

RESOLUTION NO. 2017-5

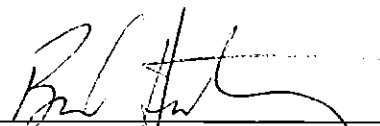
A RESOLUTION AMENDING RESOLUTION 2016-69 ADOPTED AUGUST 23, 2016 AUTHORIZING CHANGE ORDER NO. 2 FOR DELLINGER EXCAVATING INCORPORATED FOR ADDITIONAL LABOR AND MATERIALS RELATED TO THE ERI-6-16.73 FABENS PARK MICHIGAN LEFT PROJECT IN THE INCREASED AMOUNT OF FOUR THOUSAND FIVE HUNDRED EIGHTY FIVE AND 31/100 DOLLARS (\$4,585.31)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:


SECTION 1. That the Council of the City of Huron authorizes and directs the City Manager to accept Change Order No. 2 from Dellinger Excavating Inc., pertaining to the ERI-6-16-73 Fabens Park Michigan Left Project in the increased amount of Four Thousand Five Hundred Eighty Five and 31/100 Dollars (\$4,585.31); Change Order No. 2 shall be in substantially the form of Exhibit "A" attached hereto and made a part hereof.

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3. That this Resolution shall be in full force and effect from and immediately after its adoption.



Brad Hartung, Mayor

ATTEST: 
Clerk of Council

ADOPTED: FEB 14 2017

CHANGE ORDER

NUMBER: 01

OWNER: City of Huron
PROJECT: Fabens Park Intersection Improvements
PID No. 99336
QCI PROJECT No: 269-2016-181
DATE: January 26, 2017
CONTRACTOR: Dellinger Excavating, Inc.
CONTRACT FOR: City of Huron
ORIGINAL CONTRACT COMPLETION TIME (CALENDAR DAYS) / DATE: NOVEMBER 4, 2016
ORIGINAL CONTRACT AMOUNT: \$341,340.78
CHANGE ORDER # () _____
CHANGE ORDER # () _____
CHANGE ORDER # () _____
CONTRACT AMOUNT PRIOR TO THIS CHANGE ORDER \$341,340.78

THIS CHANGE ORDER, WHICH REPRESENTS A REVISION TO THE ABOVE "APPROVED" CONTRACT DOCUMENTS, CONSTITUTES AUTHORITY TO PROCEED WITH SAID REVISION, AS DESCRIBED BELOW:

NATURE AND JUSTIFICATION OF CHANGES:

EWO-01 – Time Extension for the installation of permanent pavement marking

The Contractor included in it's plan to utilize American Roadway Logistics, Inc. (ARL) to perform the permanent pavement marking and the maintenance of traffic for the Project as their plan for DBE participation. After the award of Contract, ARL informed the Contractor that they could not schedule their crew for the application of the permanent thermoplastic pavement marking in the Fall of 2016. Due to the time of the notification, October, 2016, the Contractor could not locate another DBE contractor qualified to perform the work. Because of the specified temperature requirements for the application of the thermoplastic pavement marking per OCOT CMS Section 644.04 requires that for pavement less than one year old, the temperature of the pavement and the ambient air must be a minimum of 50 degrees F and rising, the Contract Completion Date is extended from November 4, 2016 to May 3, 2017. This time extension is an excusable, non-compensable delay in accordance with ODOT CMS Section 108.06. The total time extension is 180 calendar days.

EWO-05 – Add 15" storm drainage at Sta 1106+00. When the construction commenced, it was determined that the drainage was needed for the embankment placed for the left turn lane at Sta 1106+00. The drainage was not included in the Project Plans. 87 lf of 15 in. Type A conduit and one precast headwall were installed. They are paid for using the corresponding Contract Pay Items No. 22 – *Concrete Masonry* and Pay Item No. 28 – *15" Conduit Type A*. Since this material had to be purchased after the plan quantities were ordered and delivered, the Contractor had to pick-up the material in order to complete the work. The Contractor has submitted payment for the costs for acquiring and delivering the material (attached). Those costs = \$308.44

EWO-07 – Furnish & Install delineators on traffic island at Fabens Park

Once the construction of the traffic island was completed, the City experienced problems with traffic driving over the traffic island. Due concerns of potential damage to the traffic island by snow plows, the City directed

the Contractor to furnish and install four surface-mounted delineators to the island. This work was identified after the road construction was complete. The work had to be performed as an isolated work activity. The Contractor submitted it's proposal of \$1,744.00 to acquire the material, mobilize a crew on site and perform the work. A copy of the proposal is included with this Change Order. QCI, Inc. has reviewed the proposal and has deemed the proposal to be reasonable.

= \$1,744.00

EWO-08 – Adjustment for quantity overruns, as per Pay Application No. 1.

