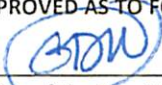


APPROVED AS TO FORM


Office of the City Attorney

Prepared By: BPJ
Requested: IPS Date: 12/22/2020
Council Presentation on: 12/22/2020
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING CHANGE ORDER NO. 4 FOR
10TH AVENUE ROADWAY IMPROVEMENTS PROJECT
(A15-1211/ 2016.129.001)

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. ; and,

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

Quantity balancing change order with a deductive amount of \$19,549.95 and an addition of 107 calendar days of contract time.

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:

- 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 \$19,549.95 (Change Order Cost), time 107 (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

22817162-12052

By: Katy Metcalfe on behalf of Susan Snowden
Chief Financial Officer

COUNCIL ACTION

Resolution ✓
Ordinance _____
Introduced _____
Passed 12-22-2020
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

Memorandum

December 22, 2020

To: Projects Committee

From: Jeremy D. Jones, P.E.
Infrastructure and Public Services

RE: **2016.129.001 10th Avenue improvements and CityWalk**
Change Order Number Four (OCA File No. A15-1211)

Recommendation:

Authorize the execution of construction contract change order number four, deducting a total of \$19,549.95 and adding 107 calendar days of contract time.

Project Description:

The improvements in this project included the addition of a shared use path, "CityWalk" from Harmon Park along 29th Street to 10th Avenue and along 10th Avenue to Hargrove Road. The segment of the project along 10th Avenue also included lighting, landscaping, resurfacing, storm drainage improvements, and a sidewalk. Please see the attached location map for the project.

Background for the Request:

This is a quantity balancing change order to rectify the contract quantities with those used in the project. This change order will effectively close the John Plott Construction contract (A15-1211). Please see the attached change order for more details on the actual quantity adjustments.

Funding:

The funding for this project comes from DR-1, DR-2, and Water and Sewer RFFI.

