

RESOLUTION NO. 16 - 23

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS APPROVING CHANGE ORDER #3 TO THE CONTRACT WITH RUMSEY CONSTRUCTION RELATING TO SEWER LINE REPLACEMENT CONTRACT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 1 RELATING THERETO ON BEHALF OF THE CITY OF COMMERCE, TEXAS.

WHEREAS, on December 16, 2015, the City Council of the City of Commerce, Texas approved the bid from Rumsey Construction and entered into a contract for Sewer Line Replacement; and

WHEREAS, additional work of installation of sludge dewatering equipment at the Wastewater Treatment Plant is required to complete said project; and

WHEREAS, Change Order No. 3 will increase the original contract amount of \$1,982,733.90 by approximately \$65,600.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS THAT:

Section 1: **THAT**, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: **THAT**, the City Council of the City of Commerce, Texas hereby approves Change Order No. 1 to the Contract with Rumsey Construction relating to the Sewer Line Replacement, in the total amount of \$2,440,972.40, in accordance with the terms and conditions set forth in said Change Order No. 1, attached hereto as Exhibit "A"; and further authorizes the City Manager to execute said Change Order No. 3 relating thereto on behalf of the City of Commerce, Texas.

Section 3: **THAT**, the cost of Change Order No. 1 to the contract with Rumsey Construction shall be paid from the unused loan funds for the Sewer Line Replacement as provided through a Texas Water Development Board interest-free loan closed in 2010.

AND IT IS SO RESOLVED.

PASSED AND APPROVED on this the 19th day of July, 2016.

CITY OF COMMERCE:


Wyman Williams, Mayor

ATTEST:


Becky Pattillo, Acting City Secretary
(Seal)

REVIEWED FOR ADMINISTRATION:


Ned Muse, Interim City Manager

REVIEWED AS TO FORM AND LEGALITY:


Edgar J. Garrett, Jr., City Attorney

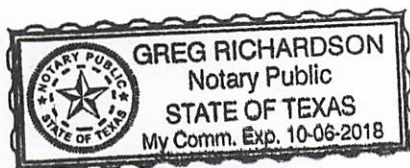
I, Becky Pattillo, Acting City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a resolution and that the same has not been repealed and is in full force and effect.

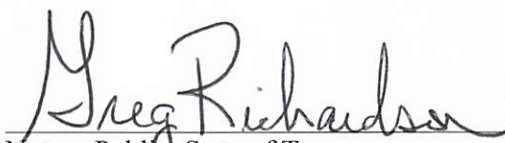
(Seal)


Becky Pattillo, Acting City Secretary

Sworn to and subscribed before me, the undersigned authority, on this the 3 day of August, 2016, to certify which witness my hand and seal of office.

(Seal)




Notary Public, State of Texas



Planners Surveyors Engineers

July 19, 2016

HEI # 950072-300

Mr. Ned Muse, Interim City Manager
City of Commerce
1119 Alamo Street
Commerce, Texas 75428

Re: Wastewater Collection System Rehabilitation
TWDB CW SRF # 72263 / Rumsey Construction

Mr. Muse—

Construction of the original project is almost complete. The paving associated with Change Order #2 is scheduled to begin in the next week to ten days.

As you are aware, the wastewater treatment plant has two clarifiers, one of which is out of service. Therefore, half of the hydraulic capacity of the plant is unusable. Furthermore, the polymer feed system for the sludge dewatering pump station was flooded in the last rain, and needs to be raised. Another need concerns the wall of the sludge drying bed. It needs to be modified to allow a truck to move in and out to haul out the new sludge dewatering box.

The other item that we need to address is the existing 8" sanitary sewer line on the TAMU-C campus. As you know, the University is planning to install a large nursing facility, and the existing line will be inadequate to handle the increased flow. At your instruction we have designed a new 12" line to replace the existing line, and have coordinated the design with University personnel to make sure it is compatible with their new construction.

I have prepared two change orders for the council to consider. One includes only the work at the WWTP, and the other includes the WWTP work plus the new sewer line on the University campus.

Presently we have about \$153K left in the loan that is not committed. If the University pays for half of the sewer line, and the City pays the other half, the City will still have about \$42K left to spend. Should the City decide not to participate in the construction of the University sewer line, then the city will have about \$87K left in the loan.