Refer to the attached spreadsheet for the explanation of quantities that exceeded the plan quantities.

= -(\$12,827.23)

Total Amount of Change Order = -\$10,774.79

These modifications will be paid 80% - ODOT/ 20% - City

THIS CHANGE RESULTS IN THE FOLLOWING ADJUSTMENTS OF THE CONTRACT PRICE AND/OR CONTRACT COMPLETION TIME:

Contract price prior to this Change Order:	<u>\$341,340.78</u>
Net cost change (decrease) resulting from this Change Order:	<u>-\$10,774.79</u>
Current contract price including this Change Order:	<u>\$330,565.99</u>
Contract completion time/date prior to this Change Order:	<u>11/04/2016</u>
Net In/Decrease resulting from this Change Order:	<u>180 days</u> calendar/days
Current contract time/date including this Change Order:	<u>05/03/2017</u>

THE TERMS OF THIS CHANGE ORDER SHALL NOT AFFECT ANY OF THE TERMS OF THE CONTRACT, EXCEPT AS EXPRESSLY STATED HEREIN. FURTHER, THE CONTRACTOR AGREES THAT THE CONSIDERATION FOR THE CHANGE ORDER AS CONTAINED HEREIN IS THE FULL AMOUNT THE CONTRACTOR SHALL BE ENTITLED AND THAT NO ADDITIONAL TIME IS NECESSARY TO COMPLETE THIS CONTRACT.

The above changes are approved:

CITY OF HURON:

By: _____ DATE: _____

The above changes are accepted:

DELLINGER EXCAVATING, INC.

By: _____ Date: _____
Jim Dellinger

Above changes recommended by:

QUALITY CONTROL INSPECTION, INC.

By: _____ Date: _____
EDMUND CHRZANOWSKI, P.E., CONSTRUCTION PROJECT ENGINEER

C:\Work\QC\SHMED\HURON, CITY OF\PARSONS PARK, PID No. 99336\CHANGE ORDERS\CO-01\CO-01REV.DOC

ERI - 6-16.73 Fabens Park Intersection - PID No. 09336
1/16/2017

EWO-05 Additional 15 In Drainage - Pick up material

LABOR

	Rate	Hours	Total	Fringe	
Gay Goostree	\$28.15	1.5	\$42.23	\$9.80	\$14.70
Eric Daniel	\$28.15	1.5	\$42.23	\$9.80	\$14.70
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			<u>\$84.45</u>	<u>\$29.40</u>	

\$113.85

Labor	38%	\$84.45	\$116.64
Fringe	38%	\$29.40	\$40.57
Tax	22%	\$84.45	\$18.58
Equipment		\$132.75	\$132.75
Rental Equip	15%	\$0.00	\$0.00
Subcontractor	5%	\$0.00	\$0.00
Material	15%	\$0.00	\$0.00
Miscellaneous		\$0.00	\$0.00
			<u>\$308.44</u>

EQUIPMENT

	Rate	Hours	Total	Over Cost	
2007 F250	\$20.99	1.5	\$31.49		\$0.00
2006 MACK QUAD	\$50.49	1.5	\$75.74		\$0.00
2010 TRAILKING 40T	\$17.02	1.5	\$25.53		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			\$0.00		\$0.00
			<u>\$132.75</u>	<u>\$0.00</u>	

\$132.75

RENTAL EQUIPMENT

ERI - 6-16.73 Fabens Park Intersection - PID No. 99336
1/16/2017

\$0.00

SUBCONTRACTOR _____
\$0.00

\$0.00

MATERIAL _____

\$0.00

MISCELLANEOUS _____

\$0.00

ERI - 6-16.73 Fabens Park Intersection - PID No. 99336
11/28/2016

SUBCONTRACTOR
\$0.00

\$0.00

MATERIAL

Delineators - Firelands Supply Quote dated 11/16/16
\$259.24 4 \$1,036.96

\$1,036.96

MISCELLANEOUS

\$0.00

CITY OF HURON
 ERI-16-16.73 Fabens Park Michigan Left PID No. 99338
 EMCV-08 City Reconciliation after Pay Appl. No. 1

