

RESOLUTION 1798

RESOLUTION APPROVING CHANGE ORDER #7 FOR WORK AT CUBBY PARK TO CONVERT THE REMAINING EXTERIOR SITE WORK FROM “COMPLETION DATE” CONTRACT TO “WORKING DAYS” CONTRACT.

WHEREAS, This change order is to convert the language of our contract with Needham Excavating Inc. for work at Cubby Park to state “Completion Date” contract to “Working Days” contract; thus, making previous extensions and completion dates no longer effective; and

WHEREAS, this amendment will documents the City’s willingness to forgo its rights to pursue liquidated damages for work delays up and until work completed to date; and

WHEREAS, this amendment allows Needham to finish the project without any additional unbudgeted expense to the city; and

WHEREAS, work on the Pavilion shall have its own schedule and shall be completed on or before May 1, 2019. Working days will not be counted for the work that remains due to the interior nature of the work, thus is not directly affected by weather conditions; and

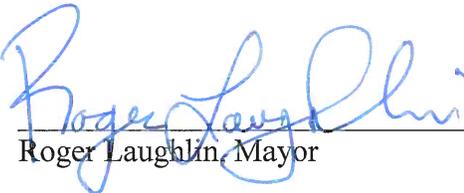
WHEREAS, “Working Days” are defined per SUDAS Section 1080 as determined by the Engineer; and

WHEREAS, as per this change order #7 the applicable work, Supplemental Specifications Section 1080, 1.02 – Contract Time, A. and B. shall be deleted and replaced with Section 1080, 1.02 – Contract Time, A. 3. B. Approximate Start Date: March 22, 2019.

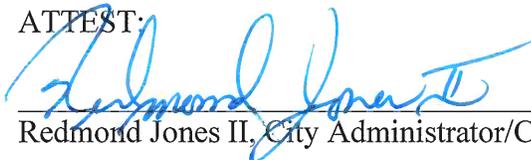
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Iowa approves the terms of this resolution.

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Passed and approved this 1st day of April, 2019.



Roger Laughlin, Mayor

ATTEST:


Redmond Jones II, City Administrator/Clerk

CHANGE ORDER 7

No.: 7

Date of Issuance: March 11, 2019 Effective Date: March 19, 2019
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:

Convert remaining exterior site work from "Completion Date" contract to "Working Days" contract. For this applicable work, Supplemental Specifications Section 1080, 1.02 - CONTRACT TIME, A. and B. shall be deleted and replaced with Section 1080, 1.02 - CONTRACT TIME, A. 3. b. Approximate Start Date: March 22, 2019. Previous extensions and completion dates will no longer be effective. Substantial completion of the remaining work not including the Pavilion shall be completed in not more than 34 working days. Working days shall be defined per SUDAS Section 1080 as determined by the Engineer.

Work on the Pavilion shall have its own schedule and shall be completed on or before May 1, 2019. Working days will not be counted for the work that remains due to the interior nature of the work, thus is not directly affected by weather conditions.

Reason for Change Order:

Work was not completed by the contract completion date and the remaining site work, specifically the paving, finish grading, seeding and plantings, and playground improvements, are to be completed when the site is fit in the spring and early summer of 2019. The contract will be converted to a "Working Days" contract so that weather conditions may be factored into the completion schedule more easily.

Attachments: (List documents supporting change):

See attached Schedule Worksheet provided by Needham Excavating Inc.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price

Original Contract Times

\$ 2,945,427.39

By November 2, 2018 days or dates

Previous Change Orders No.

Net change from previous Change Orders

1 To No. 6

50 days

\$ 36,785.55 Decrease

Contract Price prior to this Change Order

Contract Time prior to this Change Order

\$ 2,908,641.84

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

Net Increase (Decrease) of this Change Order

Net Increase (Decrease) of this Change Order

\$ 0.00 Increase

34 days; 5/1/19 days or date

Contract Price with all approved Change Orders

Contract Time with all approved Change Orders

\$ 2,908,641.84

34 days; 5/1/19 days or date

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: _____
(Signature)

By: Roger Laughlin By: _____
(Signature)

By: _____
(Signature)

Date

4-1-19
Date

Date

END SECTION.

Needham Excavating Inc.

Schedule Worksheet

02/27/19

Schedule Worksheet

(Separate Reports)

2018015 Cubby Park Improvements

Task#	Description	Duration	Type	Fixed Date	Early Start	Early Finish	Float
5 Schedule for Exterior Work							
1.000	Install Drain Tile	1	1	03/15/2019	03/15/2019	03/15/2019	34
2.000	Needham - Regrade and Touch up s	3	1	03/15/2019	03/15/2019	03/19/2019	
3.000	Streb - Walking Trails - Fine Grading	5	1		03/20/2019	03/26/2019	
4.000	Streb - Walking Trails - Form Paths	5	1		03/27/2019	04/02/2019	
5.000	Streb - Walking Trails - Pour Paths	5	1		04/03/2019	04/09/2019	
6.000	Streb - Beam Curb - Around Playgro	4	1		04/10/2019	04/15/2019	
7.000	Streb - Parking Lot - Fine Grading	5	1		04/16/2019	04/22/2019	5
8.000	Streb - Parking Lot - Pour Entire Lot	5	1		04/10/2019	04/16/2019	2
9.000	Needham - Topsoil - Around Paths	5	1		04/10/2019	04/16/2019	12
10.000	QC Silt Fence - Fine Grade/Seed - P	3	1		04/23/2019	04/25/2019	5
11.000	Needham - Topsoil - Around Parking	5	1		04/17/2019	04/23/2019	4
12.000	QC Silt Fence - Fine Grade/Seed - P	3	1		04/24/2019	04/26/2019	4
14.000	Needham - Grading East of Pipeline	5	1		03/20/2019	03/26/2019	17
15.000	Needham - Topsoil - East of Pipelin	5	1		03/27/2019	04/02/2019	17
16.000	QC Silt Fence - Fine Grade/Seed - E	5	1		04/03/2019	04/09/2019	17
17.000	Needham - Install Mulch at Playgrou	2	1		04/23/2019	04/24/2019	
18.000	Forever Green - Install stones at Play	5	1		04/25/2019	05/01/2019	
19.000	Forever Green - Tree Plantings - Site	10	1		04/17/2019	04/30/2019	2
20.000	Finish		1		05/02/2019	05/02/2019	