

RESOLUTION NO. R19-35

RESOLUTION APPROVING CHANGE ORDER NO. 4 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, the above-project has had a number of unanticipated events occur which required the contractor to perform additional work, including the installation of new equipment which was not included as part of the scope of the original project; and

WHEREAS, the attached Change Order Documents, including Change Order No. 4, provides a detailed description of the unanticipated events that have increased both the contract price and the number of days the contractor needs to complete the project; and

WHEREAS, the City's Engineers, KLJ, prepared the attached Change Order No. 4 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. 4 and authorizes the Mayor to execute it and all necessary documents on the City's behalf.

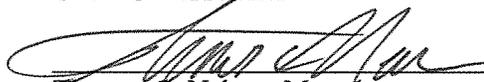
BE IT FUTHER RESOLVED the City Council authorizes both the increased cost and term of the contract as detailed and provided in the attached Change Order No.4.

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

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.

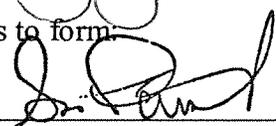
CITY OF LAUREL


Thomas C. Nelson, Mayor

ATTEST:


Bethany Langve, Clerk-Treasurer, Clerk-Treasurer

Approved as to form:


Sam Painter, Civil City Attorney

Change Order

No. 4

Date of Issuance: June 24, 2019 Effective Date: _____

Project: WWTP Sludge Dewatering Facilities	Owner: City of Laurel	Owner's Contract No.: N/A
Contract: Base Bid Lump Sum Price		Date of Contract: 11/16/2018
Contractor: Strategic Construction Solutions		Engineer's Project No.: 1804-00120

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

This Change Order is for approved of 1) transfer pump pressure sensor as per Work Directive No. 4, for \$1200.00 and zero days added to the contract time; 2) the payment for an additional 34 man-hours of steel repairs beyond the hours included in the base bid, for \$2,050.36 and one (1) day added to the contact time; and 3) additional compensation under Change Order No. 1 as negotiated at the meeting on June 14, 2019 between the Owner, Contractor and Engineer, for an additional \$42,803.44 and 9 days added to the contact time. The total compensation under this Change Order is \$46,053.80 and ten (10) calendar days added to the contact time.

Attachments (list documents supporting change):

Work Change Directive No. 4, SCS Claim #006, SCS revised Claim #001, and Change Order No 1.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

\$ 1,575,000.00

Original Contract Times: Working days Calendar days

Substantial (Dewatering) completion (days): 150 (45)

Ready for final payment (days): 30 (N/A)

Increase from previously approved Change Orders No. 0 to No. 3:

\$ 68,275.91

Increase from previously approved Change Orders No. 0 to No. 3:

Substantial (Dewatering) completion (days): 53 (62)

Ready for final payment (days): 0 (N/A)

Contract Price prior to this Change Order:

\$ 1,643,275.91

Contract Times prior to this Change Order:

Substantial (Dewatering) completion (days): 203 (107)

Ready for final payment (days): 30 (N/A)

Increase of this Change Order:

\$46,053.80

Increase of this Change Order:

Substantial (Dewatering) completion (days): 10 (10)

Ready for final payment (days): 0 (N/A)

Contract Price incorporating this Change Order:

\$1,689,329.71

Contract Times with all approved Change Orders:

Substantial (Dewatering) completion (days): 213 (117)

Ready for final payment (days): 30 (N/A)

RECOMMENDED:

By: [Signature]
Engineer (Authorized Signature)

Date: 6/25/19

ACCEPTED:

By: [Signature]
Owner (Authorized Signature)

Date: 7/19/2019

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 6-25-2019



June 24, 2019

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

Re: WWTP Sludge Dewatering Facilities - Change Order 4, Recommendation

Dear Tim:

Change Order No. 4 is a three-part change order. The first part of this Change Order covers the pressure sensor to be installed on the discharge of the first sludge transfer pump and directed by Work Directive No. 4. The second part of this Change Order is the compensation for the hours needed to complete the steel repair work in digester A, above the hours included as per specifications. The third part of the Change Order is for the negotiated compensation for the disputed portion of Change Order No 1. The Owner, Contractor and Engineer discussed and came to an agreement at a meeting on June 14, 2019.

