

# OFFICE OF THE CITY ATTORNEY

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CITY OF TUSCALOOSA



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November 20, 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 #2 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 blue ink that reads "Melinda Causey".

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

GDW

Office of the City Attorney

Prepared By: CAN  
Requested: Projects Committee  
Presentation on: 11/10/2015  
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 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:

Balance estimated and final quantities.

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 deductive amount of \$27,927.46 (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 \_\_\_\_\_ 11-10-15  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled \_\_\_\_\_  
Amended \_\_\_\_\_  
Comments: \_\_\_\_\_

CONTRACT CHANGE ORDER NO. 2

City of Tuscaloosa, Office of the City Attorney

DATE: October 16, 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:

The purpose of this change order is to balance estimated and final installed quantities.

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	\$ 26,925.29
Previous revised Contract Price	\$324,314.29
This Change Order No. <u>2</u> <input type="checkbox"/> Add <input checked="" type="checkbox"/> Deduct	\$ (27,927.46)
Revised Contract Price this date	\$296,386.83

Extension of time resulting from this Change Order 0 (Zero) (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

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

CONTRACTING PARTIES

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

CITY OF TUSCALOOSA  
By: [Signature]  
(Mayor)

**5. JUSTIFICATION OF CHANGE ORDER VERSUS COMPETITIVE BIDDING:**

The purpose of this change order is to balance estimated and final quantities.

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**6. COSTS REVIEW:**

Reviewed by McGiffert and Associates, LLC and is in line with completed work.

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**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:**

0 (Zero)

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**RECOMMENDED:**

BY:   
Tuscaloosa's Consulting Engineer/Architect

BY:   
City Representative

**APPROVED:**

BY:   
Contractor

BY: \_\_\_\_\_  
Owner's Legal Advisor

BY: \_\_\_\_\_  
Owner's Authorized Representative

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.** 2 **DATE:** October 16, 2015

**1. DESCRIPTION OF CHANGE:**

The purpose of this change order is to balance estimated and final quantities.

**2. CHANGE ORDER COSTS:** (\$27,927.46)

**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.*					
<b>TOTAL:</b>					

\*If more than 6 items, provide attachments.

**3. INSTITUTED BY:**

McGiffert and Associates, LLC and The City of Tuscaloosa

**4. JUSTIFICATION OF NEED:**

The purpose of this change order is to balance estimated and final quantities.



## BALANCING CHANGE ORDER REPORT

**NAME OF CONTRACTOR:**

John Platt Company, Inc.  
P.O. Box 20183  
Tuscaloosa, AL 35402

**PROJECT:** City of Tuscaloosa  
Rosewood Sanitary Sewer Improvements Project - Phase Two  
City of Tuscaloosa Project No. A12-1617

