



HISTORIC
FRANKLIN
TENNESSEE

ITEM #2
CIC
02-26-14

MEMORANDUM

February 26, 2014

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
David Parker, City Engineer/CIP Executive
Paul Holzen, Director of Engineering
William Banks, Staff Engineer

SUBJECT: **Consideration of Change Order No. 1 (Final Change Order) to the Construction Contract for the Public Works Facility Access Road Project (COF Contract No. 2012-0075)**

Purpose

The purpose of this memorandum is to recommend approval of Change Order No. 1 (Final Change Order) to the Construction Contract for the Public Works Facility Access Road Project (COF Contract No. 2012-0075) with McMillan Construction Company, LLC.

Background

As authorized by the Board (COF Contract No. 2011-0139), the City purchased the property at 124 Lumber Drive (former 84 Lumber site located off of Columbia Avenue) to use as a combined City of Franklin Public Works Facility. The City also entered into an Agreement with L.P. Franklin (Lasko) (COF Contract No. 2011-0144) that granted the City Permanent Easements necessary for the new access roadway through the Lasko site. The access road was needed to allow City vehicles access to Columbia Avenue at a signalized intersection. On November 27, 2012, the Board approved Construction Contract (COF Contract No. 2012-0075) with McMillan Construction Company, LLC. at a cost of \$785,276.42.

Explanation of Change Order No. 1 (See attached Exhibit A for all Change Order No. 1 documentation):

1. All contract line item quantities and costs have been adjusted and balanced to reflect the actual installed and billed construction work. This resulted in a deduction in total contract price.
2. A time extension for landscaping installations. It was agreed by all parties that the landscaping would wait to be installed during optimum planting periods, starting in November 2013. All other roadway construction was completed within the original approved contract time. Roadway substantial completion was August 8, 2013, and the landscaping was completed in December 2013.

Financial Impact

Change Order No. 1 will be a contract cost decrease of \$19,859.39.

Original Contract Price: \$785,276.42

Final Change Order: \$-19,859.39

Final Contract Price: \$765,417.03

Recommendation

Staff recommends approval of Change Order No. 1 (Final Change Order) to the Construction Contract (COF Contract No. 2012-0075) with McMillan Construction Company, LLC. Final contract total price will be \$765,417.03. The approved contract time will go from 120 Calendar Days to 220 Calendar Days with the landscape time extension.

**Request for Construction Change
Change Order No. 1**

City of Franklin
Engineering Office
109 Third Avenue South
Franklin, TN 37064

Contract No. **2012 - 0075**
Project **Public Works Access Road**

Whereas, we **McMILLAN CONSTRUCTION CO.** entered into a contract with the CITY OF FRANKLIN, on November 27, 2012, for the construction by said Contractor of the above designated contract; and Whereas, certain items of construction encountered are not covered by the original contract, we desire to submit the following additional items of construction to be performed by the Contractor and paid by the City at the prices scheduled therefore below:

Reason for Change Order:

- 1. ADJUSTMENT OF CONTRACT ACTUAL QUANTITIES AND COST**
- 2. TIME EXTENSION FOR LANDSCAPING INSTALLATION**

THIS IS THE FIRST AND FINAL CHANGE ORDER WHICH BALANCES QUANTITIES RESULTING IN A DEDUCT IN THE FINAL CONTRACT PRICE.

Attachments (List documents supporting change):

