

RESOLUTION NO. R19-34

RESOLUTION APPROVING CHANGE ORDER NO. 3 TO THE CONTRACT FOR THE CITY OF LAUREL'S WWTP SLUDGE DEWATERING FACILITIES AND AUTHORIZING THE MAYOR TO SIGN ALL CHANGE ORDER DOCUMENTS ON THE CITY'S BEHALF.

WHEREAS, the City of Laurel planned and publicly advertised the project known as the WWTP Sludge Dewatering Facilities Project, and the City awarded the project to Strategic Construction Solutions; and

WHEREAS, City equipment failed during the project which required contractor to perform additional work, including additional equipment as explained in the attached Change Order Documents, and such unanticipated work and additional equipment resulted in an increase to the cost and number of days required for contractor's completion of the contract; and

WHEREAS, the City's Engineers, KLJ, prepared the attached Change Order No. 3 and has determined the additional work and equipment requires an extension of the contract term and cost which are both necessary, reasonable, and in the City's best interest.

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby approves the attached Change Order No. 3 and authorizes the Mayor to execute it and all necessary documents on the City's behalf.

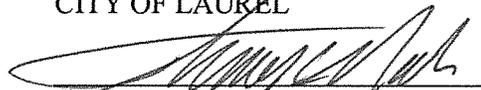
BE IT FUTHER RESOLVED the City Council authorizes both the increased cost and term of the contract as detailed and provided in the attached Change Order No.3.

Introduced at a regular meeting of the City Council on July 16, 2019, by Council Member Sparks.

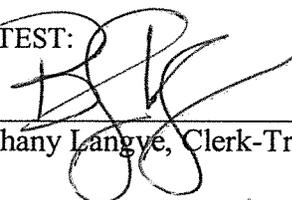
PASSED and APPROVED by the City Council of the City of Laurel this 16th day of July 2019

APPROVED by the Mayor this 16th day of July 2019.

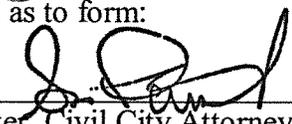
CITY OF LAUREL


Thomas C. Nelson, Mayor

ATTEST:


Bethany Langye, Clerk-Treasurer, Clerk-Treasurer

Approved as to form:


Sam Painter, Civil City Attorney



2611 Gabel Road
Billings, MT 59102-7329
406 245 5499
KLJENG.COM

June 21, 2019

Tim Reiter
Utility Plants Superintendent
City of Laurel
PO Box 10
Laurel, MT 59044

Re: WWTP Sludge Dewatering Facilities – Change Order No. 3, Engineer’s Recommendation-Revised

Dear Tim:

As per section 10.05 A. of the Montana Public Works Standard Specifications (MPWSS) General Conditions, this letter is to serve as the Engineer’s recommendation for the proposed Change Order (CO) 3. The original claim was received by the Engineer (KLJ) from the Contractor (SCS) on April 26, 2019. This revised recommendation is a follow up to the negotiated resolution during our June 14, 2019 meeting.

The original claim submitted by the Contractor requested an additional \$32,495.76 and 12 days be added to the Contract due to additional Work and materials needed to dewater Digester A once the Owner’s pumps stopped working.

On April 4th, the Owner issued Work Change Directive 2 instructing the Contractor to provide manpower and equipment to transfer the sludge from Digester A into Digester B. Payment to be made on actual time and materials plus the Contractor’s Fee (CF) for the effort needed to transfer the sludge until the sludge level reached the top of the cone in Digester A.

On May 29, 2019, the Engineer’s recommendation included a Contract Price increase of \$23,750.62 and the Contract Time be increased by 21 days. This recommendation excluded small tools, Midway 10K forklift, and SCS trucks 325 and 362. The Contractor disagreed with the Engineer’s recommendation.

