



# MEMORANDUM

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October 7, 2010

TO: Board of Mayor and Aldermen

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

SUBJECT: Fieldstone Farms Pump Station No. 2 Upgrade

## **Purpose**

The purpose of this memorandum is to present information to the Board of Mayor and Aldermen (BOMA) to consider the Final Change Order for the Fieldstone Farms Pump Station No. 2 Upgrade Project and to close out this contract.

## **Background**

The Fieldstone Farms Pump Station No. 2 Upgrade project included the removal of existing pumping equipment and demolition of the existing wet well and adjacent piping. The finished site included upgraded electrical equipment (including a new onsite generator), new 8 foot fencing around the site, new 10 foot diameter wet well and upsized submersible pumps, new fiberglass manhole and an emergency bypass connection to the existing force main. The intent of the project was to increase the capacity of the pump station to function at a service level to accommodate existing flow from Fieldstone Farms and proposed flow from the Meadowgreen subdivision, which is located in Williamson County. BOMA approved the construction contract with L&C Contractors, Inc., for the Fieldstone Farms Pump Station No. 2 Upgrade Project on 12/8/2009. At this time, the contractor has fulfilled its obligations as part of the construction contract and has submitted its final pay request.

## **Financial Impact**

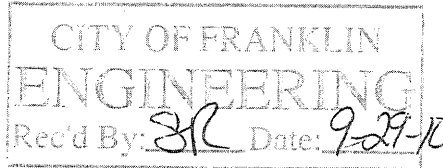
A DEDUCT of \$22,080.40 from the construction contract with L&C Contractors, Inc. The final construction contract amount will be \$492,007.60.

## **Recommendation**

Staff recommends approval of the Final Change Order to close this project with L&C Contractors, Inc. with a DEDUCT of \$22,080.40.

September 27, 2010

Mrs. Patricia Proctor  
City of Franklin  
Engineering Department  
PO Box 305  
Franklin, TN 37065



Via Email and US Mail

Nashville

Houston

Fort Lauderdale

RE: **Fieldstone Farms Pump Station Upgrades**  
Application for Payment No. 5  
SSR Project No. 09-41-005.0

Sarasota

Memphis

Dear Patricia:

Phoenix

We are enclosing five (5) copies of the Application for Payment No. 5 as submitted by L&C Contracting for the above referenced project. This application represents the Final Payment on the project and releases the 5% retainage which has been held until now. We have reviewed the application, and recommend payment in the amount of \$32,701.60 as requested. The quantities and/or percentages as represented in this application have been verified by our field inspectors. The contractor has included a consent of surety document (5 copies), along with a single release of liens form with the final application for payment per the contract.

New Orleans

Dallas

Also attached for the City's execution is the final change order for the project representing a deduct in the contract price of ~~\$22,080.00~~ **\$22,080.40**

*10/8/10 PGP*

Please forward one copy of the application and executed change order to the Contractor along with payment. We have retained two copies for our files. Should you have any questions, please feel free to contact me.

Sincerely,

Andrew T. Johnson, P.E.

Attachments



cc: Mark Hilty – FWMD via email  
Eric Gardner - City of Franklin Engineering via email  
09-41-005.0 files (9)


USDA-FmHA Form FmHA 1925-18 (Rev. 2/87)	<b>PARTIAL PAYMENT ESTIMATE</b>
CONTRACT NO: FIELDSTONE FARMS PUMP STATION PARTIAL PAYMENT ESTIMATE NO. 5 FINAL	
PAGE <u>3</u> OF <u>3</u>	

OWNER: <b>THE CITY OF FRANKLIN</b>	CONTRACTOR: <b>L &amp; C CONTRACTORS, INC</b>	PERIOD OF ESTIMATE FROM 8/01/10 TO 8/31/10
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CONTRACT CHANGE ORDER SUMMARY				ESTIMATE	
NO.	FmHA APPROVAL DATE	AMOUNTS			
		ADDITIONS	DEDUCTIONS		
				1. Original Contract .....	514,088.00
				2. Change Orders.....	0.00
				3. Revised Contract (1 + 2).....	514,088.00
				4. Work Completed*.....	492,007.60
				5. Stored Materials*.....	0.00
				6. Subtotal (4 + 5).....	492,007.60
				7. Retainings*.....	0.00
				8. Previous Payments.....	459,306.00
				9. Amount Due (6-7-8).....	32,701.60
<b>TOTALS</b>					
<b>NET CHANGES</b>					
				*Detailed breakdown attached	

