

RESOLUTION NO. 1569

A RESOLUTION APPROVING CHANGE ORDER NUMBER FIVE IN THE AMOUNT BY \$2,524.44 AND PAY ESTIMATE NUMBER SIX IN THE AMOUNT OF \$33,361.15 ON THE 4TH STREET RECONSTRUCTION PROJECT.

WHEREAS, Cornerstone Excavating, Inc. of Washington, IA was awarded the construction contract for the 4<sup>th</sup> Street Reconstruction Project for West Branch, Iowa (the "Project") by the West Branch City Council through the passage of Resolution 1440 on April 4, 2016 in the amount of \$756,332.50; and

WHEREAS, the West Branch City Council subsequently approved Change Order No. 1 on August 1, 2016 in the amount of \$5,645.00 bringing the final contract price to \$761,977.50; and

WHEREAS, the West Branch City Council subsequently approved on August 1, 2016 Change Order No. 2 in the amount of \$49,247.50 bringing the final contract price to \$811,225.00; and

WHEREAS, the West Branch City Council subsequently decided not to pursue the work approved under Change Order No. 2 on August 1, 2016 in the amount of \$49,247.50 bringing the final contract price back down to \$761,997.50; and

WHEREAS, the West Branch City Council subsequently approved Change Order No. 3 on October 17, 2016 in the amount of \$10,955.60, however Cornerstone Excavating disputed the amount of the change order; and

WHEREAS, the West Branch City Council subsequently approved Change Order No. 4 in the amount of \$3,535.50 bringing the final contract price to \$765,513.00; and

WHEREAS, the West Branch City Council subsequently approved Change Order No. 3, Revised in the amount of \$13,530.59 bringing the final contract price to \$779,043.59; and

WHEREAS, Change Order No. 5 in the amount of \$2,524.44 is now being brought before the City Council for their consideration; and

WHEREAS, in the event that the City Council approves Change Order No. 5 in the amount of \$2,524.44, it would bring the final contract price to \$781,568.03; and

WHEREAS, Change Order Number Five has been reviewed and recommended by the City Engineer; and

WHEREAS, Pay Estimate Number Six in the amount of \$33,361.15 has also been reviewed and recommended by the City Engineer; and

WHEREAS, it is now necessary for the City Council to approve said change order and pay estimate.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa, that the City Council approves a change order with Cornerstone Excavating, Inc. for the 4<sup>th</sup> Street Reconstruction Project for West Branch, IA in an amount not to exceed \$2,524.44 and pay estimate number six in the amount of \$33,361.15.

Passed and approved this 6th day of February, 2017.

  
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Roger Laughlin, Mayor

ATTEST:

  
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Matt Muckler, City Administrator/Clerk