On June 14, 2019, a meeting was conducted at City Hall between the Owner, Contractor and the Engineer. The disputed items were discussed, and all parties agreed to include the forklift and trucks in the Change Order. This revised Engineer’s recommendation includes a Contract Price increase of \$30,344.76 and a Contract Time increase of 21 days.

The additional Contract Price includes Contractor’s labor cost, Contractor’s equipment cost (minus small tools), bonds, Contractors Fee as stated in MPWSS’s General Conditions Section 12.01.C, and Gross Receipts Tax (1%).

Please review our revised Engineer’s Recommendation for Change Order No.3 for an increase in Contract Price of \$30,344.76 and an increase in Contract Time of 21 days. The recommended increase of Contract Time is for the entire project as well as the dewatering portion of the project with no changes to the Contract Time for Final Payment. Changes to the WWTP Dewatering Facilities Project would be as follows:



Original Contract Price	\$1,575,000.00
Increase in Contract Price from CO 1	\$26,173.04
Increase in Contract Price from CO 2	\$11,758.11
Potential Increase in Contract Price from CO3	\$30,344.76
Final Contract Price	\$1,643,275.91

	Substantial	Dewatering
Original Contract Time	150 Days	45 Days
Increase in Contract Time from CO1	0 Days	9 Days
Increase in Contract Time from CO2	32 Days	32 Days
Potential Increase in Contract Time from CO3	21 Days	21 Days
Final Contract Time	203 Days	107 Days

Feel free to contact us if you have any additional questions or would like to request any additional material be provided.

Sincerely,

KLJ

Douglas C. Whitney, PE
Project Engineer

Enclosure(s): Proposed Change Order 3 with attachments
Project #: 1804-00120
cc: Terry Sutherland, File

Work Change Directive

No. 2

Date of Issuance: 4/7/19

Effective Date: 4/7/19

Project: <u>WWTP Sludge Dewatering Facility</u>	Owner: <u>Laurel, MI</u>	Owner's Contract No.: <u>N/A</u>
Contract: <u>WWTP Sludge Dewatering Facilities</u>		Date of Contract: <u>11/16/18</u> (Effective Date)
Contractor: <u>Strategic Construction Solutions</u>		Engineer's Project No.: <u>1804-00120</u>

Contractor is directed to proceed promptly with the following change(s):

Item No. <u>2</u>	The City's transfer pump control pump the sludge from digester A into B.
	Provide manpower and equipment to transfer the sludge from digester A into the drying beds. Payment will be on actual time and materials plus Contractor's Fee as allowed by the Contract Documents, for the effort to remove the sludge to the top of the cone. Additional contract time will be added to the digester dewatering and cleaning portion of the Agreement.

Attachments (list documents supporting change):

None

Purpose for Work Change Directive:

Authorization for Work described herein to proceed on the basis of Cost of the Work due to:

- Non-agreement on pricing of proposed change.
- Necessity to expedite Work described herein prior to agreeing to changes on Contract Price and Contract Time.

Estimated change in Contract Price and Contract Times:

Contract Price: \$26,000.00 (increase/decrease) Contract Time: 9 Days (increase/decrease)

Recommended for Approval by Engineer: <u>[Signature]</u>	Date: <u>4/7/19</u>
Authorized for Owner by: <u>[Signature]</u>	Date: <u>4/11/2019</u>
Received for Contractor by: <u>[Signature]</u>	Date: <u>4-4-2019</u>
Received by Funding Agency (if applicable): <u>N/A</u>	Date:



PCO #002

SCS
4700 E Southern Ave
Mesa, Arizona 85206
Phone: (480) 586-2400

Project: SCS180C2715 - SCS - Laurel WWTP Sludge Dewatering
Facilities
1599 Sewer Plant Rd.
Laurel, Montana 59044

