



HISTORIC  
FRANKLIN  
TENNESSEE

ITEM #10

CIP

08-12-10

## MEMORANDUM

August 3, 2010

TO: Board of Mayor and Aldermen

FROM: Patricia Proctor, P.E., Utilities Project Manager  
Eric J. Gardner, P.E., Director of Engineering  
Eric S. Stuckey, City Administrator  
David Parker, P.E., City Engineer

SUBJECT: Southeast Corridor Water System Improvements – Change Order No. 1

### **Purpose**

The purpose of this memo is to recommend approval of Change Order No. 1 for the Southeast Corridor Water System Improvements Project.

### **Background**

Century Construction Company, Inc, was awarded the construction contract for the Southeast Corridor Water System Improvements Project by BOMA on December 8, 2009. The Notice to Proceed was issued on January 25, 2010, and with a 180 day contract time, the expiration date of the project was July 23, 2010. At this time, approximately one third of the project, the 16" water line down Lewisburg Pike, has been installed and is in use. Due to delayed pump manufacturing and proposed arrival date and the delay of external parties in the final design of the pump station exterior façade, a time extension for this project is recommended. If approved, the contractor shall cease work until the City receives approved pump station plans and a firm date for the pump delivery (which has been estimated to be October or November 2010). Work may then resume with a revised contract time of 120 days from that day.

### **Financial Impact**

No Financial Impact as a result of this Change Order.

### **Recommendation**

Staff recommends approving Change Order No. 1 for the Southeast Corridor Water System Improvements Project.



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220 Athens Way  
Suite 200  
Nashville, TN 37228-1352  
www.aecom.com

615 244 8864 tel  
615 244 8760 fax

July 16, 2010

Ms. Patricia Proctor, P.E.  
Project Manager  
City of Franklin, Tennessee  
Engineering Department  
109 Third Avenue S.  
Franklin, TN 37065

**RE: SOUTHEAST CORRIDOR WATER SYSTEM IMPROVEMENTS  
(60096884)  
CENTURY CONTRACT TIME EXTENSION**

Dear Ms. Proctor:

As attached, Century Construction Co, Inc. has requested a contract time extension for the subject project. The six month original contract period expires July 23<sup>rd</sup> and liquidated damages of \$500.00 per day could be assessed until completion. The stated reason is the slow pump station submittals and manufacturing. As with a major coordination/final design with others item – the pump station exterior facade final design and acceptance.

The contract was bid in September 2009 and awarded by BOMA on December 8, 2009. After contract execution, the Notice-to-Proceed was issued effective January 25, 2010. As noted in the Prebid and Preconstruction Conferences, two items were of concern to timely project completion. That being expedited pump station shop drawing submittals/manufacture and the exterior façade concept design by others elected as a bid alternate. This was again emphasized at progress meetings and correspondence/communications to the contractor.

The first pump station shop drawing submittal was received by AECOM on March 25, 2010 and returned for corrections on March 30, 2010. A second revised submittal was received on May 27, 2010 and returned on June 2, 2010 approved, but still needing revision. On June 17, same day, a few questions were e-mail resolved with the vendor. A final approved shop drawing is still not on-record.

In addition, the alternate exterior façade has been delayed in completion of design and is still not complete for COF Planning/Codes final review. A few changes to the electrical service location, landscaping and minor features, as with plan professional architectural design stamping by others. The adjacent developer coordination has provided issues, has consumed the schedule time and remain to a lesser degree.



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Century timely completed the 16-inch water main construction and on-site has prosecuted the project to the degree possible. The water main or a third of the project and key for summer water demands of 2010 was in beneficial use in April.


Article 19 of the contract addresses Time for Completion and Liquidated Damages and in paragraphs B. and C. address the issues presented and apply in this case potentially. Although Century has not in our opinion timely pursued submittals or pressured the vendor, the outside party of another "Contract" presents "unforeseeable cause beyond the control and without the fault or negligence of the contractor."

The fact is the project pump station aspects are delayed and Century, in fact, is not the primary causative party. The national economy, development issues and even the vendor's founder's death have influenced the delay experienced by Century. The May record flooding impacted the resolution of a major project issue with the developer. The project is not yet positioned for a building permit issuance for COF due to others' actions.

We recommend the request for a time extension be granted to Century with some reservation. The 180 days requested is an adequate time to complete the remaining work items if timely pursued by all parties and expedited manufacture by the vendor. We recommend this time extension be reflected in the Final Change Order for the project. If you have any questions or require additional information, please contact me at 313-0365.

Respectfully,

**AECOM**

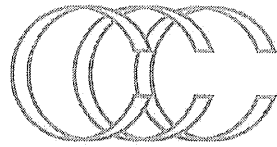


Paul A. Stonecipher, P.E.  
Associate Vice President/Project Manager

PAS:br

Enclosure(s)

xc: Mr. David Parker  
Mr. Eric Gardner  
Mr. Mark Hilty  
Mr. Berkley Nance



CENTURY  
CONSTRUCTION COMPANY, INC.

July 16, 2010

Ms. Patricia Proctor, P.E.  
City of Franklin  
109 3<sup>rd</sup> Avenue South  
Franklin, TN 37064

RE: Southeast Corridor Pumpstation Delay

Ms. Proctor:

As of today, Century Construction Company, Inc. has installed and put into service the 16" water line down Lewisburg Pike.

We continue to be hampered by the slow pump station submittal and resubmittal as well as City issued permits for grading and building. We therefore request an extension of 180 days to our contract for items beyond our control due to contractual obligations specified by the City to use a named manufacturer as well as exterior façade discussions that have not produce construction drawings or permits.

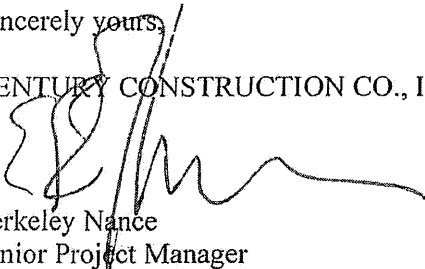
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In talking with Bill Allen with Southern Sales, he has not given a delivery date as of the time this letter was written.

Should you have any questions, please don't hesitate to contact me.

Sincerely yours,

CENTURY CONSTRUCTION CO., INC.



Berkeley Nance  
Senior Project Manager

cc: Mr. Jim Cross  
Mr. Paul Stonecipher  
Mr. Eric Gardner  
Mr. Vernon Gerth  
Mr. Eric Stuckey