**SEE SHEET 2 FOR ITEM BALANCE SHEET
SEE PAGES 3-5 FOR EXPLANATION**

ITEM	DESCRIPTION OF WORK	SCHED. VALUE	PREV. ADJ. BY C.O.	TOTAL COMP	DEDUCT ADJ.	INCREASE ADJ.
203-01	ROAD & DRAINAGE EXCAVATION (UNCLASSIFIED)	\$ 32,200.20	0	\$ 32,184.18	\$ 16.02	
203-03	BORROW EXCAVATION (UNCLASSIFIED)	\$ 119.56	0	\$ -	\$ 119.56	
203-06	WATER	\$ 1,080.00	0	\$ -	\$ 1,080.00	
209-06.05	BALED HAY OR STRAW	\$ 307.00	0	\$ -	\$ 307.00	
209-20.03	POLYETHYLENE SHEETING (6 MIL. MINIMUM)	\$ 3,230.00	0	\$ -	\$ 3,230.00	
303-01	MINERAL AGGREGATE, TYPE A BASE GRADING D	\$ 47,775.00	0	\$ 46,250.71	\$ 1,516.29	
303-1-01	MINERAL SIZE (57)	\$ 976.00	0	\$ -	\$ 976.00	
307-02.01	ASPHALT CONCRETE MIX (PG70-22)(BPMB-HM) GRADING A	\$ 90,702.04	0	\$ 88,413.06	\$ 2,288.98	
307-02.02	ASPH. CONC. MIX (PG70-22)(BPMB-HM) GRADING B M2	\$ 63,593.00	0	\$ 66,210.84	\$ -	\$ 2,623.24
402-01	BITUMINOUS MATERIAL FOR PRIME COAT (PC)	\$ 8,717.60	0	\$ 8,712.55	\$ 2,005.05	
402-02	AGGREGATE FOR COVER MATERIAL (PC)	\$ 1,204.72	0	\$ 2,191.61	\$ -	\$ 986.89
403-01	BITUMINOUS MATERIAL FOR TACK COAT (TC)	\$ 795.35	0	\$ 1,694.10	\$ -	\$ 898.75
411-02.10	SACS MIX (PG70-22) GRADING D	\$ 50,442.64	0	\$ 50,585.72	\$ -	\$ 5,142.58
415-01.03	COLD PLANNING BITUMINOUS PAVEMENT	\$ 3,874.50	0	\$ -	\$ 3,874.50	
701-02.02	CONCRETE DRIVEWAY (8")	\$ 6,225.67	0	\$ 6,085.34	\$ 139.23	
701-03	CONCRETE MEDIAN PAVEMENT (SEE NOTE #1)	\$ 802.00	0	\$ -	\$ 802.00	
702-01	CONCRETE CURB	\$ 13,777.14	0	\$ 14,857.70	\$ -	\$ 1,080.56
702-01.01	EXTRUDED COUNTABLE CURB	\$ 4,952.85	0	\$ 5,330.27	\$ -	\$ 377.41
707-08.01	FENCE (4-PLANK HORSE FENCE)	\$ 10,300.55	0	\$ 10,680.80	\$ -	\$ 380.25
709-05.05	MACHINED RIP-RAP (CLASS A-3)	\$ 2,528.50	0	\$ -	\$ 2,528.50	
709-05.06	MACHINED RIP-RAP (CLASS A-1)	\$ 192.12	0	\$ -	\$ 192.12	
713-01.02	STEEL BAR REINF. (FOUNDATION FOR SIGN SUPPORTS)	\$ 594.08	0	\$ 631.68	\$ -	\$ 37.60
713-11.02	PERFORATED/KNOCKOUT SQUARE TUBE POST	\$ 5,922.00	0	\$ 6,286.00	\$ -	\$ 364.00
713-13.02	FLAT SHEET ALUMINUM SIGNS (0.80" THICK)	\$ 493.68	0	\$ 537.24	\$ -	\$ 43.56
716-02.05	PLASTIC PAVEMENT MARKING (STOP LINE)	\$ 1,336.32	0	\$ 2,245.76	\$ -	\$ 909.44
716-02.06	PLASTIC PAVEMENT MARKING (TURN LANE ARROW)	\$ 495.08	0	\$ 990.16	\$ -	\$ 495.08
716-05.01	PAINTED PAVEMENT MARKING (4" LINE)	\$ 2,475.38	0	\$ 2,707.47	\$ -	\$ 292.09
