

RESOLUTION NO. R16-37

**A RESOLUTION OF THE CITY COUNCIL APPROVING CHANGE ORDER NO. 2
TO THE CITY'S CONTRACT WITH WESTERN MUNICIPAL CONSTRUCTION, INC.
FOR THE SOUTH WASHINGTON AVENUE STORM SEWER PROJECT.**

WHEREAS, the City Council previously approved a contract with Western Municipal Construction, Inc. through Resolution No. R15-104, for the South Washington Avenue Storm Sewer Project; and

WHEREAS, the original contract price was \$228,769.00 to complete the project; and

WHEREAS, the City Council previously approved Change Order No. 1 to the contract with Western Municipal Construction, Inc. to increase the cost of the project by \$16,958.04; and

WHEREAS, the attached Change Order reflects the actual quantities installed on the project, decreasing the contract price by \$340.00; and

WHEREAS, the City's engineering firm, Great West Engineering, Inc. and City Staff reviewed the attached Change Order and recommend the City Council's approval of the same.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, the City Council hereby approves the attached Change Order and authorizes the Mayor to execute it on the City's behalf.

Introduced at a regular meeting of the City Council on June 7, 2016, by Council Member
Dickerson.

PASSED and APPROVED by the City Council of the City of Laurel this 7th day of June, 2016.

APPROVED by the Mayor this 7th day of June, 2016.

CITY OF LAUREL

Mark A. Mace
Mark A. Mace, Mayor

ATTEST:

Shirley Ewan
Shirley Ewan, Clerk/Treasurer

Approved as to form;

Sam S. Painter
Sam S. Painter, Civil City Attorney



115 N Broadway, Suite 500
Billings, MT 59101

PHONE: 406.652.5000
FAX: 406.248.1363
www.greatwesteng.com

LETTER OF TRANSMITTAL

To: Kurt Markegard
Of: City of Laurel
Address: PO Box 10
Laurel, MT 59044

Date: 5-3-16
Project: South Washington Ave. Storm Drain
Project No.: 2-14114 TO 36
Subject: Payment Application/Change Order

Phone:

Fax:

We transmit: As requested Attached Under separate cover
Via: Mail e-Mail Courier Overnight delivery Fax

# of Copies	Description
3	Pay Application #3
3	Change Order #2

Our action: Reviewed Not approved Approved See remarks
Action requested: Review and comment Approve / Accept
 Make corrections noted Revise and resubmit
 For your information and use

Remarks: Please sign each form where indicated. Please retain 1 copy for your records and return 2 copies back to me.

From: Ilene Neudick e-mail address: ineudick@greatwesteng.com
Phone: 406-652-5000 cc: Project file,

If enclosures are not as noted, please notify the sender immediately.

Date of Issuance: May 3, 2016	Effective Date:
Owner: City of Laurel, Montana	Owner's Contract No.:
Contractor: Western Municipal Construction, Inc.	Contractor's Project No.:
Engineer: Great West Engineering, Inc.	Engineer's Project No.: 2-14114, TO 36
Project: South Washington Avenue Storm Sewer	Contract Name:

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

Description: Reconciliation change order to reflect actual quantities installed.

Attachments: Contractor's Application for Payment No. 3 – Retainage

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ 228,769.00	Original Contract Times: Substantial Completion: <u>60 days</u> Ready for Final Payment: <u>14 days</u>
Increase from previously approved Change Order No. 1: \$ 16,958.04	Increase from previously approved Change Order No. 1: Substantial Completion: <u>0 days</u> Ready for Final Payment: <u>0 days</u>
Contract Price prior to this Change Order: \$ 245,727.04	Contract Times prior to this Change Order: Substantial Completion: <u>60 days</u> Ready for Final Payment: <u>14 days</u>
Increase of this Change Order: \$ (340.00)	Increase of this Change Order: Substantial Completion: <u>0 days</u> Ready for Final Payment: <u>0 days</u>
Contract Price incorporating this Change Order: \$ 245,387.04	Contract Times with all approved Change Orders: Substantial Completion: <u>60 days</u> Ready for Final Payment: <u>14 days</u>

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u>[Signature]</u>	By: <u>[Signature]</u>	By: <u>[Signature]</u>
Engineer (if required)	Owner (Authorized)	Contractor (Authorized)
Title: <u>PM</u>	Title: <u>Mayor</u>	Title: <u>president</u>
Date: <u>05/03/17</u>	Date: <u>6/7/16</u>	Date: <u>5-3-16</u>

Contractor's Application for Payment No. 3 - Retainage

		Application Period	Application Date:
		From (Date): 3/21/2016 To (Date): 3/25/2016	5/3/2016
To (Owner): City of Laurel	From (Contractor): Western Municipal Construction, Inc.	Via (Engineer): Cassie Riffin	
Project Name: South Washington Avenue Storm Drain Project	Contract Description:	South Washington Avenue Storm Drain Project	
Owner's Contract No.:	Contractor's Project No.: SWAS	Engineer's Project No.: 2-14114T036	

APPLICATION FOR PAYMENT

Change Order Summary

Approved Change Orders		
Number	Additions	Deductions
One	\$16,958.04	
TOTALS	\$16,958.04	
NET CHANGE BY CHANGE ORDERS	\$16,958.04	