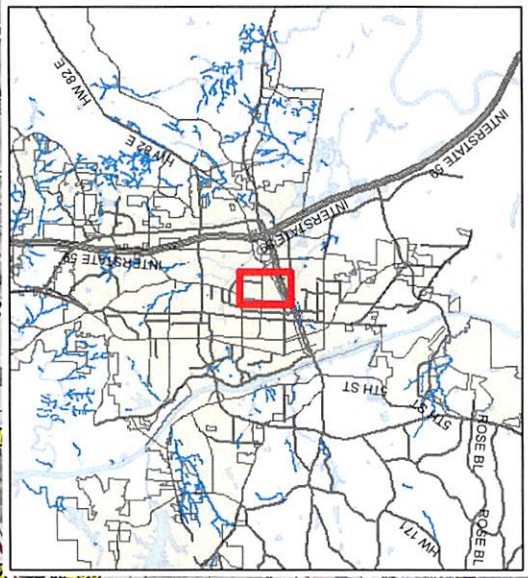
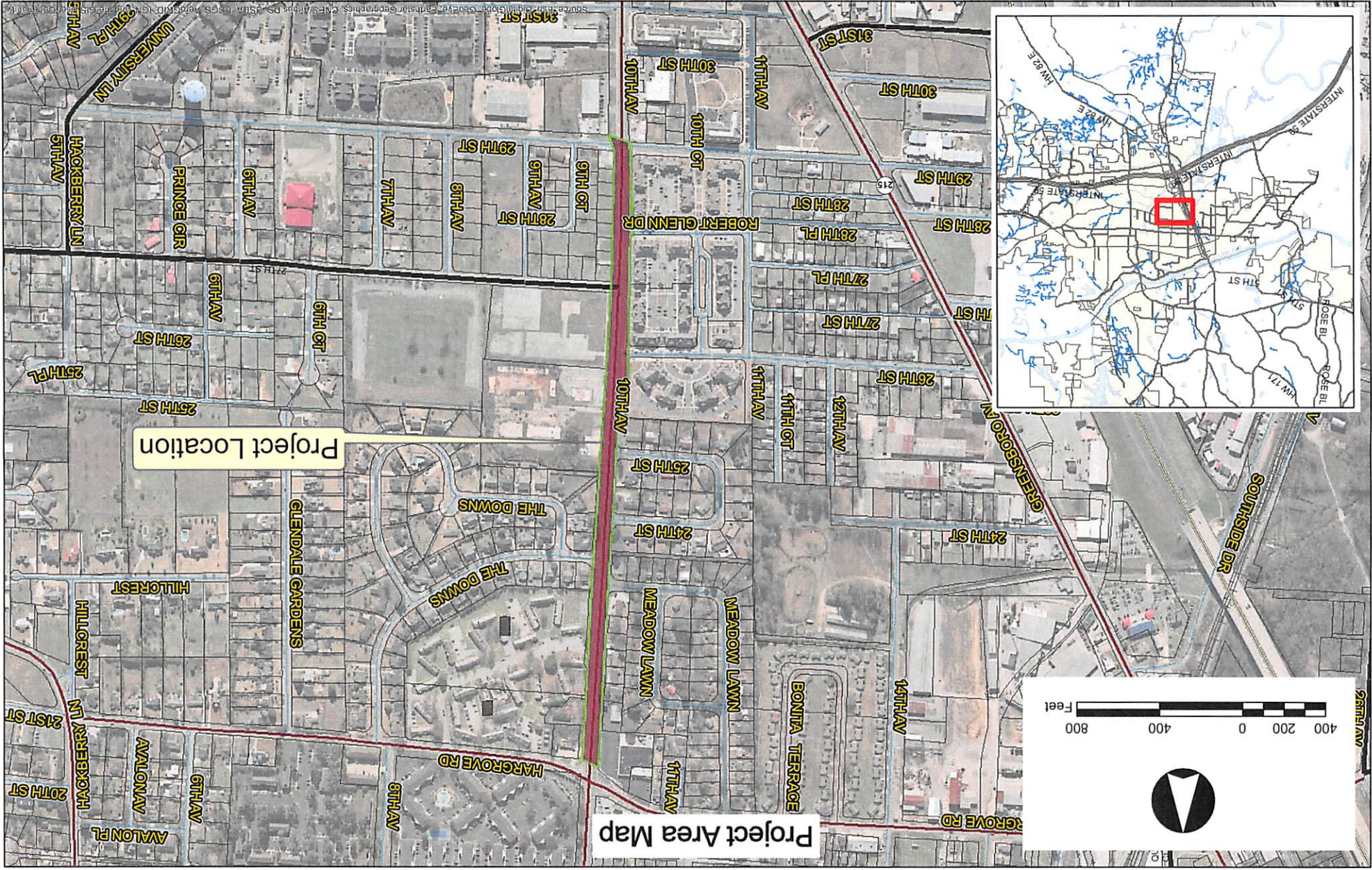


INFRASTRUCTURE & PUBLIC SERVICES

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

TUSCALOOSA.COM

 @TuscaloosaCity



Project Area Map

Project Location

800 400 0 200 400 Feet



CONTRACT CHANGE ORDER NO. 4
City of Tuscaloosa, Office of the City Attorney

DATE: 9/25/2020 PROJECT: 10th Avenue Roadway Improvements Project
 FILE NO.: A15-1213 ENGINEERING PROJECT NO.: 2016.129.001
 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 necessary labor, materials and equipment to:

See attached Change Order Request No. 4 for details

TOTAL ADDITION OR REDUCTION TO CONTRACT PRICE:

(Note: Numbers in parentheses are deductions)

ORIGINAL CONTRACT PRICE	\$	4,159,832.14
LESS CONTINGENCY/ALLOWANCE	\$	0.00
NET ORIGINAL CONTRACT PRICE	\$	4,159,832.14
Net total of previous Change Orders	\$	1,432,587.15
Previous revised contract price	\$	5,592,419.29
This Change Order <u>4</u> <input type="checkbox"/> Add <input checked="" type="checkbox"/> Deduct	\$	(19,549.95)
Revised Contract Price this date	\$	5,572,869.34

Extension of time resulting from the Change Order: 107 (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 to this Contract.

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

~~CONSENT OF SURETY~~
WESTERN SURETY COMPANY

BY: [Signature]
ATTORNEY-IN-FACT

By: _____

CONTRACTING PARTIES

John Plott Company, Inc.
(Contractor)

By: [Signature]
(Authorized Representative)

RECOMMENDED

By: [Signature]

Neel-Schaffer, Inc.
(Design Engineer or Architect)

CITY OF TUSCALOOSA

[Signature]
(Mayor)