DRAFT

**Prime Contract Potential Change Order #002: Change order #2 Primary
Digester Sludge Removal**

TO:	KLJ 2611 Gabel Rd. Billings Montana, 59102	FROM:	Strategic Construction Solutions 4700 E. Southern Ave Mesa Arizona, 85206
PCO NUMBER/REVISION:	002 / 0	CONTRACT:	1 - SCS - Laurel WWTP Sludge Dewatering Facilities Prime Contract
REQUEST RECEIVED FROM:		CREATED BY:	William Moran (SCS)
STATUS:	Draft	CREATED DATE:	4/26/2019
REFERENCE:		PRIME CONTRACT CHANGE ORDER:	None
FIELD CHANGE:	No		
LOCATION:	Primary Tank	ACCOUNTING METHOD:	Amount Based
SCHEDULE IMPACT:		PAID IN FULL:	No
		TOTAL AMOUNT:	\$30,344.76

POTENTIAL CHANGE ORDER TITLE: Change order #2 Primary Digester Sludge Removal

CHANGE REASON: No Change Reason

POTENTIAL CHANGE ORDER DESCRIPTION: (The Contract Is Changed As Follows)

City's pump could not transfer the sludge out of the digester causing alternate methods of removal of the sludge out of the digester
Removal of small tools created a deduction of \$2,151.76.

ATTACHMENTS:

[2019-04-10.pdf](#)

#	SubJob	Cost Code	Description	Type	Amount
1	N/A	000-000.2 - Change Order 2	Don Engquist - 9 HRS	Labor	\$708.00
2	N/A	000-000.2 - Change Order 2	Zach Sutherland - 9 HRS	Labor	\$428.03
3	N/A	000-000.2 - Change Order 2	Jason Leshar - 9 HRS	Labor	\$442.00
4	N/A	000-000.2 - Change Order 2	Truck 325	Equipment	\$144.00
5	N/A	000-000.2 - Change Order 2	Truck 361	Equipment	\$144.00
6	N/A	000-000.2 - Change Order 2	10K Forklift	Equipment	\$250.00
7	N/A	000-000.2 - Change Order 2	Hydraulic Pump	Equipment	\$282.60
8	N/A	000-000.2 - Change Order 2	Hydraulic Pump Delivery	Equipment	\$405.00
9	N/A	000-000.2 - Change Order 2	Don Engquist 8	Labor	\$539.50
10	N/A	000-000.2 - Change Order 2	Jason Leshar 8	Labor	\$485.50
11	N/A	000-000.2 - Change Order 2	Zach Sutherland 8	Labor	\$402.10
12	N/A	000-000.2 - Change Order 2	Xylene Pump Rental	Equipment	\$300.00
13	N/A	000-000.2 - Change Order 2	Rain For Rent Crossover	Equipment	\$51.41
14	N/A	000-000.2 - Change Order 2	Midway 10 K Forklift	Equipment	\$250.00
15	N/A	000-000.2 - Change Order 2	Truck 325	Equipment	\$144.00