716-05.05	PAINTED PAVEMENT MARKING (STOP LINE)	\$ 2,005.58	0	\$ 2,290.30	\$ -	\$ 284.74
716-08.01	REMOVAL OF PAINTED PAVEMENT MARKING (LINE)	\$ 1,240.00	0	\$ 2,181.10	\$ -	\$ 941.10
716-12.01	ENHANCED FLATLINE THERMO PVMT MKG (4" LINE)	\$ 3,711.99	0	\$ 3,994.10	\$ -	\$ 282.11
730-03.21	INSTALL PULL BOX (TYPE B)	\$ 2,583.04	0	\$ 1,614.40	\$ 968.64	
730-08.03	SIGNAL CABLE - 7 CONDUCTOR	\$ 070.16	0	\$ 1,259.60	\$ -	\$ 289.44
730-09.01	SPAN WIRE (MIN BREAK STRENGTH 3,438 LBS)	\$ 255.95	0	\$ 279.50	\$ -	\$ 23.65
730-12.01	CONDUIT 1" DIAMETER (PVC)	\$ 2,448.08	0	\$ 1,387.02	\$ 1,060.26	
730-12.03	CONDUIT 3" DIAMETER (PVC)	\$ 145.53	0	\$ 1,228.92	\$ -	\$ 1,083.39
730-12.14	CONDUIT 3" DIAMETER (JACK AND BORE)	\$ 2,067.20	0	\$ 2,261.00	\$ -	\$ 193.80
730-14.01	SHIELDED DETECTOR CABLE	\$ 645.86	0	\$ -	\$ 645.86	
730-14.02	SAW SLOT	\$ 1,427.66	0	\$ -	\$ 1,427.66	
730-14.03	LOOP WIRE	\$ 565.92	0	\$ -	\$ 565.92	
740-10.03	GEOTEXTILE (TYPE III) (EROSION CONTROL)	\$ 635.00	0	\$ -	\$ 635.00	
801-01	SEEDING (WITH MULCH)	\$ 1,120.62	0	\$ 1,425.35	\$ -	\$ 304.73
803-01	SODDING (NEW SGD)	\$ 7,380.25	0	\$ -	\$ 7,380.25	
SUB TOTAL:					\$ 37,810.74	\$ 17,034.47
CONTINGENCY						
C-1	UNDERCUT REMOVAL AND HAUL OFF	\$ 23,428.80	0	\$ 23,428.80		
C-2	UNDERCUT REFILL MATERIAL AND PLACEMENT	\$ 66,072.04	0	\$ 66,072.04		
725-12.47	FO CABLE, GF	\$ 1,836.00	0	\$ 1,836.00		
730-03.23	INSTALL PULLBOX (FO TYPE A) (INSTALL ONLY)	\$ 324.00	0	\$ 324.00		
730-12.03	CONDUIT 3" DIAMETER (PVC)	\$ 3,773.00	0	\$ 3,773.00		
730-12.03	ADDITIONAL CONDUIT 3" DIAMETER (PVC) TO ISLAND	\$ 1,164.24	0	\$ 1,164.24		
725-05.04	SPLICE ENCLOSURE (UNDER GRADE)	\$ 691.20	0	\$ 691.20		
725-02.41	FIBER OPTIC TERMINATION SPLICE (GATOR PATCH)	\$ 907.00	0	\$ 907.00		
725-12.45	FO SPLICE, FUSION	\$ 777.60	0	\$ 777.60		
730-03.24	RELOCATE PULL BOX	\$ 216.00	0	\$ 216.00		
C-3	REIMBURSEMENT POLICE SERVICE YMCA TRAFFIC CNTRL	\$ 540.00	0	\$ 540.00		
C-4	ADDITIONAL FENCE AROUND DETENTION POND	\$ 1,185.00	0	\$ 1,185.00		
SUB TOTAL:		\$ 100,975.88		\$ 100,925.88		
SUMMARY						
1	TOTAL BID WITH \$100,000.00 CONTINGENCY			\$ 785,276.42		
2	TOTAL PROJECT COST WITH ACTUAL CONTINGENCY & INCREASE ADJUSTMENTS			\$ 803,236.77		
3	TOTAL DEDUCT ADJUSTMENTS			\$ 37,819.74		
4	ACTUAL PROJECT COST TO DATE			\$ 765,417.03		