CONTRACT TIME			
Original (days) _____			
Revised _____	On Schedule	<input type="checkbox"/> Yes	Starting Date _____
Remaining _____		<input type="checkbox"/> No	Projected Completion _____

<b>CONTRACTORS CERTIFICATION:</b>  The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates were issued and payments received from the owner, and that current payments shown herein is now due.	<b>ARCHITECT OR ENGINEER'S CERTIFICATION:</b>  The undersigned certifies that the work has been carefully inspected and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.
Contractor <u>L &amp; C Contractors, Inc.</u>  By <u></u>  Date <u>8/31/10</u>	Architect or Engineer <u>Smith Seckman Reid, Inc.</u>  By <u></u>  Date <u>9/27/10</u>

<b>APPROVED BY OWNER:</b>  Owner <u>The City of Franklin</u>  By <u></u>  Date <u>10/8/10</u>	<b>ACCEPTED BY FmHA:</b>  The review and acceptance of this estimate by FmHA does not attest to the correctness of the quantities shown or that the work has been performed in accordance with the contract documents.  By _____  Date _____
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PERIODIC ESTIMATE FOR PARTIAL PAYMENT									
Name & Location of Project: FIELDSTONE FARMS PUMP STATION NO. 2 UPGRADE									
Name & Address of Contractor: L & C Contractors, Inc. P.O. Box 129 Fairview, TN 37062									
Periodic Estimate No. 5 Final For Period 8/01/10 To 8/31/10									
Entries must be limited to work and costs under the original contract only. (Work and cost data under change orders is to be shown in Part 2 of this form.) Columns (1) through (5). enter data shown in columns 1, 2, 3, 8 and 9, respectively, on Form ED-111 prepared by Contractor. Columns (1) through (5). enter data shown in columns 1, 2, 3, 8 and 9, respectively, on Form ED-111 prepared by Contractor. Columns (6) and (7). Show all work completed to date under original contract. Column (8). Enter the difference between entries in columns (5) and (7). Column (9). Show percent ratio of column (7) to column (5).									
ITEM NO.	DESCRIPTION	QTY	CONTRACT UNIT	TOTAL PRICE	TOTAL COST	THIS PERIOD		COMPLETE TO DATE	
						QTY	TOTAL COST		AMOUNT
(1)	(2)		(4)	(5)	(6)	(7)	(8)	(9)	
1	8" Restrained Joint DIP Force Main w/fittings	50	LF	50.00	2,500.00	0	0.00	50	2,500.00
2	8" Plug Valve w/box	1	EA	2,100.00	2,100.00	0	0.00	1	2,100.00
3	8" Restrained Joint Cap	1	EA	200.00	200.00	0	0.00	1	200.00
4	Emergency Bypass Connection w/appurtenances per plan detail	1	EA	2,000.00	2,000.00	0	0.00	1	2,000.00
5	Fiberglass Manhole w/depth and connections per plan	1	EA	7,000.00	7,000.00	0	0.00	1	7,000.00
6	12" DIP Gravity Sewer	15	LF	55.00	825.00	0	0.00	18	990.00
7	6" PVC Force Main w/fittings	100	LF	15.00	1,500.00	0	0.00	100	1,500.00
8	1" Copper Water Service Line	25	LF	25.00	625.00	0	0.00	50	1,250.00
9	1" Water Service Valve	1	EA	100.00	100.00	0	0.00	1	100.00
10	Backflow Prevention Device w/Hot Box Enclosure	1	EA	1,500.00	1,500.00	0	0.00	1	1,500.00
11	Freeze-proof Yard Hydrant	1	EA	750.00	750.00	0	0.00	1	750.00
12	Asphalt Trench Patch	35	LF	30.00	1,050.00	0	0.00	0	0.00
13	Concrete Sidewalk Extension	30	SF	10.00	300.00	0	0.00	0	0.00
14	8' Coated Chain Link Fencing	135	LF	44.00	5,940.00	0	0.00	138	6,072.00
15	8' Coated Chain Link Gates w/appurtenances	4	EA	400.00	1,600.00	0	0.00	4	1,600.00
16	Silt Fencing	160	LF	5.00	800.00	0	0.00	240	1,200.00
17	Sediment Log	2	EA	100.00	200.00	0	0.00	0	0.00
18	Orange Construction Fencing	25	LF	5.00	125.00	0	0.00	289	1,445.00
19	Overdepth Excavation and Gravel Backfill as directed by Engineer	10	CY	30.00	300.00	0	0.00	0	0.00
20	Additional Crushed Stone as directed by Engineer	20	TN	20.00	400.00	21.38	427.60	221.38	4,427.60
21	Miscellaneous and Contingency Allowance	1	AL	35,000.00	35,000.00	0	0.00	0	0.00
1	Paving the entrance and sidewalk						4,375.00		4,375.00
2	Taking the handrails out, painting and reinstalling them						675.00		675.00
3	The temporary walk path had to be extended double because of safety concerns and temporary ramps put in at the street. Also a temporary drain pipe had to be installed						1,175.00		1,175.00
4	Where we tied to the 1" water line we installed a concrete box with a gate valve type casting and a cut off valve						375.00		375.00
5	Planted 4 trees as directed						1,500.00		1,500.00
TOTAL PAGE ONE					64,815.00		8,527.60		42,734.60