1/26/2017

Item #	Description	Unit	Quantity	Unit Price	Estimate Value	Final Change	Final Price	Unit Price	Unit Price	Unit Price	Percentage Over Under
2	PAVEMENT REMOVED	SY	165	\$8.00	\$980.00	0.00	\$0.00				
4	CONCRETE BASE REMOVED	SY	1528	\$8.00	\$12,224.00	694.332	\$5,934.56				
9	PAVEMENT OVERLAY FABRIC COMPOSITE	SY	384	\$25.00	\$9,600.00	376.12	\$9,403.00				
10	SOIL ANALYSIS TEST	EACH	2	\$100.00	\$200.00	0.00	\$0.00				
11	TOPSOIL	CY	413	\$4,130.00	\$1,725,690.00	395.00	\$3,950.00				
12	SEEDING & MULCHING	SY	2653	\$2.00	\$5,306.00	6,506.34	\$13,012.68				
19	SLOPE EROSION PROTECTION	SY	677	\$8.00	\$5,416.00	720.00	\$4,320.00				
22	CONCRETE MASONRY	CY	0.54	\$200.00	\$108.00	1.08	\$216.00				
23	4" SHALLOW PIPE UNDERDRAINS (30" DEPTH)	FT	565	\$19.00	\$10,735.00	313.00	\$5,947.00				
24	4" UNCLASSIFIED PIPE UNDERDRAINS (18" MAXIMUM DEPTH)	FT	345	\$18.00	\$6,210.00	316.00	\$5,688.00				
25	4" BASE PIPE UNDERDRAINS (18" DEPTH)	FT	246	\$18.00	\$4,428.00	251.00	\$4,518.00				
26	4" CONDUIT, TYPE F FOR UNDERDRAIN OUTLET	FT	80	\$18.00	\$1,440.00	67.00	\$1,206.00				
27	5" CONDUIT, TYPE F	FT	200	\$3.00	\$600.00	0.00	\$0.00				
28	15" CONDUIT, TYPE A	FT	70	\$80.00	\$5,600.00	157.00	\$12,560.00				
30	PAVEMENT PLANING, ASPHALT CONCRETE	SY	237	\$16.00	\$3,792.00	153.00	\$2,448.00				
31	ASPHALT CONCRETE BASE, PG64-22, AS PER PLAN	CY	642	\$118.00	\$75,756.00	598.26	\$70,594.68				
32	AGGREGATE BASE	CY	491	\$30.00	\$14,730.00	355.36	\$10,660.80				
34	PG 64-22 ASPHALT CONCRETE SURFACE COURSE, TYPE 1, (448)	CY	107	\$167.00	\$17,869.00	104.15	\$17,983.05				
35	ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 1, (448)	CY	180	\$50.00	\$9,000.00	146.66	\$21,999.00				
55	EMBANKMENT	CY	500	\$8.00	\$4,000.00	387.60	\$3,100.80				
56	EXCAVATION OF SUBGRADE	CY	500	\$7.00	\$3,500.00	387.60	\$2,713.20				

Bid Amount for these items = \$208,042.00
 Pay Item Reconciliation = \$185,214.77 (\$12,827.23) (\$27,945.91)

CITY OF HUPON
 ERI-6-16-73 Fabens Park Michigan Left PID No. 95336
 EWO-08 City Reconciliation after Pay Appl. No. 1

Item No.	Comments regarding quantity overruns (User)	Qty	Unit Price	Contract Value	Final Quantity	Final Cost	Comments
12	SEEDING & MULCHING	2855	3851.34	6506.34	\$2.00	\$7,022.68	Per the Contract Documents, the Notice to Proceed was to be issued by September 1, 2016. It was not issued until September 30, 2016. The Project was originally intended to be performed in two phases. Phase 1 was the construction of the EB lane of US-6 and the entrance to Fabens Park. Phase 2 consisted of the construction of the WB lane and modifications to the median of US-6. In its effort to expedite the Project Work, the Contractor constructed both phases simultaneously. This resulted in all of the project work, except for the permanent pavement markings, being completed by the Project Completion Date of November 4, 2016. However, the Contractor had to use the median for transporting equipment and material between the work areas, resulting in having to restore a larger area of the median than was included in the Contract Plan.
19	SLOPE EROSION PROTECTION	577	43.00	720.00	\$6.00	\$256.00	Due to a mis-communication in the Plans, the Contractor installed slope erosion protection in areas that were not intended in the plans, resulting in the installation of material that exceeded the plan quantities.
22	CONCRETE MASONRY	0.54	0.54	1.08	\$200.00	\$108.00	Added a second headwall as noted in EWO-05
25	4" BASE PIPE UNDERDRAINS (18" DEPTH)	248	5.00	251.00	\$18.00	\$90.00	Additional 3 ft of underdrain was needed to connect an existing underdrain that differed from the plan conditions on US-6 EB at the entrance to Fabens Park.
28	15" CONDUIT, TYPE A	70	87.00	157.00	\$80.00	\$6,960.00	Added additional quantity of 15" storm conduit as noted in EWO-05
Total value of Overrun Qty's = \$15,118.68 Total value of underrun adjustments = (\$27,945.91) Net adjustment to Contract \$5 as result of these Qty Adjustments= (\$12,827.23)							