



HISTORIC
FRANKLIN
TENNESSEE

ITEM #8
CIC
02-09-12

MEMORANDUM

January 31, 2012

TO: Board of Mayor and Aldermen

FROM: Eric S. Stuckey, City Administrator
David Parker, P.E., CIP Executive/City Engineer
Paul Holzen, P.E., Director of Engineering
Dan Allen, P.E., Assistant Director of Engineering
Tom Ingram, P.E., Engineering Supervisor
Jonathan Marston, P.E., Staff Engineer 2

SUBJECT: Consideration of Change Order No 1 with Civil Constructors, Inc for the Jackson National Life Dual Power & Voice/Data Feed Project (COF Contract No 2011-0023/State of TN Project no. ECD-0329) For a Time Only Extension

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. 1 for the Jackson National Life Dual Power & Voice/Data Feed Project.

Background

The BOMA approved the construction contract for the above referenced project with Civil Constructors, Inc. on July 26, 2011 in the amount of \$375,038.00. The Notice to Proceed was issued on September 26, 2011 with a completion date of January 24, 2012. This project involves funding from the State of Tennessee Economic and Community Development (ECD) FasTrack Infrastructure Development Program (FIDP), City of Franklin, and Jackson National Life. The intent of this project is to provide underground infrastructure to supply a dual power source to the Jackson National Life site and an adjacent site.

This project can, in essence, be divided into three sections:

1. Carothers Parkway – Electrical Infrastructure Only
2. Jackson National Life Site – Conduit, Structures, and Electrical Infrastructure Required
3. Intersection of McEwen Dr. & Carothers Pkwy. – Conduit, Structures, and Electrical Infrastructure Required

The section of the project along Carothers Parkway, involving only electrical infrastructure, has been completed by Middle Tennessee Electric Membership Corporation (MTEMC). Civil Constructors has completed the installation of all conduit and structures for the second section of the project. MTEMC is currently working to complete the installation of necessary electrical infrastructure on-site. The design plans called for the installation of conduit and structures beneath the existing multi-use trail, which lies to the south side of the Jackson National Life site. This required the demolition of and replacement of the paved trail. The contractor expressed concerns about replacing the paved trail until MTEMC was finished with their work. The concern was that MTEMC's heavy trucks could inadvertently damage the freshly paved trail system, causing expensive replacement work. It was decided that the best solution was to wait until early Spring to complete the paving items.

The final section of work involves the installation of an electrical manhole, conduit, and electrical infrastructure at the northwest corner of the intersection of McEwen Drive and Carothers Parkway. As we approached this final section for actual construction in late 2011, several issues came to light. Multiple, major utilities are located on the northwest corner of the intersection. Multiple on-site meetings to discuss placement of infrastructure and time



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spent locating utilities has caused significant delay to the project. None of these issues were addressed by the design plans. Throughout the project, the contractor has been diligently working toward completion. It is the opinion of staff that the contractor should not be held at fault for the project delay to this point.

Change Order No. 1 involves a time extension of 36 days to the contract with Civil Constructors, Inc. for All contract items and a time extension of 97 days for paving related items ONLY. This will extend the completion date of ALL items to February 29, 2012, with paving related items to be complete no later than April 30, 2012. Approval of this change order will be contingent upon review and approval by the State of Tennessee ECD.

Financial Impact

None.

Recommendation

Contingent upon review and approval by the State of Tennessee ECD, approval of Change Order No. 1 with Civil Constructors, Inc. for a 36 day time extension for All Items and 97 day time extension for paving related items to the Jackson National Life Dual Power & Voice/Data Feed Project construction contract (new contract time of 156 calendar days for All Items & 217 for Paving Related Items).

**Request for Construction Change
Change Order No. 1**

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

Contract No. 2011-0023
Project Jackson National Life Insurance Company
Dual Power & Voice Data Feed Project
(State of TN Project No. ECD-0329)

Whereas, we **Civil Constructors, Inc.** entered into an contract with the CITY OF FRANKLIN, on **July 26, 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:

Reason for Change Order:

The final manhole for this project is to be located at the northwest corner of the intersection of McEwen Drive and Carothers Parkway. Multiple on-site meetings and time spent locating utilities at this location have caused significant delays to this project. Also, the installation of conduit and manholes on the Jackson National Life site required the removal and replacement of the multi-use trail system on the south side of the site. The contractor expressed concerns that heavy trucks utilized by Middle Tennessee Electric Membership Corporation (MTEMC) to pull the primary electric cable through the newly installed would damage a newly paved trail system. Therefore, it was decided by the project team to allow the contractor to wait until early spring to complete the paving and related items.

A time extension of thirty-six (36) days is being requested for all contract items, which would extend the contract completion date to February 29, 2012. Also, a time extension of ninety-seven (97) days is being requested for paving related items, which would extend the completion date for paving items to April 30, 2012.

Attachments (List documents supporting change):

N/A

Item No.	Description of Work	Unit	Estimate Quantity	Unit Price	Amount
TOTAL					

CHANGE IN CONTRACT PRICE:
Original Contract Price \$375,038.00
Net Increase (Decrease) from previous Change Orders No. 0 to 1: N/A
Contract Price prior to this Change Order: \$375,038.00
Net increase (decrease) of this Change Order: \$375,038.00
Contract Price with all approved Change Orders: \$375,038.00

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: 120 Days Ready for final payment: 150 Days
Net change from previous Change Orders No. 0 to 1 to: Substantial Completion: +36 Days (Non-Paving) +97 Days (Paving) Ready for final payment: +36 Days (Paving) +97 Days (Paving Items)
Contract Times prior to this Change Order: Substantial Completion: Jan. 24, 2012 (All Items) Ready for final payment: Feb. 23, 2012 (All Items)
Net increase (decrease) this Change Order: Substantial Completion: +36 Days (Non-Paving) +97 Days (Paving) Ready for final payment: +36 Days (Paving) +97 Days (Paving)
Contract Times with all approved Change Orders: Substantial Completion: Feb. 29, 2012 (Non-Paving) Apr. 30, 2012 Days (Paving) Ready for final payment: Mar. 30, 2012 (Non-Paving) May 30, 2012 (Paving)

Now, Therefore, We, **Civil Constructors, Inc.**, 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 in so far as specifically modified by this supplemental Agreement.

RECOMMENDED FOR APPROVAL BY:

By: _____ By: _____ By: _____
ENGINEER CITY PROJECT MANAGER DIRECTOR OF ENIGNEERING

Date: _____ Date: _____ Date: _____

ACCEPTED:

By: _____
CONTRACTOR (Authorized Signature)

Date: _____

APPROVED:

By: _____
OWNER (Authorized Signature)

Date: _____