



HISTORIC  
FRANKLIN  
TENNESSEE

ITEM #10

CIC

12-08-11

# MEMORANDUM

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December 8, 2011

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator  
David Parker, City Engineer/CIP Executive  
Paul Holzen, Director of Engineering  
Micky Dobson, Staff Engineer

SUBJECT: Consideration of Change Order No. 2 for the Nichol Mill Lane Improvements Project (COF Contract No. 2010-0180) for a Contract Time Extension of 120 Calendar Days.

## **Purpose**

The purpose of this memorandum is to provide information to the Board of Mayor and Aldermen (BOMA) for the consideration of Change Order No 2 to the Nichol Mill Lane Improvements Project for Phase II construction.

## **Background**

On July 13, 2010 the Board of Mayor and Aldermen passed unanimously Resolution 2010-51, a Resolution to authorize the construction of the Nichol Mill Lane Project. Construction Bids were publicly opened and read aloud on January 6, 2011 and Jenco Construction, Inc was the low bidder. The Construction Notice to Proceed date was February 14, 2011 with a contract completion date of October 12, 2011. Change Order No 1 was approved on August 23, 2011 adding 63 days and changing the contract completion date to December 14, 2011. The contractor was scheduled to complete the entirety of the project but encountered delays due to numerous complications including utility relocations and the inability to complete final pavement during the approaching winter months. Paving requirements will continue to delay the project throughout the winter months until pavement plants reopen next spring. Construction is not expected to be completed by the current contract expiration date. Therefore the contractor has requested additional time to complete the project.

City Staff is recommending adding 120 additional calendar days to the contract to allow for adequate time to complete Phase II of the project. This would move the Phase II completion date to April 12, 2012.

## **Financial Impact**

No financial Impact

## **Recommendation**

City staff recommends approval of Change Order No. 2 for the Nichol Mill Lane Improvements Project (COF Contract No. 2010-0180) for a Contract Time Extension of 120 Calendar Days.



2995 Sidco Drive  
Nashville, TN 37204  
(615) 383-1113  
Fax (615) 386-8469  
www.ssr-inc.com

November 29, 2011

Mr. Micky Dobson  
City of Franklin – Engineering Department  
Box 305, City Hall  
Franklin, Tennessee 37065

*Sent via Email and USPS Mail*

**RE: Nichol Mill Lane Reconstruction  
Time Extension - Change Order No. 2**

Dear Micky:

Jenco Construction has provided us with the attached letter indicating project delays which have impeded construction progress on Phase II. We have reviewed the timeline of events described within the letter and believe that a time extension is warranted.

We recommend that 120 calendar days be recorded as an approved time extension to the contract. The contractor request is for 90 days; however we have included an additional 30 days based upon the typical calendar for spring time paving operations which will be required on the project. This would move the Phase II completion date to April 12, 2012. A Change Order form is attached to this letter for your use. No additional utility delays are anticipated. Any weather delays will be considered on a monthly basis with the contractor's payment request.

We appreciate the opportunity to work with the City on this project. Do not hesitate to contact me to discuss this further.

Sincerely,

**SMITH SECKMAN REID, INC.**

A handwritten signature in black ink, appearing to read "A. Johnson", with a long horizontal line extending to the right.

Andrew T. Johnson, P.E.

Attachment

cc: Paul Holzen – City of Franklin (via email)  
Don Terry – City of Franklin (via email)  
Owen Jennette– Jenco (via email)  
File (10-41-028.0)

## CHANGE ORDER

No. 2

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DATE OF ISSUANCE: November 29, 2011

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

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OWNER: City of Franklin, TN

CONTRACTOR: Jenco, Construction, Inc.

Project: Nichol Mill Lane Improvements

ENGINEER: Smith Seckman Reid, Inc.

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***Description:***

An extension of one-hundred and twenty (120) days of Contract Time for the above project in accordance with Article 12.03.A of Section 00700, General Conditions of the Contract Documents. The delays are related to the delay in the AT&T utility relocations which were necessary to move forward with work on Phase II of the project.

***Reason for Change Order:***

The project has encountered a number of utilities which were in conflict with the work. The AT&T fiber optic relocation took much longer than anticipated and impeded progress on Phase II of the project over the past 3 months.


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

1. Letter from Contractor requesting delays

<b>CHANGE IN CONTRACT TIMES:</b>
<b>Notice to Proceed: February 14, 2011</b>
<b>Final Completion (Phase I and II): 240 days – October 12, 2011</b>
Net Change from Previous Change Orders:
<b>Final Completion: 63 days</b>
Contract Times prior to this Change Order:
<b>Final Completion: 303 days – December 14, 2011</b>
Net Increase (Decrease) this Change Order:
<b>Final Completion Phase I: 0 days</b> <i>Phase I is substantially complete – an additional inspection of Phase I will be conducted upon completion of the Phase II work.</i>
<b>Final Completion Phase II: 120 days</b>
Contract Times with all approved Change Orders:
<b>Final Completion Phase I: October 12, 2011 (no change)</b>
<b>Final Completion Phase II: April 12, 2012</b>

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

RECOMMENDED:

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

DATE: 11/29/2011

APPROVED:

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

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

ACCEPTED:

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

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

# *Jenco*<sup>®</sup> CONSTRUCTION, INC

*Commercial • Industrial*  
Excavation / Utilities

November 29, 2011

City of Franklin  
PO Box 35  
Franklin, TN. 37065

Nichol Mill Lane & Mallory Lane Traffic Signal Improvements

RE: Time Extension Request

Dear Sirs,

Jenco Construction Inc. respectfully is requesting a time extension on the above mentioned project, due to circumstances beyond our control.

In early July, we discussed and met with AT & T about the conflicts of their fiber optic line in phase II of the project. Numerous phone calls and e-mails after the meeting were made with no progress being made. AT & T's representative allowed 2 to 3 weeks for relocation, which would have worked for our completion date of 12/14/11.

Relocation of the fiber optic line was 11/4/11. Jenco started back to work on phase II on 11/7/11. Jenco Construction Inc. has been able to work a total of 8 days since September 1, 2011. Subcontractors have been able to spot work. This is not how we bid this project to be completed.

With this being said, we have lost 2 months of good working weather due to utility relocations on phase II, and another month in November due to weather.

We are asking for 90 additional days added to the 12/14/11 deadline, which would put the new completion date on or around April 4, 2012. Paving usually does not start back up until mid April or early May depending on weather and employees returning from winter layoffs.

Jenco Construction, Inc. does not wave our rights for additional days due to inclement weather of the winter months which were not anticipated when bidding this project. If I can be of further assistance, please feel free to call.

Respectfully,

  
Owen Jennette  
Jenco Construction, Inc.

