


APPROVED AS TO FORM


Office of the City Attorney

Prepared By: CAN
Requested: Projects Cmte.
Presentation on: 08/05/2014
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 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:

Add quarry tile and base in rooms 106 & 107.

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 \$8,379.81 (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

CDBG-DR 2

AP: _____ 113693

By: [Signature]
Finance Director

COUNCIL ACTION

Resolution ✓
Ordinance _____
Introduced _____
Passed 8-5-14
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

TRANSMITTAL



WAR CONSTRUCTION, INC. · P.O. Box 1218 · Tuscaloosa, AL 35403 · 4300 Black Warrior Parkway · Tuscaloosa, AL 35401
Phone: 205-758-4723 · Fax 205-349-3425 · Website: www.warconstruction.com · General E-mail: info@warconstruction.com

Transmittal #: 32

Date: 7/23/2014

Job: 13-039 Fire Station #4

To: Clif Penick
City of Tuscaloosa
2201 University Boulevard
Tuscaloosa, AL 35401
Ph: (205)233-2667 Fax: (205)349-0385

Subject: Change Order Request #2 ffor RIce Floor and Tile



WE ARE SENDING YOU Attached Memo-See remarks section below.
 Shop drawings Prints Plans Samples
 Copy of letter Change order Specifications Other

Document Type	Copies	Date	No.	Description
Other	5	7/23/14	2	Change Order Request #2

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit ___ copies for approval
- For your use Approved as noted Submit ___ copies for distribution
- As requested Returned for corrections Return ___ corrected prints
- For review and comment Other
- FOR BIDS DUE PRINTS RETURNED AFTER LOAN TO US

Remarks: Clif,
If this change order request is not approved by The City of Tuscaloosa, then Fire Department does not want to approve the credit for the ground polished concrete submitted by K&A Builders.
Thanks,
Robert

Copy To:

From: Jamison, Robert (WAR Construction, Inc.)

Signature:

CONTRACT CHANGE ORDER NO. 2

City of Tuscaloosa, Office of the City Attorney

DATE: 4-AUGUST 2014 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:

FURNISH the necessary labor, materials and equipment to:

- INSTALL NEW QUARRY TILE IN ROOMS 106 & 107

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	\$1,440.40
Previous revised Contract Price	\$69,440.40
This Change Order No. <u>2</u> <input checked="" type="checkbox"/> Add <input type="checkbox"/> Deduct	\$8,379.81
Revised Contract Price this date	\$77,820.21

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

CONTRACTING PARTIES

Auto Owners Insurance Rice Floor & Tile, Inc.
 (Company) (Contractor)
 By: [Signature] By: [Signature]
 (Authorized Representative)

RECOMMENDED

CITY OF TUSCALOOSA

By: REX. B VERON
[Signature]
 (Architect)

By: [Signature]
 (Mayor)

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.

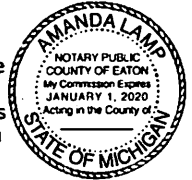
IN WITNESS WHEREOF, the AUTO-OWNERS INSURANCE COMPANY AT LANSING, MICHIGAN, has caused this to be signed by its authorized officer this 2nd day of January, 2014

Kenneth R. Schroeder

Senior Vice President

STATE OF MICHIGAN }
COUNTY OF EATON } ss.

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.



My commission expires January 1st, 2020

Amanda Lamp

Notary Public

STATE OF MICHIGAN }
COUNTY OF EATON } ss.

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



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

STATE OF TEXAS
COUNTY OF [illegible]

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[Faint, illegible text]

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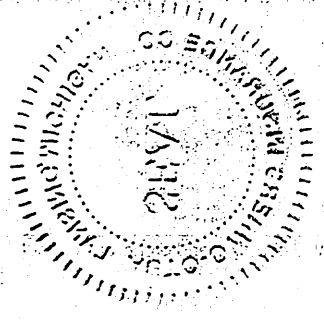
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CITY OF TUSCALOOSA
OFFICE OF THE CITY ATTORNEY

**CHANGE
ORDER
REQUEST**

OWNER: CITY OF TUSCALOOSA

ARCHITECT/ENGINEER: REX VERON DESIGNS, LLC

CONTRACTOR: CONSTRUCTION MANAGER: WAR CONSTRUCTION, INC.
PROJECT: FIRE STATION NO. 4: CITY PROJECT A11-0694
CHANGE ORDER REQUEST NO. 2 2 RICE TILE AND FLOOR__ DATE: 13 JULY 2014

COR 3. DESCRIPTION OF CHANGE: RICE TILE & FLOOR: A13-0062 TP 4
• ADD QUARRY TILE AND BASE TO ROOMS 106 & 107: ADD \$8,379.81

2. CHANGE ORDER COSTS TOTAL: COR 2 RICE TILE & FLOOR
Proposal Attached SEE ATTACHED Cost Estimated/Proposal Required

Item	Quantity	Material Unit Price	Labor (Hours)	Labor Unit Price	Sub-Total Cost
a. Add Quarry Tile + Base 106 + 107					\$ 8,379.81
b.					
c.					
d.					
e.					
f.*					
TOTAL:					\$ 8,379.81

*If more than 6 items, provide attachments.

3. INSTITUTED BY: CITY OF TUSCALOOSA

4. JUSTIFICATION OF NEED: REQUIRED BY CITY OF TUSCALOOSA

5. JUSTIFICATION OF CHANGE ORDER VERSUS COMPETITIVE BIDDING:
REQUIREMENTS WERE NOT REQUIRED AT INITIAL BID.

6. COSTS REVIEW:

TO BE SUBMITTED BY TRADE PACKAGE CONTRACTORS

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.
- Other: Required and subsequently omitted from initial bid process.

