



## MEMORANDUM

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May 4, 2011

TO: The Board of Mayor and Aldermen

FROM: Eric S. Stuckey, City Administrator *Eric*  
David Parker, P.E., City Engineer  
Eric J. Gardner, P.E., Director of Engineering

RE: ARRA Clean Water Green Project – Downs Boulevard 12-inch Reclaimed Water Line and West Reclaimed Water Line (COF Contract No. 2009-0099)  
Change Order No. 1

### **Purpose**

The purpose of this memo is to recommend approval of Change Order No. 1 for the ARRA Clean Water Green Project – Downs Boulevard 12-inch Reclaimed Water Line and West Reclaimed Water Line Project (COF Contract No. 2009-0099).

### **Background**

W.L. Hailey & Company, Inc. was awarded the construction contract for the Downs Boulevard 12-inch Reclaimed Water Line and West Reclaimed Water Line Project by BOMA on December 17, 2009. The Notice to Proceed was issued on February 15, 2010, and with a 455 day contract time, the expiration date of the project is May 15, 2011. W.L. Hailey is requesting an extension of twenty three (23) days to Contract time and have noted forty four (44) weather related days have been shown on the pay requests. Based on weather related delays that are above and beyond normal from April 2010 to February 2011 and an unexpected change of scope to the project, the City recommends an addition of twenty four (24) contract days to the contract. If approved, this would extend the completion date to June 8, 2011.

### **Financial Impact**

There is no financial impact as a result of this Change Order.

### **Recommendation**

Staff recommends approving Change Order No. 1 for the Downs Boulevard 12-inch Reclaimed Water Line and West Reclaimed Water Line (COF Contract No. 2009-0099).



2995 Sideo Drive  
Nashville, TN 37204  
(615) 383-1115  
Fax (615) 386-8169  
www.ssr-inc.com

April 7, 2011

Mrs. Patricia Proctor  
City of Franklin  
109 3<sup>rd</sup> Avenue South  
Franklin, Tennessee 37065

Dallas

Denver

Fort Lauderdale

Re: Downs Boulevard 12-inch Reclaimed Water Line and West Reclaimed Water Line –  
ARRA Division A; Downs Boulevard 24-inch Water Line – Division B  
Change Order No. 1  
SSR No. 07-41-037.0, 04-41-020.0, 07-41-033.0

Hemando

Houston

Knoxville

Dear Mrs. Proctor:

Memphis

Please find attached Change Order No. 1 and other accompanying materials as referenced in Change Order No. 1. We have reviewed the Contractor's, W.L. Hailey & Company, Inc., request for a Change Order to the Contract. At this time, we recommend an extension of twenty-four (24) days to Contract Time. Seventeen (17) of these days are considered weather-related delays, in which the Contractor was unable to work in months where precipitation was greater than normal from April 2010 through February 2011. Seven (7) of days are attributed to the change in scope of work that has been completed, detailed in Change Order No. 1.

Nashville

Phoenix

Sarasota

As discussed with you and outlined in the Contractor's request letter, we anticipate another Change Order for these projects to cover the additional work. Unit prices have been negotiated with the Contractor; and once final quantities have been installed and measured, another Change Order will be issued. If you have any questions regarding this Change Order, please feel free to contact me.

Sincerely,  
SMITH SECKMAN REID, INC.

Frank (Tripp) P. Smith, III, P.E.

Attachments

Cc: File (1), JHB

## Dates of No Work due to Rain/Snow

3-May-10

13-Jul-10

30-Nov-10

20-Dec-10

10-Jan-11

18-Jan-11

19-Jan-11

21-Jan-11

26-Jan-11

10-Feb-11

24-Feb-11

28-Feb-11

12 work days

$12 * (7/5) = 17$  contract/calendar days



**W.L. HAILEY**  
& COMPANY INC.

April 5, 2011

Smith Seckman Reid, Inc.  
2995 Sidco Drive  
Nashville, TN 37204

Attn.: Mr. Frank P. (Tripp) Smith, III P.E.  
Project Manager

Re: Downs Blvd – West Reclaimed Water Lines  
ARRA 2009 Clean Water Projects

Subject: Request for Change Order #1

Mr. Smith,

As requested, we have provided pricing to saw cut the existing pavement, compact the base stone and install binder flush to the surface along Downs Blvd. At this time we would like to request a change order based on the following unit prices;

Description	U.O.M.	Unit Price	Total
Saw Cut	4,800 LF	\$ 5.75	\$ 27,600.00
Compaction	4,800 LF	\$ 3.13	\$ 15,024.00
Binder Installation	175 Ton	\$ 136.50	\$ 23,887.50
Total			\$ 66,511.50

This will be a unit price agreement. Quantities are not guaranteed and are subject to change. All quantities will be field measured and agreed upon before payment.

