Revised Contract Price this date	\$	<u>2,338,487.97</u>

Extension of time resulting from this Change Order - 14 - (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

The Cincinnati Insurance Company

(Company)

By: *Anne M. Leslie*
Anne M. Leslie, Attorney-In-Fact

RECOMMENDED

By: WALKER ASSOCIATES, INC.

Bradley Potts
(Design Engineer or Architect)

CONTRACTING PARTIES

GFC CONSTRUCTION, INC.

(Contractor)

By: *John Lee*
(Authorized Representative)

CITY OF TUSCALOOSA

By: *Walter M. Hef*
(Mayor)



THE CINCINNATI INSURANCE COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Fairfield, Ohio, does hereby constitute and appoint

Robert W. Poellnitz, Jr.; Walter Wayne Guy; Rick Manasco; Robert G. Plott; W. Geoffrey Plott; Jacob R. Thornell, Jr. and/or Anne M. Leslie

of Tuscaloosa, Alabama its true and lawful Attorney(s)-in-Fact to sign, execute, seal and deliver on its behalf as Surety, and as its act and deed, any and all bonds, policies, undertakings, or other like instruments, as follows:

Any such obligations in the United States, up to Fifty Million and No/100 Dollars (\$50,000,000.00).

This appointment is made under and by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1958, which resolution is still in effect:

"RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1973.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Vice President this 1st day of October, 2015.



THE CINCINNATI INSURANCE COMPANY

Signature of Stephen A. Justice

Vice President

STATE OF OHIO) ss:
COUNTY OF BUTLER)

On this 1st day of October, 2015, before me came the above-named Vice President of THE CINCINNATI INSURANCE COMPANY, to me personally known to be the officer described herein, and acknowledged that the seal affixed to the preceding instrument is the corporate seal of said Company and the corporate seal and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporation.



Signature of Mark J. Huller

MARK J. HULLER, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date. Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Secretary of THE CINCINNATI INSURANCE COMPANY, hereby certify that the above is a true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in full force and effect.

GIVEN under my hand and seal of said Company at Fairfield, Ohio, this 25th day of April, 2018.

Signature of Scott R. Boen

Secretary



CITY OF TUSCALOOSA
OFFICE OF THE CITY ATTORNEY

**CHANGE
ORDER
REQUEST**

OWNER: CITY OF TUSCALOOSA
 ARCHITECT/ENGINEER: WALKER ASSOCIATES, INC.
 CONTRACTOR: GFC CONSTRUCTION, INC.
 PROJECT: ALBERTA REVITALIZATION INFRASTRUCTURE PROJECT PHASE 2
CITY PROJECT NO. 2016.136.001

CHANGE ORDER REQUEST NO. 1 DATE: April 18, 2018

1. DESCRIPTION OF CHANGE:

- Relocation of existing 12" cast iron water main with a new 12" ductile iron water.

2. CHANGE ORDER COSTS: (ADD) \$53,527.35

Proposal Attached SEE 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: City of Tuscaloosa

4. JUSTIFICATION OF NEED: Existing 12" Cast Iron Water main was found to be approximately one (1) foot deep, therefore resulting in it being located within the proposed pavement buildup and not having sufficient cover to withstand construction activity where it crosses the proposed parking lot in front of the Tennis Facility. The existing water main will be replaced adjacent to the existing main with a new 12" ductile iron water main where it crosses the parking lot.

5. **JUSTIFICATION OF CHANGE ORDER VERSUS COMPETITIVE BIDDING:** This change order results in a minor change in total monetary cost, and similar water main improvement work is currently being performed by the low bid Contractor.

6. **COSTS REVIEW:** Review by Walker Associates, Inc.

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.
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8. **EXTENSION OF TIME REQUESTED:** Calendar Days: Fourteen (14) Calendar Days

RECOMMENDED:

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

BY: B. White
City Representative

APPROVED:

BY: R. J. G. Construction
Contractor
GFC Construction, Inc.

