

**CENTURY**  
**CONSTRUCTION COMPANY, INC.**

TO: Ms. Patricia Proctor  
FROM: Berkeley Nance  
DATE: March 28, 2011  
RE: Change Order #2  
Time extension Change order for S.E. Corridor Pumpstation

Ms. Proctor:

We formally ask to extend our contract to June 15, 2011 due to the delay in coordination and approvals from MTEMC and obtaining such easements for the rerouting of the primary and secondary electrical service. As of the date of this request, we still have not received approval from MTEMC that all easements are in place.



April 7, 2011

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

SUBJECT: Southeast Corridor Water System Improvements – Change Order No. 2

**Purpose**

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information to consider Change Order No. 2 for the Southeast Corridor Water System Improvements Project.

**Background**

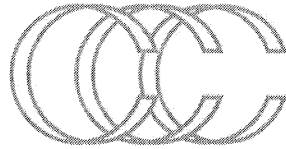
Century Construction Company, Inc. was awarded the construction contract for the Southeast Corridor Water System Improvements Project by BOMA on December 8, 2009. The Notice to Proceed was issued on January 25, 2010, and with a 180 day contract time, the expiration date of the project was July 23, 2010. Change Order #1 was approved by BOMA on August 24, 2010 to extend the date of completion by 120 days from the date of arrival of the booster station onsite. This arrival date was November 30, 2010 which changed the completion date to March 30, 2011. Due to unforeseen difficulties on providing electrical service to the booster station, a time extension for this project is recommended. If approved, the date of completion for this project will be June 15, 2011.

**Financial Impact**

There is no financial impact with the approval of this change order to the project.

**Recommendation**

Staff recommends approving Change Order No. 2 for the Southeast Corridor Water System Improvements Project.



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AECOM  
220 Athens Way  
Suite 200  
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615 244 8864 tel  
615 244 8760 fax

April 7, 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 - No 2**

Dear Ms. Proctor:

As attached, Century Construction Co, Inc. has requested a second contract time extension for the subject project. The original contract and previously amended (BOMA approved) period expired March 30, 2011 and liquidated damages of \$500.00 per day could be assessed until completion. The stated reason is the delay with MTEMC coordination, easements and primary electrical service to the pump station. An easement delay for the electrical power pole setting for MTEMC and a reluctant property owner has delayed this project. No platted/deeded utility easements covering existing MTEMC facilities were an issue. The power pole installation has even been moved to an adjacent property to get an easement for MTEMC due to a property owner refusal.

This coordination issue with multiple residential property owners, the land developer - Boyle and MTEMC has delayed the project substantially and has not been an item of contractor control. Century timely completed the 16-inch water main construction and on-site has basically prosecuted the pump station aspects of project to the degree possible. The water main or 50% of the project and key for summer water demands was in beneficial use in April 2010. Development can occur now for the Boyle property and water service all along Old Peytonsville Road has been available since April 2010.

Article 19 of the contract addresses Time for Completion and Liquidated Damages and in paragraphs B. and C. addresses the issues presented and apply in this case potentially. The actions of others present "unforeseeable cause beyond the control and without the fault or negligence of the contractor." The fact is the project pump station aspects for electrical power service are delayed and Century, in fact, is not the primary causative party.

We recommend the request for a time extension be granted to Century as requested and COF negotiated to June 15, 2011. The time requested is an adequate time to complete the



Ms. Patricia Proctor, P.E.  
April 7, 2011  
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remaining work items if timely pursued by all parties and expedited by MTEMC and Century thereafter. We recommend this time extension be reflected in the Final Change Order for the project.

These material changes will result in additional contract cost due to adding ~175 lf of primary service underground conduit run, transformer pad/location, pull boxes and minor electrical items related for MTEMC electrical service. These costs are in negotiation, but should be of an order of less than \$17,000. The contract unit price items related to water mains are underrunning, so the gross contract value may be sufficient to cover these additional costs in the Final and Balancing Change Order for this \$903,175.00 contract.

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