PERIODIC ESTIMATE FOR PARTIAL PAYMENT									
Name & Location of Project: FIELDSTONE FARMS PUMP STATION NO. 2 UPGRADE							PAGE TWO		
Name & Address of Contractor:			L & C Contractors, Inc. P.O. Box 129 Fairview, TN 37062						
Periodic Estimate No. 5 Final For Period 8/01/10 To 8/31/10									
<b>1. COST OF WORK COMPLETED TO DATE UNDER ORIGINAL CONTRACT ONLY</b>									
Entries must be limited to work and costs under the original contract only.									
(Work and cost data under change orders is to be shown in Part 2 of this form.)									
Columns (1) through (5). enter data shown in columns 1, 2, 3, 8 and 9, respectively, on Form ED-111 prepared by Contractor.									
Columns (1) through (5). enter data shown in columns 1, 2, 3, 8 and 9, respectively, on Form ED-111 prepared by Contractor.									
Columns (6) and (7). Show all work completed to date under original contract.									
Column (8). Enter the difference between entries in columns (5) and (7).									
Column (9). Show percent ratio of column (7) to column (5).									
ITEM NO.	DESCRIPTION	QTY	UNIT	CONTRACT PRICE	TOTAL COST	THIS PERIOD QTY	THIS PERIOD COST	COMPLETE TO DATE QTY	COMPLETE TO DATE AMOUNT
(1)	(2)	(3)	(4)	(5)	(5)	(6)	(7)	(8)	(9)
22	Bidder agrees to complete the work associated with the wastewater pump station, including the pumps, wet well, reinforced concrete base slab, guide rails, generator, fiberglass control building, controls, discharge piping, magnetic flow meter and vault, and all pump station appurtenances required for a fully operational station within the Lump Sum Bid given below. By-Pass pumping shall be included in the Lump Sum Bid. Lump Sum Bid shall include all demolition work, temporary barricades and paths, and all site work not indicated in the unit prices including but not limited to the gravel drive, concrete pads, and grassing. Lump sum price shall also include the required electrical and controls (SCADA) work necessary for a fully operation pump station.	1	LS	449,273.00	449,273.00	10.0%	0.00	100.0%	449,273.00
<b>TOTAL PAGE ONE</b>					64,815.00		8,527.60		42,734.60
<b>TOTAL PAGE TWO</b>					449,273.00		-		449,273.00
<b>TOTAL ALL PAGES</b>					514,088.00		8,527.60		492,007.60

CONSENT OF  
SURETY COMPANY  
TO FINAL PAYMENT

OWNER   
ARCHITECT   
CONTRACTOR   
SURETY   
OTHER

AIA DOCUMENT G707

PROJECT: Fieldstone Farms Pump Station No. 2 Upgrades  
Fieldstone Parkway, Franklin, Tennessee  
(name, address)

TO (Owner)

City of Franklin  
P.O. Box 305  
Franklin, Tennessee 37065

ARCHITECT'S PROJECT NO:  
CONTRACT FOR: \$514,088.00

CONTRACT DATE:

CONTRACTOR:

L & C Contractors, Inc.  
P.O. Box 129  
Fairview, Tennessee 37062

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the  
(here insert name and address of Surety Company)

Fidelity and Deposit Company of Maryland  
26 Century Boulevard - Suite 710 North  
Nashville, Tennessee 37214 , SURETY COMPANY,

on bond of (here insert name and address of Contractor)

L & C Contractors, Inc.  
P.O. Box 129  
Fairview, Tennessee 37062 , CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not  
relieve the Surety Company of any of its obligations to (here insert name and address of Owner)

City of Franklin  
P.O. Box 305  
Franklin, Tennessee 37065 , OWNER,

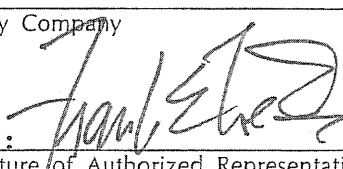
as set forth in the said Surety Company's bond.