Part 1) KLJ has reviewed the information submitted by the Contractor to supply and install the transfer pump pressure sensor. Based on this review, we recommend a Contract Price increase of \$1,200.00 and a zero day increase in the Contract Time. This cost increase includes the sensor and installation.

Part 2) KLJ has reviewed the information submitted by the Contractor for the additional 34 man-hours needed for the steel repair work in digester A, which was above and beyond the hours included in Section 01150 of the Contract Documents. Based on this review, we recommend a Contract Price increase of \$2,050.36 and a one (1) day increase in the Contract Time.

Part 3) Change Order No. 1 addressed for the undisputed compensation for extra pumping efforts to remove sludge from digester B. During the meeting between the Owner, Contractor and Engineer on June 14, 2019, the disputed portion of the claim was negotiated, and a final agreement was reached by all parties. The Contractor reduced their total claim amount as agreed to and submitted a revised claim. Based on this revised claim, KLJ recommends a Contract Price increase of \$42,803.44 and nine (9) day increase in the Contract Time. This cost and time increase brings the total effort for the extra pumping in digester B to \$68,976.48 and 18 days. Change Order No. 1, already provided an increase of \$26,173.04 and nine additional days.

The total combined impact of these recommended changes is a Contract Price increase of \$46,053.80 and a Contract Time increase of ten (10) calendar days. All of the above include the Contractor's labor and equipment costs, allowable make-ups, overhead, and Gross Receipt Tax.

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



Please review the attached Change Order No 4 for the WWTP Sludge Dewatering Facilities project. Feel free to contact us if you have any questions.

Sincerely,

KLJ

A handwritten signature in black ink, appearing to read 'Douglas C. Whitney'. The signature is fluid and cursive, written over a light gray background.

Douglas C. Whitney, PE
Project Engineer

Enclosure(s): Change Order 4 & Attachments
Project #: 1804-00120
cc: Terry Sutherland, File

Work Change Directive

No. 4

Date of Issuance: 5/14/2019

Effective Date: 5/14/2019

Project: WWTP Sludge Dewatering Facility	Owner: Laurel, MT	Owner's Contract No.: N/A
Contract: Base Bid Lump Sum Project	Date of Contract: 11/16/18 (Effective Date)	
Contractor: Strategic Construction Solutions	Engineer's Project No.: 1804-00120	

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

Item No. 1	Contractor is to provide and install one pressure sensor for the sludge transfer pump based on actual cost with allowable markups.

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 \$1,200.00 (increase/decrease) Contract Time 0 Day (increase/decrease)

Recommended for Approval by Engineer: 	Date: <u>5/14/19</u>
Authorized for Owner by: 	Date: <u>5/16/19</u>
Received for Contractor by:	Date:



PCO #006

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

Project: SCS18002715 - SCS - Laurel WWTP Sludge Dewatering
Facilities
1599 Sewer Plant Rd.
Laurel, Montana 59044

DRAFT

Prime Contract Potential Change Order #006: CE #21 - Primary digester repairs

TO:	KLJ 2611 Gabel Rd. Billings Montana, 59102	FROM:	Strategic Construction Solutions 4700 E. Southern Ave Mesa Arizona, 85206
PCO NUMBER/REVISION:	006 / 0	CONTRACT:	1 - SCS - Laurel WWTP Sludge Dewatering Facilities Prime Contract
REQUEST RECEIVED FROM:		CREATED BY:	Terry Sutherland (SCS)
STATUS:	Draft	CREATED DATE:	6/13/2019
REFERENCE:		PRIME CONTRACT CHANGE ORDER:	None
FIELD CHANGE:	No		
LOCATION:		ACCOUNTING METHOD:	Amount Based
SCHEDULE IMPACT:	1 days	PAID IN FULL:	No
		TOTAL AMOUNT:	\$2,050.36

