

RESOLUTION 1858

**A RESOLUTION APPROVING CHANGE ORDER #10 IN THE AMOUNT OF \$5,625.00
- \$9,625.00 TO BE WITHHELD FROM THE PROJECT RETAINAGE FOR
LIQUIDATED DAMAGES AND EXPENSES RELATED TO CUBBY PARK PROJECT
OVERAGES.**

WHEREAS, Needham Excavating, Inc. of Walcott, Iowa was awarded the construction contract for Cubby Park Improvements for West Branch, Iowa (the "Project") by the West Branch City Council through the passage of Resolution 1680 on January 16, 2018 in the amount of \$2,945,427.39; and

WHEREAS, Change Order #10 is to represent the amount of funds to be withheld from the project retainage; and

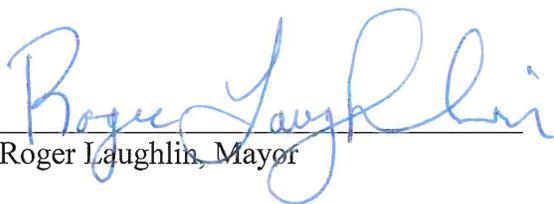
WHEREAS, there is a range in the amount of \$5,625.00 to \$9,625.00 proposed to be withheld for Liquidated Damages and Expenses related to overages caused by the Needham and/or its subcontractors; and

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

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 Needham Excavating, Inc. for the Cubby Park Improvements project for West Branch, IA in an amount of \$ 5625.00.

* * * * *

Passed and approved this 2nd day of December, 2019.



Roger Laughlin, Mayor

ATTEST:



Redmond Jones II, City Administrator / City Clerk

CHANGE ORDER 10

No.: 10

Date of Issuance: November 18, 2019 Effective Date: December 2, 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:

Liquidated Damages

Reason for Change Order:

Contract was not substantially complete within the working days allotted per Contract Change Order 7. There were 7.5 working days documented beyond the 34 working days specified. The rate of liquidated damages in the contract is \$750 per day. 7.5 days at \$750/day is \$5,625.00.

Attachments: (List documents supporting change):

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. 9

Convert to days
working

\$ 31,428.96 Decrease

Contract Price prior to this Change Order

Contract Time prior to this Change Order

\$ 2,913,998.43

34 working days

Net Increase (Decrease) of this Change Order

Net Increase (Decrease) of this Change Order

\$ 5,625.00 Decrease

N/A days or date

Contract Price with all approved Change Orders

Contract Time with all approved Change Orders

\$ 2,908,373.43

Approx. 7/8/19 days or date

RECOMMENDED: Fehr Graham

APPROVED: City of West Branch

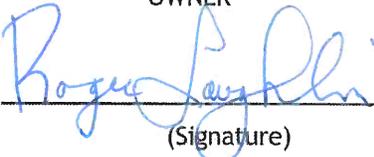
ACCEPTED: Needham
Excavating, Inc.

Nathan P. Kass, PE, PLS
ENGINEER

Roger Laughlin, Mayor
OWNER

Nicholas Needham, Vice President
CONTRACTOR

By: 
(Signature)

By: 
(Signature)

By: 
(Signature)

11/19/2019

12-2-19

11/18/19

Date

Date

Date

END SECTION.