IN WITNESS WHEREOF,  
the Surety Company has hereunto set its hand this

19th day of August 2010

FIDELITY AND DEPOSIT  
COMPANY OF MARYLAND

Surety Company

BY:   
Signature of Authorized Representative

Frank E. Neal, III  
Attorney-in-Fact  
Title

Attest:  
(Seal):



NOTE: This form is to be used as a companion document to AIA DOCUMENT G706, CONTRACTOR'S AFFIDAVIT OF PAYMENT OF DEBTS AND CLAIMS, Current Edition

CONTRACTORS RELEASE OF LIENS

TO: THE CITY OF FRANKLIN

PROJECT: FIELDSTONE FARMS PUMP  
STATION NO. 2 UPGRADE

CONTRACT DATED: DECEMBER 8, 2009

KNOW ALL MEN BY THESE PRESENTS:

1. As a final invoice, the undersigned hereby certifies that there is due from and payable by the owner to the Contractor under the above contract the balance of \$86,090.93. (Includes Pay Estimate 4, 5, and Retainage.)
2. The undersigned further certifies that all work required under this contract has been performed in accordance with the terms thereof, and that there are no unpaid claims for material, supplies or equipment and no claims of laborers or mechanics for unpaid wages arising out of the performance of this contract.
3. That in consideration of the payment of the amount stated in paragraph 1, hereof, the Undersigned does hereby release the Owner from any and all claims arising from the virtue of this contract; provided however, that if for any reason the Owner Does not pay in full the amount stated in Paragraph 1 hereof, said deductions shall Not affect validity of this release.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument

This 31<sup>ST</sup> day of AUGUST, 2010.

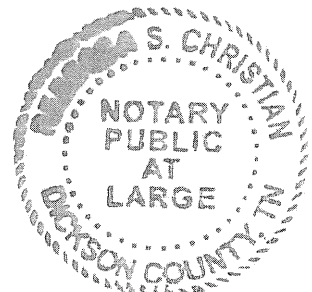
L & C CONTRACTORS, INC.  
CONTRACTOR

BY: *Kenneth Lankford*

TITLE: PRESIDENT

NOTARY: *Rebecca S. Christian*

COMMISSION EXPIRES: April 19, 2011



CHANGE ORDER - FINAL

No. 1 - FINAL

DATE OF ISSUANCE: September 22, 2010

EFFECTIVE DATE: \_\_\_\_\_

OWNER: City of Franklin, TN  
CONTRACTOR: L&C Contractors, Inc.  
Project: Fieldstone Farms PS No. 2 Upgrades  
ENGINEER: Smith Seckman Reid, Inc.

You are hereby granted a change in the contract price for the above referenced project.

*Description:*

**Change Reflects the Final Approved Quantities required in completing the work and surplus funds remaining in the Miscellaneous Allowance set up for the project.**

*Reason for Change Order:*

**Close out field measured quantities of bid items.**

*Attachments: (List documents supporting change)*

N/A

<b>CHANGE IN CONTRACT PRICE:</b>
Original Contract Price: <b>\$ 514,088.00</b>
Net Increase (Decrease) from Previous Change Orders: <b>\$ 0.00</b>
Contract Price prior to this Change Order: <b>\$ 514,088.00</b>
Net Increase (Decrease) of this Change Order: <b>\$ (22,080.40)</b>
Contract Price with all approved Change Orders: <b>\$ 492,007.60</b>

The attached Terms of Agreement are made a part of this Change Order along with the above requirements.

RECOMMENDED:

APPROVED:

ACCEPTED:

By:   
ENGINEER (Authorized Signature)

By: \_\_\_\_\_  
OWNER (Authorized Signature)

By:   
CONTRACTOR: (Authorized Signature)

DATE: 9/22/10

DATE: \_\_\_\_\_

DATE: 9-23-10