We request an additional 7 contract days for the portion of this scope that has been completed.

It was discovered on, 3/17/11, that existing utility conflicts would prevent the installation of the Colombia Ave bore. It was decided that additional easements would be required to complete the activity. As of this letter the easement acquisition process is ongoing. At this time, we request 19 contract days to cover the period from 3/17/11 to 4/5/11. The balance of days will be calculated upon completion of the easement acquisition.

There have been 44 weather related days noted on the monthly pay requests from 4/1/10 thru 2/20/11.

Sincerely,  
W.L. Hailey and Company, Inc.

Phillip Taylor  
Project Engineer

cc: J. Evans, WLH, S. Kelley, WLH

B U I L D I N G T R U S T S I N C E 1 9 2 5

1971 Kraft Drive PO Box 40646 Nashville, Tennessee 37204-0646  
T (615) 253-3161 F (615) 256-1316 www.wlhailey.com

## CHANGE ORDER

No. 1

DATE OF ISSUANCE: April 7, 2011

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

OWNER: City of Franklin, TN  
 CONTRACTOR: W.L. Hailey & Co., Inc.  
 Project: ARRA Division A Downs Boulevard 12" Reclaimed Water Line & West Reclaimed Water Line;  
 Division B Downs Blvd. 24" Water Line  
 ENGINEER: Smith Seckman Reid, Inc.

**Description:**

An extension of twenty-four (24) days to Contract Time for all associated projects in accordance with Article 12.03.A of Section 00700, General Conditions of the Contract Documents. Seventeen (17) of the days are considered weather delays, and seven (7) days are attributed to the change of scope to the project and the additional required work. The additional work consisted of an alignment change to the 24" WL and 12" RWL along Downs Blvd., resulting in saw-cuts, pavement removal and granular backfill compaction in 6-inch lifts.

**Reason for Change Order:**

Days in which the Contractor was delayed, or did not work, due to weather in months with above average precipitation. From Partnership Circle to the completion of the project at Columbin Avenue, existing utility conflicts with Atmos gas lines caused an alignment change to the 24" WL and 12" RWL along Downs Blvd. This alignment change resulted in the removal of and installation within the bike lane/paved shoulder of the west-bound traffic lane.

**Attachments: (List documents supporting change)**

1. Letter from W.L. Hailey & Co., Inc., dated April 5, 2011, requesting a Contract Change Order.
2. Letter from Smith Seckman Reid, Inc., dated April 7, 2011, reviewing the Contractor's request for a Change Order and recommendation to the City of Franklin
3. List of dates the Contractor was unable to work due to weather events (rain/snow) confirmed by the Engineer and Resident Project Representative from Smith Seckman Reid, Inc. in months with above average precipitation.

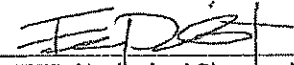
CHANGE IN CONTRACT PRICE:
Original Contract Price:
\$ 2,873,449.00
Net Increase (Decrease) from Previous Change Orders:
\$ 0.00
Contract Price prior to this Change Order:
\$ 2,873,449.00
Net Increase (Decrease) of this Change Order:
\$ 0.00
Contract Price with all approved Change Orders:
\$ 2,873,449.00

CHANGE IN CONTRACT TIMES:
Notice to Proceed: February 15, 2010
Final Completion: 455 days – May 15, 2011
Ready for Final Payment: 545 days – August 13, 2011
Net Change from Previous Change Orders:
Final Completion: 0 days
Ready for Final Payment: 0 days
Contract Times prior to this Change Order:
Substantial Completion: 455 days – May 15, 2011
Ready for Final Payment: 545 days – August 13, 2011
Net Increase (Decrease) this Change Order:
Final Completion: 24 days
Ready for Final Payment: 24 days
Contract Times with all approved Change Orders:
Final Completion: June 8, 2011
Ready for Final Payment: September 6, 2011

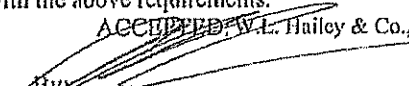
The attached Terms of Agreement are made a part of this Change Order along with the above requirements.

RECOMMENDED: Smith Seckman Reid, Inc. APPROVED:

ACCEPTED: W.L. Hailey & Co., Inc.

By:   
 ENGINEER (Authorized Signature)  
 Frank P. Smith, III, PE

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

By:   
 CONTRACTOR: (Authorized Signature)  
 Andrew C. Swank, Vice President

DATE: 4/14/11

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

DATE: 04/14/11