



## MEMORANDUM

September 29, 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  
Paul Holzen, P.E., Engineering Supervisor  
Jonathan Marston, P.E., Staff Engineer 2

SUBJECT: McEwen Drive Phase 3 – Change Order No. 5  
COF Contract No. 2011-0003

### Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information to consider approval of Change Order No. 5 for the McEwen Drive Phase 3 roadway project.

### Background

The BOMA approved the construction contract for the above referenced project with The Parkes Companies, Inc. on January 13, 2011 in the amount of \$7,199,484.05. The Notice to Proceed was issued on February 15, 2011 with a contract completion date of February 15, 2012. A history of changes to the construction contract price is as follows:

- 04/26/11 – Change Order #1 – \$8,136.55
- 04/26/11 – Project Contingency Fund - \$100,000.00 (Currently Unspent)
- 07/12/11 – Change Order #2 – \$22,770.00
- 07/26/11 – Change Order #3 – \$32,822.05
- 08/23/11 – Change Order #4 – \$17,116.60

For Change Order No. 5, The Parkes Companies, Inc. is requesting an INCREASE of \$5,800.00 to the contract amount.

During the excavation of the eastern portion of the project, it was observed that the subgrade did not appear to exhibit the strength characteristics needed to support the new roadway. Further testing and observation confirmed that the existing subgrade material, along an approximately 700 foot stretch of the eastern portion of the project and encompassing both eastbound and westbound lanes, would not be suitable to support the new roadway. To minimize the depth of undercutting required, TTL, our testing firm throughout construction has recommended the use of a woven geo-membrane (i.e. geotextile) to provide additional stabilization and to separate the additional shot rock and the unsuitable subgrade. Change Order #5 is necessary to establish unit prices for this item, as it was not included in the original contract.

### Financial Impact

If approved, an INCREASE of \$5,800.00 will be added to the construction contract with The Parkes Companies, Inc. The total construction contract amount will be \$7,286,129.25 plus the approved project contingency of \$100,000.00. This proposed construction contract amount of \$7,286,129.25 represents a total increase of \$86,645.20 or 1.2% of the original contract value.

### Recommendation

Approval of Change Order No. 5 with The Parkes Companies, Inc. for an INCREASE to the contract in the amount of \$5,800 is recommended.

Supplemental Agreement and/or Request for Construction Change  
Change Order No. 05

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

Contract No. PIN107520.00  
Project No. 94LPD1-S3-004  
Reference No. N/A  
County: Williamson

Whereas, we **The Parkes Companies, Inc.**, with **Fidelity and Deposit Company of Maryland**, as Surety, entered into a contract with the CITY OF FRANKLIN, on **January 13, 2011**, 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:

The purpose of this Change Order is to add Item 740-10.04- Geotextile (TYPE IV)(Stabilization).

It is agreed to add Item, 740-10.04 – Geotextile (Type IV) (Stabilization) , to the project. These changes to the contract are due to the fact that an area near the beginning of the project, (both east and west bound lanes, approx. 700' in length each side), have been determined to have existing unsatisfactory material to place the roadway embankments. Project observations by TTL geotechnical firm indicate that these areas should be uncut to the designated depth shown in their report then place the Geotextile, followed by shot rock to stabilize the area.

No additional contract time will be added for these changes.

Project Documents supporting this change order are available upon request.

Item Number	Description	Unit	Original Quantities	Revised Quantities	Over + Under -	Contract Price	Net Amount Due Change
740-10.04	Geotextile (Type IV) Stabilization	SY	0	4500	+4500	\$ 1.30	\$5,800.00

Contract Amount \$7,199,484.05

Changes This Request \$ 5,800.00


Previous Changes \$ 80,845.20

Changes to Date \$ 86,645.20

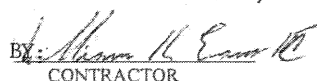
Now, Therefore, We, **The Parkes Companies, Inc.**, Contractors, and **Fidelity and Deposit Company of Maryland**, Surety, hereby agree to this Supplemental Agreement consisting of the above mentioned items and prices, and agree that this Supplemental Agreement is hereby made a part of the original contract and will be performed by this Contractor in accordance with specifications thereof, and that the original contract remain in full force and effect, except insofar as specifically modified by this Supplemental Agreement.

Date Approved: \_\_\_\_\_

RECOMMENDED FOR APPROVAL BY GRESHAM, SMITH AND PARTNERS:

  
(GS&P)

THE PARKES COMPANIES, INC.

BY:   
CONTRACTOR

APPROVED BY:

\_\_\_\_\_  
(City of Franklin)

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

BY:   
SURETY

Frank E. Neal, Attorney-in-Fact