

**RESOLUTION 1763**

**APPROVING CHANGE ORDER #5 FOR A DATE EXTENSION FOR THE CUBBY PARK IMPROVEMENTS PROJECT**

**WHEREAS**, the City Council has discussed at the October 15<sup>th</sup> Council Meeting the potential request of the contractor to be granted a date extension for work at Cubby Park; and

**WHEREAS**, the contractor has since repaired damaged subbase, started paving, and began spreading the remaining top soil where possible; and

**WHEREAS**, the work is still behind schedule due to unfavorable weather conditions discussed previously by the City Council; and

**WHEREAS**, in order to guarantee various work items at Cubby Park, the contractor requests that the following temperature-sensitive items wait to be completed until spring: permanent seeding, tree plantings, pavement markings, and Pickle-ball court surfacing; thus, requesting a new completion date of March 30, 2019 for permanent seeding, tree plantings, and pavement markings, in order to open the park for ball fields use by April 13, 2019; and

**WHEREAS**, the placement of the Pickle-ball court surface, the temperature must remain above 45°F for two consecutive days. Therefore, the Pickle-ball court surface completion date shall be May 24, 2019 to provide proper overnight temperatures; and

**WHEREAS**, all remaining work excluding the aforementioned items is to be completed no later than December 22, 2018.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of West Branch, Cedar County, Iowa, hereby approved and authorize the Mayor of the City of West Branch to execute the aforementioned date extensions for the Cubby Park Improvement Project. Further, the City Clerk is directed to record a copy of this Resolution.

**Passed and approved this 5<sup>th</sup> day of November, 2018.**

  
\_\_\_\_\_  
Roger Laughlin, Mayor

ATTEST:

  
\_\_\_\_\_  
Redmond Jones II, City Administrator/Clerk

CHANGE ORDER

No.: 5 \_\_\_\_\_

Date of Issuance: November 1, 2018 Effective Date: November 5, 2018

Owner: City of West Branch, Iowa

Contractor: Needham Excavating, Inc.

Contract: Joseph D. Needham, President

Project: Cubby Park Improvements

Owners Contract No.: N/A Engineer's Project No.: 16-072

Engineer: Fehr Graham - Nathan P. Kass, PE, PLS

You are directed to make the following changes in the Contract Documents:

**Description:**

To provide the best final product, the contractor requests the completion date for Cubby Park be adjusted. All items shall be completed by December 22, 2018, except the following: landscaping, pavement markings, and the pickleball court surface. These items are not recommended to be completed in 2018 due to weather delays and cold temperatures. Landscaping and pavement markings shall be completed on or before March 30, 2019. The pickleball court surface shall be completed on or before May 24, 2019.

**Reason for Change Order:**

Per contractor request due to above average precipitation causing weather delays.

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

See attached exhibit.

**CHANGE IN CONTRACT PRICE:**

Original Contract Price

\$ 2,945,427.39

Previous Change Orders No.

1 To No. 4

\$ 56,435.55 Decrease

Contract Price prior to this Change Order

\$ 2,888,991.84

Net Increase (Decrease) of this Change Order

\$ 0.00

Contract Price with all approved Change Orders

\$ 2,888,991.84

**CHANGE IN CONTRACT TIMES:**

Original Contract Times

By November 2, 2018 days or dates

Net change from previous Change Orders

14 days

Contract Time prior to this Change Order

11/16/2018 days

Net Increase (Decrease) of this Change Order

12/22/2018, days or date  
3/30/19 and  
5/24/2019

Contract Time with all approved Change Orders

12/22/2018, days or date  
3/30/19 and  
5/24/2019

RECOMMENDED: Fehr Graham

APPROVED: City of West Branch

ACCEPTED: Needham Excavating, Inc.

Nathan P. Kass, PE, PLS  
ENGINEER

Roger Laughlin, Mayor  
OWNER

Joseph D. Needham, President  
CONTRACTOR

By: *Nathan P. Kass*  
(Signature)

By: *Roger Laughlin*  
(Signature)

By: \_\_\_\_\_  
(Signature)

11/2/2018

Date

Date

Date

**END SECTION.**