Previous Pay Estimates (Incl GRT)	
#1	\$ 164,097.30
#2	\$ 69,020.39
#3	\$ -
#4	\$ -
#5	\$ -
#6	\$ -
Total	\$ 233,117.69

1. ORIGINAL CONTRACT PRICE.....	\$	228,769.00
2. Net change by Change Orders.....	\$	16,958.04
3. Current Contract Price (Line 1 ± 2).....	\$	245,727.04
4. TOTAL COMPLETED AND STORED TO DATE		
(Column G on Progress Estimate).....	\$	245,387.04
5. RETAINAGE:		
a.	x	\$245,387.04 Work Completed..... \$
b. 5%	x	Stored Material \$
c. Total Retainage(Line 5.a + 5.b)		\$
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5d).....	\$	245,387.04
7. LESS PREVIOUS PAYMENTS (INCLUDE GRT WHITHOLDING)	\$	233,117.69
8. GROSS AMOUNT DUE THIS APPLICATION	\$	12,269.35
9. LESS 1% MONTANA TAX		122.69
10. UNSCHEDULED EMPLOYEMENT OF THE ENGINEER	\$	
10. BALANCE TO FINISH, PLUS RETAINAGE		
(Column H on Progress Estimate + Line 5d above).....	\$	

Payment of: \$ \$12,146.66

(Line 8 or other - attach explanation of the other amount)

Recommended by: *Cassie Riffin* 05/03/16
ENGINEER Date

Payment of: \$ _____
(Line 8 or other - attach explanation of the other amount)

Approved by: *Mustafa M...* 6/7/16
OWNER Date

Contractor's Certification
The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: *Wanda Clay* Date: 5-3-16

Progress Estimate No. 3 - Retainage

Contractor's Application

For (contract): South Washington Avenue Storm Drain Project				Contract Number:							
Application Period: 3/21/2016 To 3/25/2016				Application Date: 5/3/2016							
A				B	D	E	F	G		H	
Bid Item No.	ITEM Description	Bid Quantity	Unit	Unit Price	Bid Value	Estimated Quantity Installed	Value	Materials Presently Stored (not in D)	Total Completed and Stored to Date (E + F)	% (G+H)	Balance to Finish (B - G)
101	Mobilization	1	LS	13,000.00	\$13,000.00	1.00	\$13,000.00		\$13,000.00	100.0%	
102	Traffic Control	1	LS	7,000.00	\$7,000.00	1.00	\$7,000.00		\$7,000.00	100.0%	
103	Exploratory Excavation	5	HR	150.00	\$750.00	7.00	\$1,050.00		\$1,050.00	140.0%	-\$300.00
104	Imported Backfill	50	CY	22.00	\$1,100.00						\$1,100.00
105	Imported Type 2 Bedding	50	CY	32.00	\$1,600.00						\$1,600.00
106	24" Class 2 Reinforced Concrete Pipe	830	LF	77.00	\$63,910.00	830.00	\$63,910.00		\$63,910.00	100.0%	
107	28.5" x 18" Class 2 Reinforced Concrete Arch	50	LF	182.00	\$9,100.00	50.00	\$9,100.00		\$9,100.00	100.0%	
108	18" PVC SDR 26 Storm Sewer	11	LF	99.00	\$1,089.00	14.00	\$1,386.00		\$1,386.00	127.3%	-\$297.00
109	15" PVC SDR 26 Storm Sewer	166	LF	70.00	\$11,620.00	176.00	\$12,320.00		\$12,320.00	106.0%	-\$700.00
110	48" Concrete Manhole	6	EA	4,200.00	\$25,200.00	6.00	\$25,200.00		\$25,200.00	100.0%	
111	96" Concrete Manhole	1	EA	13,900.00	\$13,900.00	1.00	\$13,900.00		\$13,900.00	100.0%	
112	Storm Sewer Drop Inlet	8	EA	3,000.00	\$24,000.00	8.00	\$24,000.00		\$24,000.00	100.0%	
113	Adjust Water Service Line	2	EA	700.00	\$1,400.00						\$1,400.00
114	Underground Utility Crossings	9	EA	200.00	\$1,800.00	11.00	\$2,200.00		\$2,200.00	122.2%	-\$400.00
115	Sanitary or Water Crossings w/ Less than 18" Vertical Separation	1	EA	1,400.00	\$1,400.00	2.00	\$2,800.00		\$2,800.00	200.0%	-\$1,400.00
116	Type A trench Restoration (Asphalt)	1100	LF	51.00	\$56,100.00	1113.00	\$56,763.00		\$56,763.00	101.2%	-\$663.00
Totals					\$232,969.00		\$232,629.00		\$232,629.00	99.9%	\$340.00
CHANGE ORDERS											
Change Order No. One											
CO1-1	Utility Conflicts	1	LS	12,758.04	\$12,758.04	1.00	\$12,758.04		\$12,758.04	100.0%	
Change Order No. Two											
CO2-1	Reconciling Change Order	1	LS	(340.00)	(340.00)						
Change Order Totals					\$12,418.04		\$12,758.04		\$12,758.04	102.7%	-\$340.00
Revised Contract					\$245,387.04		\$245,387.04		\$245,387.04	100.0%	