REASON FOR CHANGE ORDER

1. 203-03 borrow excavation (unclassified) not required due to existing field conditions.
2. 203-06 water not required due to weather conditions.
3. 209-06.05 Balled hay or straw not required due to field and weather conditions.
4. 209-20.03 Polyethylene sheeting (6 mil minimum) not required due to existing field and weather conditions.
5. 303-01 mineral aggregate, type A Base grading D bid quantity was 2940 ton actual used was 2846.69 ton.
6. 303-01 mineral aggregate (size 57) not required due to availability of existing stone
7. 307-02.01 asphalt concrete mix (pg 70-22) (PMB-4M) grading A bid quantity was 1,114 ton actual used was 1,017.88 ton
8. Asphalt concrete mix (PG70-22) (BPMB-HM) grading B-M2 bid quantity was 680 ton actual used was 708.05 ton.
9. 402-01 bituminous material for prime coat (PC) bid quantity was 10 ton actual used was 7.70 ton.
10. 402-02 aggregate for cover material (PC) bid quantity was 37 ton actual use4d was 67.31 ton.
11. 403-01 bituminous material for tack coat (TC) bid quantity was 1 ton actual used was 2.13 ton
12. 411-02.10 ACS mix (PG 70-22) grading bid quantity was 472 ton actual used was 520.12 ton.
13. 415-01.03 cold planning bituminous pavement not required due to existing field conditions.
14. 701-02.02 concrete driveway (8") bid quantity was 939 s.f. actual used was 918 s.y.
15. 701-03 concrete median pavement removed from contract.
16. 702-01 concrete curb bid quantity was 51 CY actual used was 55 CY.
17. 702-01.01 extruded mountable curb bid quantity was 958 l.f. actual used was 1,031 l.f.
18. 707-08.01 fence (4 plan horse fence) bid quantity was 1,219 l.f. actual used was 1,264 l.f.
19. 709-05.05 machined rip-rap (class A-3) not required due to existing field conditions.
20. 709-05.06 machined rip-rap (class A-1) not required due to existing field conditions.

21. 713-01.02 steel bar reinforcement (foundation for sign supports) bid quantity was 316 lbs. actual used was 336 lbs.
22. 713-11.02 perforated/knockout square tube post bid quantity was 432 lbs actual used was 449 lbs.
23. 713-13.02 flat sheet aluminum signs (0.080" thick) bid quantity was 102 s.f. actual used was 111 s.f.
24. 716-02.05 plastic pavement marking (stop line) bid quantity 72 l.f. actual used 121 l.f. (Stop sign added to contract)
25. 716-02.06 plastic pavement marking (turn lane arrow) bid quantity 2 each actual used 4 each (two additional not shown on plan)
26. 716-05.01 painted pavement marking (4" line) bid quantity 1 LM @ \$2,475.38 actual cost due to parking spaces \$2,767.47.
27. 716-05.05 painted pavement marking (stop line) bid quantity was 162 l.f. actual used was 185 l.f.
28. 716-08.01 removal of pavement marking (line) bid quantity 1,000 l.f. actual used was 1,759 l.f.
29. 716-12.01 enhanced flatline thermo pavement marking (4" line) bid quantity 1 LM @ 3711.99 actual used .076% increase @ \$3,994.00. (due to actual field dimensions)
30. 730-03.21 install pull box (Type B) bid quantity 8 each, actual installed 5 each (due to traffic signal component change)
31. 730-08.03 signal cable - 7 conductor bid quantity 725 l.f. actual installed 940 l.f. (actual field measurement).
32. 730-09.01 span wire assembly (minimum breaking strength = 3,438 lbs) bid quantity 119 l.f. actual installed 130 l.f. (actual field measurement).
33. 730-12.01 conduit 1" diameter (PVC) bid quantity 568 l.f. actual installed 32 l.f. (Signal component change)
34. 730-12.03 conduit 3" diameter (PVC) bid quantity 27 l.f., actual installed 228 l.f. (Due to signal component revisions)
35. 730-12.14 conduit 3" diameter bid quantity 128 l.f. actual installed 140 l.f. (Actual field measurement).
36. 730-14.01 shielded dector cable bid quantity 751 l.f. not required due to signal component change.
37. 730-14.02 saw slot bid quantity 442 l.f. not required due to signal component change.
38. 730-14.03 loop wire bid quantity 1048 l.f. not required due to signal component change.
39. 740-10.03 geotextile (Type 11) (Erosion control) bid quantity 250 s.y. not required due to existing field conditions.
40. 801-01 seeding (with mulch) bid quantity 57 units, actual used 73 units, actual field measurement.
41. 803-1 sodding (new sod) not required due to existing field and weather conditions.