POTENTIAL CHANGE ORDER TITLE: CE #21 - Primary digester repairs

CHANGE REASON: Client Request

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

CE #21 - Primary digester repairs

Primary digester repairs to include the following as directed by Doug Whitney of KLJ:

1. Weld in plate steel in four locations along the southern portion where 1/4 of more of the structural integrity has been compromised to provide support for the concrete.
2. On upper level repair the hole in the verticle pipe, southern side.
3. NW methane box, fix or replace the rusted nipple, approximately 2" to 3" long.
4. NE methane box, fix or replace the rusted nipple, approximately 2" to 3" long.
5. NE methane box, fix leak-water jacket pin hole leak.
6. On lower level repair hole in pipe, southern side.
7. Repair support for the 6" pipe.

This represents the additional hours required for repairs above the 20 hours directed by the specification section 01150 Part C 5 a.

ATTACHMENTS:

DSCN2391.jpg _Digester A Repairs List.pdf_

#	SubJob	Cost Code	Description	Type	Amount
1	N/A	170-170.1 - Steel Repair	Chris Whitman 14 hours	Labor	\$734.72
2	N/A	170-170.1 - Steel Repair	Josh Heger 10 Hours	Labor	\$402.10
3	N/A	170-170.1 - Steel Repair	Connor Heger 10 hours	Labor	\$402.10
4	N/A	170-170.1 - Steel Repair	Truck 325	Equipment	\$144.00
5	N/A	170-170.1 - Steel Repair	Welder	Equipment	\$103.00
6	N/A	170-170.1 - Steel Repair	15% Profit and Overhead	Other	\$267.44
Subtotal:					\$2,050.36
Grand Total:					\$2,050.36



PCO #001

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

Project: SCS18002715 - SCS - Laurel WWTP Sludge Dewatering
Facilities
1599 Sewer Plant Rd.
Laurel, Montana 59044

Prime Contract Potential Change Order #001: CE #01 - Change Order #1 - Sludge Removal

TO:	KLJ 2611 Gabel Rd. Billings Montana, 59102	FROM:	Strategic Construction Solutions 4700 E. Southern Ave Mesa Arizona, 85206
PCO NUMBER/REVISION:	001 / 0	CONTRACT:	1 - SCS - Laurel WWTP Sludge Dewatering Facilities Prime Contract
REQUEST RECEIVED FROM:		CREATED BY:	Wendi DeLaCruz (SCS)
STATUS:	Pending - In Review	CREATED DATE:	2/28/2019
REFERENCE:		PRIME CONTRACT CHANGE ORDER:	None
FIELD CHANGE:	No		
LOCATION:		ACCOUNTING METHOD:	Amount Based
SCHEDULE IMPACT:	22 days	PAID IN FULL:	No
		TOTAL AMOUNT:	\$68,976.48

POTENTIAL CHANGE ORDER TITLE: CE #01 - Change Order #1 - Sludge Removal

CHANGE REASON: Client Request

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

CE #01 - Change Order #1 - Sludge Removal

As of February 4th, city's pump would no longer pump the sludge due to the thickness of sludge. SCS crews had to bring in a vac truck to remove the sludge that was the owners responsibility to pump. The level of the sludge in the tank was approximately 9' above the top of the cone. In addition to the associated costs we request an additional 22 days of contract time to both the dewatering and cleaning and total contract times.