16	N/A	000-000.2 - Change Order 2	Truck 362	Equipment	\$144.00
17	N/A	000-000.2 - Change Order 2	Don Engquist 6 Hours	Labor	\$323.70
18	N/A	000-000.2 - Change Order 2	Zach Sutherland 6Hours	Labor	\$241.62
19	N/A	000-000.2 - Change Order 2	Jason Leshar 6 Hours	Labor	\$291.30
20	N/A	000-000.2 - Change Order 2	Truck 325, 326	Equipment	\$288.00
21	N/A	000-000.2 - Change Order 2	Midway 10 K forklift	Equipment	\$250.00
22	N/A	000-000.2 - Change Order 2	Rain for rent Crossover	Equipment	\$51.41
23	N/A	000-000.2 - Change Order 2	Xylem pump	Equipment	\$282.60
24	N/A	000-000.2 - Change Order 2	Company check valve and hoses	Equipment	\$50.00
25	N/A	000-000.2 - Change Order 2	Don Engquist 8 hours	Labor	\$431.60
26	N/A	000-000.2 - Change Order 2	Jason Leshar 8 hours	Labor	\$388.40
27	N/A	000-000.2 - Change Order 2	Zach Sutherland 8 hours	Labor	\$321.68
28	N/A	000-000.2 - Change Order 2	Midway 10K forklift	Equipment	\$250.00
29	N/A	000-000.2 - Change Order 2	Truck 325 and 362	Equipment	\$288.00
30	N/A	000-000.2 - Change Order 2	Xylem Hydraulic pump	Equipment	\$282.60
31	N/A	000-000.2 - Change Order 2	R for R Crossover	Equipment	\$51.41
32	N/A	000-000.2 - Change Order 2	Bonds	Other	\$25.00
33	N/A	000-000.2 - Change Order 2	Bonds	Other	\$22.00
34	N/A	000-000.2 - Change Order 2	Don Engquist 8 hours	Labor	\$431.60
35	N/A	000-000.2 - Change Order 2	Jason Leshar 8 hours	Labor	\$388.40
36	N/A	000-000.2 - Change Order 2	Zach Sutherland 8 Hours	Labor	\$321.68
37	N/A	000-000.2 - Change Order 2	Midway 10 k forklift	Equipment	\$250.00
38	N/A	000-000.2 - Change Order 2	Xylem pump and hoses	Equipment	\$282.60
39	N/A	000-000.2 - Change Order 2	Rain 4 Rent Crossover	Equipment	\$51.41
40	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
41	N/A	000-000.2 - Change Order 2	Don Engquist 8 Hours	Labor	\$431.60
42	N/A	000-000.2 - Change Order 2	Jason Leshar 8 Hours	Labor	\$388.40
43	N/A	000-000.2 - Change Order 2	Zach Sutherland 8 Hours	Labor	\$321.68
44	N/A	000-000.2 - Change Order 2	Midway 10 k Forklift	Equipment	\$250.00
45	N/A	000-000.2 - Change Order 2	Xylem pump	Equipment	\$282.60
46	N/A	000-000.2 - Change Order 2	R For R Crossover	Equipment	\$51.41
47	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
48	N/A	000-000.2 - Change Order 2	Don Engquist 10 Hours	Labor	\$431.60
49	N/A	000-000.2 - Change Order 2	Jason Leshar 10 Hours	Labor	\$388.40
50	N/A	000-000.2 - Change Order 2	Zach Sutherland 10Hours	Labor	\$321.68
51	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
52	N/A	000-000.2 - Change Order 2	Midway 10K Forklift	Equipment	\$250.00
53	N/A	000-000.2 - Change Order 2	Xylem Pump	Equipment	\$282.60
54	N/A	000-000.2 - Change Order 2	R For R Crossover	Equipment	\$51.41
55	N/A	000-000.2 - Change Order 2	Don Engquist 10 Hours	Labor	\$539.50
56	N/A	000-000.2 - Change Order 2	Zach Sutherland 10 Hours	Labor	\$402.10
57	N/A	000-000.2 - Change Order 2	Jason Leshar 10 Hours	Labor	\$485.50
58	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
59	N/A	000-000.2 - Change Order 2	Midway 10K forklift	Equipment	\$250.00
60	N/A	000-000.2 - Change Order 2	Xylem Pump	Equipment	\$282.60
61	N/A	000-000.2 - Change Order 2	R For R Crossover	Equipment	\$51.41
62	N/A	000-000.2 - Change Order 2	Don Engquist 8 Hours	Labor	\$431.60
63	N/A	000-000.2 - Change Order 2	Zach Sutherland 8 Hours	Labor	\$321.68