8. EXTENSION OF TIME REQUESTED: Calendar Days:

No extension days required

RECOMMENDED:

BY: 
REX VERON DESIGNS, LLC ARCHITECT OF RECORD

BY: _____
City Representative

APPROVED:

BY: 
WAR CONSTRUCTION, INC: Construction manager

BY: _____
Owner's Legal Advisor

BY: _____
Owner's Authorized Representative

PROPOSAL FORM

RICE FLOOR & TILE, INC.

6350 Old Montgomery Highway Tuscaloosa Alabama 35405

Phone: 205.750.8163 - Fax 205.750.8165

PROPOSAL SUBMITTED TO: Firestation #4	PHONE:	DATE June 5,2014
ADDRESS:	FAX: #	CELL:
Contact:	Project #	Job #

We propose the following:
Break down per your request for Quarry Tile & Base.

Room # 106 Dining Room Quarry tile floor \$ 2,752.82
Quarry Base , inside and outside corners. \$ 460.03

Room # 107 Kitchen Quarry tile floor \$ 3,583.86
Quarry Base, inside and outside corners \$655.10

Note : Where Corridor 108 joins these areas you will need bullnose to reduce floor down to concrete.

Teresa Rice, President
Minority-Woman owned business.
Rice Floor & Tile, Inc.

We propose hereby to furnish material and labor in accordance with above specifications, for the sum of
Payment to be made as follows: **Deposit is to be made before material is ordered. Balance Due Upon Installation.**
This price does not include any extras added after this date:

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. Accounts not paid in full are subject to a FINANCE CHARGE of 1-1/2% per month (annual percentage rate – 18%. Minimum charge 50¢ end of each month. In lieu of payment: buyer agrees to pay reasonable fees, all costs and expenses of collection, waiving exemptions from execution.

Authorized Signature: _____ Date Accepted: _____

All material is guaranteed to be as specified. All work to be completed in a skillful manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. Our workers will move furniture, if necessary. Rice Floor & Tile will not be responsible for the said properties, nor any employees for Rice Floor & Tile should an accident occur. All agreements contingent upon: strikes, accidents or delays beyond our control. Owner to carry: fire, tornado and other necessary insurance. Our worker's are covered by Worker's Compensation Insurance

.Note: This proposal may be withdrawn by us if not accepted within 30 days.

PROPOSAL FORM

RICE FLOOR & TILE, INC.

6350 Old Montgomery Highway Tuscaloosa Alabama 35405

Phone: 205.750.8163 - Fax 205.750.8165

PROPOSAL SUBMITTED TO: WAR Construction, Inc. Attn: Robert Jamison	PHONE:	DATE June 23, 2014
ADDRESS:	FAX: #	CELL:
Job: Fire Station #4		

Change Order # 2

We propose the following:

Furnish and install quarry tile bull nose with outside corner at dining and kitchen for reducing to polished concrete at corridor #108. \$928.00

Teresa Rice, President
Minority-Woman owned business.

This price does not include any extras added after this date: June 23, 2014

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. Accounts not paid in full are subject to a FINANCE CHARGE of 1-1/2% per month (annual percentage rate – 18%. Minimum charge 50¢ end of each month. In lieu of payment: buyer agrees to pay reasonable fees, all costs and expenses of collection, waiving exemptions from execution.

Authorized Signature: _____ Date Accepted: _____

All material is guaranteed to be as specified. All work to be completed in a skillful manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. Our workers will move furniture, if necessary. Rice Floor & Tile will not be responsible for the said properties, nor any employees for Rice Floor & Tile should an accident occur. All agreements contingent upon: strikes, accidents or delays beyond our control. Owner to carry: fire, tornado and other necessary insurance. Our worker's are covered by Worker's Compensation Insurance

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TRANSMITTAL



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Transmittal #: 46

Date: 8/20/2014

Job: 13-039 Fire Station #4

To: Clif Penick
City of Tuscaloosa
2201 University Boulevard
Tuscaloosa, AL 35401
Ph: (205)233-2667 Fax: (205)349-0385



Subject: Change Order #2

- WE ARE SENDING YOU
- | | | | |
|---|--|---|----------------------------------|
| <input type="checkbox"/> Attached | <input type="checkbox"/> Memo-See remarks section below. | | |
| <input type="checkbox"/> Shop drawings | <input type="checkbox"/> Prints | <input type="checkbox"/> Plans | <input type="checkbox"/> Samples |
| <input type="checkbox"/> Copy of letter | <input checked="" type="checkbox"/> Change order | <input type="checkbox"/> Specifications | <input type="checkbox"/> Other |

Document Type	Copies	Date	No.	Description
Other	4	8/20/14	2	Trade Package #4_Change Order #2

THESE ARE TRANSMITTED as checked below:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> For approval | <input type="checkbox"/> Approved as submitted | <input type="checkbox"/> Resubmit ___ copies for approval |
| <input checked="" type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> Submit ___ copies for distribution |
| <input type="checkbox"/> As requested | <input type="checkbox"/> Returned for corrections | <input type="checkbox"/> Return ___ corrected prints |
| <input type="checkbox"/> For review and comment | <input type="checkbox"/> Other | |
| <input type="checkbox"/> FOR BIDS DUE | <input type="checkbox"/> PRINTS RETURNED AFTER LOAN TO US | |

Remarks: Clif,
Please send a copy back to me after you have recieved signatures on all copies of the Change Order.

Copy To:

From: Jamison, Robert (WAR Construction, Inc.)

Signature: 