The 4 day deduction from the original revision includes:

- Labor reduction of \$4,288.28
- SCS truck reduction of \$545.42
- SCS profit & overhead reduction of \$614.53

ATTACHMENTS:

#	SubJob	Cost Code	Description	Type	Amount
1	N/A	160.1 - Sludge Dewatering	SCS Labor	Labor	\$19,297.27
2	N/A	160.1 - Sludge Dewatering	United Rentals - Forklift	Equipment	\$1,797.98
3	N/A	160.1 - Sludge Dewatering	Badger- Vac Truck	Comm Item	\$29,742.84
4	N/A	160.1 - Sludge Dewatering	Materials	Materials	\$5,005.00
5	N/A	160.1 - Sludge Dewatering	Trucks	Equipment	\$2,454.58
5	N/A	160.1 - Sludge Dewatering	Office Trailer/Backflow Rental	Other	\$945.00
7	N/A	160.1 - Sludge Dewatering	1% GRT	Other	\$735.88
8	N/A	160.1 - Sludge Dewatering	SCS 15% Profit and Overhead	Other	\$8,996.93
Subtotal:					\$68,976.48
Grand Total:					\$68,976.48

Change Order

No. 1

Date of Issuance: April 29, 2019

Effective Date: _____

Project: WWTP Sludge Dewatering Facilities	Owner: City of Laurel	Owner's Contract No.: N/A
Contract: Base Bid Lump Sum Price		Date of Contract: 11/16/2018
Contractor: Strategic Construction Solutions		Engineer's Project No.: 1804-00120

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

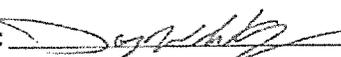
This Change Order is to address the additional pumping required in Digester B, to lower the existing sludge to the top of the cone after the City's pumps stopped working. Change Order 1 address the work performed between February 4th and 12th as stated in the Engineer's Recommendation to the City of Laurel (March 25, 2019) and agreed upon by Strategic Construction Solutions. Additional contract price and contract time requested by Strategic Construction Solutions regarding this change in condition and not addressed in this Change Order will remain open to discussion, and potential reconciliation. As part of this Change Order an additional 9 days will be added to the 45 days of allocated time for dewatering. These days will not affect the Contract Time for Substantial completion.

Attachments (list documents supporting change):

Engineers Recommendation Letter & Attachments -- 3/25/19 (3 pages), Proposed Change Order prepared by SCS - 2/28/19 (1 page)

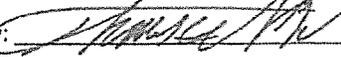
CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
<p>Original Contract Price:</p> <p style="margin-left: 20px;"><u>\$ 1,575,000.00</u></p>	<p>Dewatering Contract Times: <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days</p> <p>Dewatering completion (days): <u>45</u></p> <p>Ready for final payment (days): <u>N/A</u></p>
<p>Increase from previously approved Change Orders No. <u>0</u> to No. <u>0</u>:</p> <p style="margin-left: 20px;"><u>\$ 0.00</u></p>	<p>Increase from previously approved Change Orders No. <u>0</u> to No. <u>0</u>:</p> <p>Dewatering completion (days): <u>0</u></p> <p>Ready for final payment (days): <u>N/A</u></p>
<p>Contract Price prior to this Change Order:</p> <p style="margin-left: 20px;"><u>\$ 1,575,000.00</u></p>	<p>Contract Times for Dewatering prior to this Change Order:</p> <p>Dewatering completion (days): <u>45</u></p> <p>Ready for final payment (days): <u>N/A</u></p>
<p>Increase of this Change Order:</p> <p style="margin-left: 20px;"><u>\$ 26,173.04</u></p>	<p>Increase of this Change Order:</p> <p>Dewatering completion (days): <u>9</u></p> <p>Ready for final payment (days): <u>N/A</u></p>
<p>Contract Price incorporating this Change Order:</p> <p style="margin-left: 20px;"><u>\$ 1,601,173.04</u></p>	<p>Contract Times with all approved Change Orders:</p> <p>Dewatering completion (days): <u>54</u></p> <p>Ready for final payment (days): <u>N/A</u></p>

RECOMMENDED:

By: 
 Engineer (Authorized Signature)

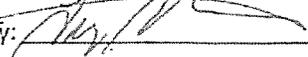
Date: 4/29/19

ACCEPTED:

By: 
 Owner (Authorized Signature)

Date: 5/21/2019

ACCEPTED:

By: 
 Contractor (Authorized Signature)

Date: 4-19-29