64	N/A	000-000.2 - Change Order 2	Jason Leshar 8 Hours	Labor	\$368.40
65	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
66	N/A	000-000.2 - Change Order 2	Xylem pump	Equipment	\$282.60
67	N/A	000-000.2 - Change Order 2	midway 10K forklift	Equipment	\$250.00
68	N/A	000-000.2 - Change Order 2	R For R / Crossover	Equipment	\$51.41
69	N/A	000-000.2 - Change Order 2	Bonds	Other	\$34.00
70	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$34.00
71	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$443.49
72	N/A	000-000.2 - Change Order 2	Don Engquist 10 Hours	Labor	\$539.50
73	N/A	000-000.2 - Change Order 2	Zach Sutherland 10 Hours	Labor	\$402.10
74	N/A	000-000.2 - Change Order 2	Jason Leshar 10 Hours	Labor	\$485.50
75	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
76	N/A	000-000.2 - Change Order 2	Midway 10K Forklift	Equipment	\$250.00
77	N/A	000-000.2 - Change Order 2	Xylem pump	Equipment	\$282.60
78	N/A	000-000.2 - Change Order 2	R For R crossover	Equipment	\$51.41
79	N/A	000-000.2 - Change Order 2	Bonds	Other	\$28.00
80	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$28.00
81	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$362.83
82	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$23.00
83	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$294.54
84	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$25.00
85	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$339.20
86	N/A	000-000.2 - Change Order 2	Bonds	Other	\$25.00
87	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$25.00
88	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$338.20
89	N/A	000-000.2 - Change Order 2	Bonds	Other	\$25.00
90	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$25.00
91	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$338.20
92	N/A	000-000.2 - Change Order 2	Bonds	Other	\$25.00
93	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$25.00
94	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$338.20
95	N/A	000-000.3 - Change Order 3	Bonds	Other	\$25.00
96	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$25.00
97	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$337.00
98	N/A	000-000.2 - Change Order 2	Bonds	Other	\$29.00
99	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$29.00
100	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$372.92
101	N/A	000-000.2 - Change Order 2	Don Engquist 10 Hours	Labor	\$539.50
102	N/A	000-000.2 - Change Order 2	Jason Leshar 10 Hours	Labor	\$485.50
103	N/A	000-000.2 - Change Order 2	Zach Sutherland	Labor	\$402.10
104	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
105	N/A	000-000.2 - Change Order 2	Midway 10K forklift	Equipment	\$250.00
106	N/A	000-000.2 - Change Order 2	Xylem pump	Equipment	\$282.60

10 7	N/A	000-000.2 - Change Order 2	R For R / Crossover	Equipment	\$51.41
10 8	N/A	000-000.2 - Change Order 2	Bonds	Other	\$29.00
10 9	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$29.00
11 0	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$381.00
11 1	N/A	000-000.2 - Change Order 2	Bonds	Other	\$29.00
11 2	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$29.00
11 3	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$381.47
11 4	N/A	000-000.2 - Change Order 2	Don Engquist 6 Hours	Labor	\$323.70
11 5	N/A	000-000.2 - Change Order 2	Jason Lesher 6 Hours	Labor	\$291.30
11 6	N/A	000-000.2 - Change Order 2	Zach Sutherland 6 Hours	Labor	\$241.26
11 7	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
11 8	N/A	000-000.2 - Change Order 2	Xylem pump	Equipment	\$282.60
11 9	N/A	000-000.2 - Change Order 2	Midway 10K forklift	Equipment	\$250.00
12 0	N/A	000-000.2 - Change Order 2	R For R crossover	Equipment	\$51.41
12 1	N/A	000-000.2 - Change Order 2	Bonds	Other	\$22.00
12 2	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$22.00
12 3	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$253.89
Subtotal:					\$90,344.76
Grand Total:					\$30,344.76

Doug Whitney (KLJ)
 2611 Gabel Rd.
 Billings Montana 59102

KLJ
 2611 Gabel Rd.
 Billings Montana 59102

Strategic Construction Solutions
 4700 E. Southern Ave
 Mesa Arizona 85206

 SIGNATURE

 DATE

 SIGNATURE

 DATE

 SIGNATURE

 DATE