BY: _____
Owner's Legal Advisor

BY: _____
Owner's Authorized Representative



2890 Rice Mine Road NE
 Tuscaloosa, Alabama 35406
 P (205) 561-3778 F (205) 561-3779

ASI No.: 3

DATE OF ISSUANCE: April 18, 2018

TTL PROJECT NO.: 12-100

TO CONTRACTOR: GFC Construction, Inc. P.O. Box 87 Duncanville, AL 35456 Attn: Mr. RJ Thompson	PROJECT: Alberta Revitalization Infrastructure Project Phase 2 City of Tuscaloosa City Project No.: 2016.136.001
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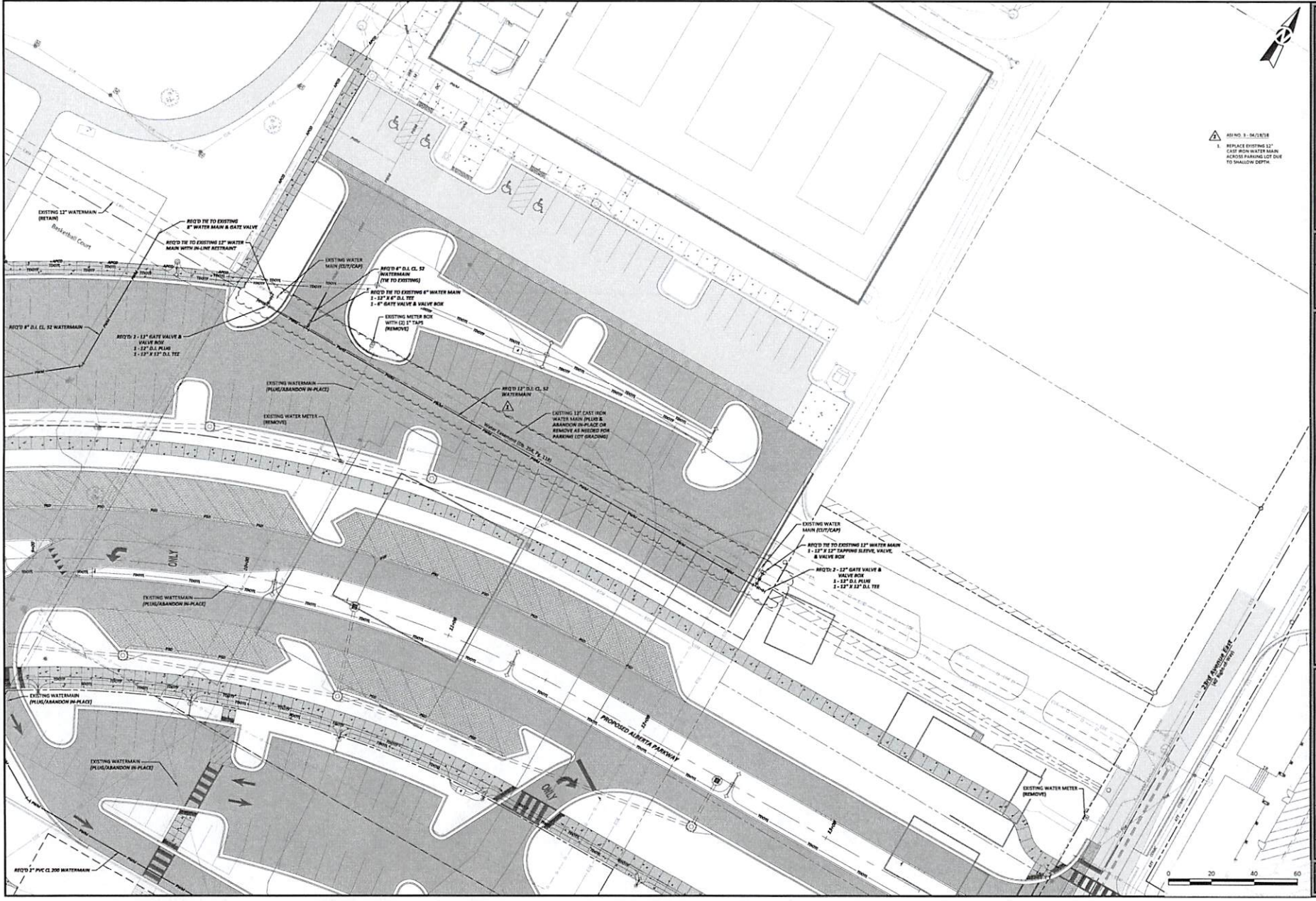
Please see attached drawing for the above reference project. As noted on the attached drawing, this information is for the installation of new 12" ductile iron water main to replace an existing 12" cast iron water main which has limited existing cover that is not sufficient for construction of the parking lot over it. Please provide pricing for this work and the items listed below:

Description:					
Item No.	Quantity	Unit	Description	Unit Cost	Total Cost
202	15	l.f.	6" D.I. Class 52 Compression Joint Watermain and Connect to Tennis Facility Service Main	\$61.90	\$928.50
203	275	each	12" D.I. Class 52 Compression Joint Watermain (Standard Backfill)	\$88.66	\$24,381.50
204	1	each	6" Gate Valve and Valve Box	\$1,023.64	\$1,023.64
205	4	each	12" Gate Valve and Valve Box	\$2,492.85	\$9,971.40
206	1	each	12" x 12" Tapping Sleeve, Valve, and Valve Box	\$8,241.55	\$8,241.55
207	1	each	Tie to Existing 12" Water Main with In-Line Restraints	\$1,791.26	\$1,791.26
208	2	each	12" DIMJ Water Main Plug	\$809.11	\$1,618.22
209	2	each	Cut/Cap Existing Water Main	\$2,098.14	\$4,196.28
210	1	l.s.	Additional Testing and Disinfection	\$1,375.00	\$1,375.00
				Total	\$53,527.35

Notes:
 Any required cost for the above listed items shall include all labor, equipment, tools, materials, and incidentals necessary to complete the work. No extra payment will be made for site preparation, backfill, pipe bedding, trench excavation (including backfill), and fittings, but costs for these items shall be included in these pay items.

TTL, INC.

BY: 
 Bradley Porter, P.E.



1. REPLACE EXISTING 12" LIEE IRON WATER MAIN ACROSS PARKING LOT DUE TO SHALLOW DEPTH.



WALKER ASSOCIATES, INC.
 ENGINEERING, PLANNING, DESIGN & SURVEYING
 www.walkerai.com
 2890 Rice Mine Road NE
 Tusculoosa, AL 35406
 P (205) 561-3778 | F (205) 561-3779



WATER DISTRIBUTION PLAN
 CITY OF TUSCALOOSA
 IMPROVEMENT INFRASTRUCTURE PROJECT
 PHASE 2 - KICKER ROAD TO 23RD AVENUE EAST
 TUSCALOOSA, ALABAMA
 CITY OF TUSCALOOSA OCE PROJECT NO. 2016.136.001

No.	Date	Description
1	04/25/23	Revised Ex. 12' Con. Water Main

Drawn By: DJT	Checked By: M.B.P.
Date: 10/27/22	Date: 10/27/22
Scale: 1"=100'	Scale: 1"=100'

Sheet No.
C7.2