CONTINGENCY ITEMS:

Contingency (as directed by the engineer)	\$ 100,000.00
1. C-1 undercut removal and haul off	\$ 23,429.80
2. C-2 undercut backfill material and placement	\$ 66,072.04
3. 725-12.47 FO Cable, 6F	\$ 1,836.00
4. 730-03.23 Install pull box (FO type A) (install only)	\$ 324.00
5. 730-12.03 conduit 3" diameter as per signal component revision 700 i.f. installed, \$ 3773.00	
6. 730-12.03 conduit 3" diameter (PVC) to island due to relocation of island, \$1,164.24	
7. 725-05.04 splice enclosure (under grade) 1 @ \$691.20 (existing enclosure due to undercut)	
8. 725-02.41 fiber optic termination splice (gator patch) 1 @ \$907.00 due to signal component revision	
9. 725-12.45 FO splice fusion due to signal component revision (\$777.60)	
10. 730-03.24 relocate pull box, due to signal component revision 1 @ \$216.00	
11. C-3 reimbursement for plie service YMCA Soccer traffic control 1 @ \$540.00	
12. C-4 relocate tree protection fence around detention area 1 @ \$1,195.00	

CHANGE IN CONTRACT PRICE:
Original Contract Price
\$785,276.42
Net Increase (Decrease) from previous Change Orders No. 0 to <u>1</u> :
\$0.00 NO PREVIOUS CHANGE ORDER
Contract Price prior to this Change Order:
\$785,276.42
Net increase (decrease) of this Change Order:
\$19,859.39
Contract Price with all approved Change Orders:
\$765,417.03

CHANGE IN CONTRACT TIMES:
Original Contract Times:
Substantial Completion: 120 CALENDAR DAYS
Ready for final payment: AUGUST 9, 2013
Net change from previous Change Orders No. 0
Ready for final payment: 0 CALENDAR DAYS
Contract Times prior to this Change Order:
Substantial Completion: 120 DAYS
Ready for final payment: AUGUST 9, 2013
Net <u>increase</u> (decrease) this Change Order:
Ready for final payment: 100 CALENDAR DAYS
Contract Times with all approved Change Orders:
Substantial Completion: 220 CALENDAR DAYS
Ready for final payment: DECEMBER 31, 2013

Now, Therefore, We, McMILLAN CONST. Contractors, hereby agree to this Supplemental Agreement consisting of the above mentioned items and prices, and agree that this Supplemental Agreement is hereby made a part of the original contract and will be performed by this Contractor in accordance with specifications thereof, and that the original contract remain in full force and effect, except in so far as specifically modified by this supplemental Agreement.

RECOMMENDED FOR APPROVAL BY:

By: [Signature] ENGINEER By: [Signature] CITY PROJECT MANAGER By: [Signature] DIRECTOR OF ENGINEERING
 Date: 1-30-14 Date: 02-07-14 Date: 2-7-14

ACCEPTED

By: [Signature]
 CONTRACTOR (Authorized Signature)
 Date: 1-30-14

APPROVED:

By: _____
 OWNER (Authorized Signature)
 Date: ~~1-30-14~~