**DATE:** October 16, 2015

Item No.	Description of Work	Estimated Quantity	Unit	Unit Price	Installed Quantity	Total Cost	Qty Overrun (Underrun)	Cost Overrun (Underrun)
<b>GENERAL</b>								
1	Mobilization/Demobilization/Bonds/Insurance	1	l.s.	\$ 11,000.00	1	11,000.00	-	-
2	Project Sign	2	each	\$ 500.00	1	500.00	(1.00)	(500.00)
3	Demolition, Clearing/Grubbing, Easement Grading	1	l.s.	\$ 11,000.00	1	11,000.00	-	-
4	Traffic Control	1	l.s.	\$ 8,000.00	1	8,000.00	-	-
<b>EROSION CONTROL</b>								
5	Stormwater Management and Maintenance	1	l.s.	\$ 1,296.00	1	1,296.00	-	-
6	Permanent Grassing	3	acre	\$ 1,650.00	3	4,950.00	-	-
7	Solid Sod (species to match existing)	1,200	s.y.	\$ 7.00	1,522	10,654.00	322	2,254.00
8	Construction Exit Pad (At "Laydown Areas")	2	each	\$ 1,680.00	2	3,360.00	-	-
9	Temporary Rip-Rap, Class 2 (including removal/disposal) (Placed as Directed by the Owner's Representative)	200	ton	\$ 55.00	0	-	(200)	(11,000.00)
10	Inlet Protection	4	each	\$ 226.00	1	226.00	(3)	(678.00)
11	Erosion Control Silt Fence, Type "A"	3,400	l.f.	\$ 3.00	2,782	8,346.00	(618.00)	(1,854.00)
12	Roller Erosion Control Product, Type 2D (Placed as Directed by the Owner's Representative)	1,000	s.y.	\$ 0.40	0	-	(1,000.00)	(400.00)
13	ADEM Stormwater Permit Allowance	1	l.s.	\$ 1,155.00	1	1,155.00	-	-
<b>SANITARY SEWER SYSTEM</b>								
14	15" PVC SDR 26 Sanitary Sewer (All Depths)	1,800	l.f.	\$ 45.16	1,759.30	79,449.99	(41)	(1,838.01)
15	48" Diameter Precast Manhole (Standard)	70	v.f.	\$ 328.00	74.00	24,272.00	4	1,312.00
16	48" Diameter Precast Manhole (Doghouse)	10	v.f.	\$ 427.00	9.42	4,022.34	(1)	(247.66)
17	48" Diameter Precast Manhole (Doghouse with Drop Connection)	7	v.f.	\$ 1,050.00	6.21	6,520.50	(1)	(829.50)
18	Standard Manhole Ring and Cover	10	each	\$ 383.00	10	3,830.00	-	-
19	Watertight Manhole Ring and Cover	1	each	\$ 568.00	1	568.00	-	-
20	Connection to Existing Manhole ("Kor-N-Seal" Boot or Equal Required)	2	each	\$ 1,800.00	2	3,600.00	-	-
21	Trench Foundation Material (ALDOT Section 801 No. 57 Crushed Limestone)	300	c.y.i.p.	\$ 24.57	3	73.71	(297)	(7,297.29)
22	Grout Fill Existing Sanitary Sewer	1	l.s.	\$ 2,950.00	1	2,950.00	-	-
23	Invert Construction (Sheet C2.8) (Including Bypass Pumping, If Required)	1	l.s.	\$ 1,305.00	1	1,305.00	-	-
<b>ROADWAY CROSSING</b>								
24	Pavement Patch	250	s.y.	\$ 14.36	83.30	1,196.19	(167)	(2,393.81)
25	24" Combination Curb & Gutter	100	l.f.	\$ 27.00	63.80	1,722.60	(36)	(977.40)
<b>MISCELLANEOUS</b>								
26	Chain Link Fence Replacement	300	l.f.	\$ 9.00	300	2,700.00	-	-
27	Wooden Privacy Fence Replacement	400	l.f.	\$ 13.00	263	3,419.00	(137)	(1,781.00)
<b>ADD ALTERNATE NO. 1</b>								
A1	16" D.I. CL 250 with Protecto 401 Lining (Unit Price Provided to be Added to Bid Item No. 14)	1,800	l.f.	\$ 41.69	1,759.30	73,345.22	(40.70)	(1,696.78)
<b>CHANGE ORDER NO. 1</b>								
CO1.1	Add Sanitary Sewer Service Laterals and Appurtenances	1	l.s.	\$ 5,852.50	1	5,852.50	-	-
CO1.2	Add 12" Diameter Sanitary Sewer Main, Associate Bypass Pumping and Appurtenances	1	l.s.	\$ 5,243.52	1	5,243.52	-	-
CO1.3	Add Grout Filling of Existing Mains to be Abandoned	1	l.s.	\$ 15,829.27	1	15,829.27	-	-

Contract Amount with Change Order No. 1

\$324,314.29

Total Completed Work

\$296,386.83

Net Total Overrun / (Underrun)

\$ (27,927.46)