Please review the attached change orders and let me know if you have any questions.

Sincerely,

HAYTER ENGINEERING

Michael N. Tibbets, P.E.
Principal / Senior Project Manager



1/9/16

attachment: Change Order #3 (two versions)

Change Order

No. 3

Date of Issuance: July 19, 2017

Project: Wastewater Collection System Rehabilitation	Project No.: TWDB DW SRF # 72263 HEI # 950072
Owner: City of Commerce, Texas	Date of Contract: December 19, 2014
Contractor: Rumsey Construction	

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Repair the broken clarifier at the WWTP using the mechanism provided by the owner. Replace a plug valve in the in-plant pump station to allow the broken clarifier to be drained. Raise the polymer feed system pump station four feet to avoid flood waters. Install a ramp on the sludge drying beds to allow the sludge dewatering dumpster to be brought in and out via truck.

Justification:

There is money left over in the loan for additional construction, and the broken clarifier has cut the treatment capacity of the plant in half. Repair is absolutely critical to the proper operation of the facility. The polymer feed system pump station needs to be raised above the flood waters to avoid further damage. The wall of the drying bed is too tall for the truck to come and go with the sludge dewatering box, so the wall must be modified and a ramp installed to allow the truck to pick up the dumpster for transportation to and from the landfill.

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 1,982,733.90

[Increase] [~~Decrease~~] from previously approved Change Orders No. 1 to No. 2:

\$ 196,319.25

Contract Price prior to this Change Order:

\$ 2,375,372.40

[Increase] [~~Decrease~~] of this Change Order:

\$ 65,600.00

Contract Price incorporating this Change

\$ 2,440,972.40

CHANGE IN CONTRACT TIMES:

Original Contract Times:

Substantial completion days: 270

Substantial completion date: January 29, 2016

[Increase] [~~Decrease~~] from previously approved Change Orders No. 1 to No. 2:

Substantial completion days: 390

Substantial completion date: May 30, 2016

Contract Times prior to this Change Order:

Substantial completion days: 390

Substantial completion date: May 30, 2016

[Increase] [~~Decrease~~] of this Change Order:

Substantial completion days: 90

Substantial completion date: August 28, 2016

Contract Times with all approved Change Orders:

Substantial completion days: 360

Substantial completion date: August 28, 2016

RECOMMENDED:

ACCEPTED:

ACCEPTED:

By: _____

Engineer (Authorized Signature)

Hayter Engineering Inc.

Date: _____

By: _____

Owner (Authorized Signature)

City of Commerce, Texas

Date: _____

By: _____

Contractor (Authorized Signature)

Rumsey Construction

Date: _____

ATTACHMENT TO CHANGE ORDER #3

- | | | |
|--------------------------------------|-------------------|----------------|
| • Original contract amount | | \$1,982,733.90 |
| • Total of previous change orders | | \$196,319.25 |
| • Change Order #3 | \$65,600.00 | |
| 1. Repair broken clarifier mechanism | \$20,000.00 | |
| 2. Raise polymer feed pump station | \$45,600.00 | |
| 3. Modify wall of sludge drying bed | <u>\$9,000.00</u> | |
| | Sub-total | \$65,600.00 |
| | | \$65,600.00 |
| • Total contract amount after CO #3 | | \$2,440,972.40 |

Change Order

No. 3

Date of Issuance: July 19, 2017

Project: Wastewater Collection System Rehabilitation	Project No.: TWDB DW SRF # 72263 HEI # 950072
Owner: City of Commerce, Texas	Date of Contract: December 19, 2014
Contractor: Rumsey Construction	

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Repair the broken clarifier at the WWTP using the mechanism provided by the owner. Replace a plug valve in the in-plant pump station to allow the broken clarifier to be drained. Raise the polymer feed system pump station four feet to avoid flood waters. Install a ramp on the sludge drying beds to allow the sludge dewatering dumpster to be brought in and out via truck. Install 12" sewer line on TAMU-C property per the Hayter Engineering design dated July 2016.

Justification:

There is money left over in the loan for additional construction, and the broken clarifier has cut the treatment capacity of the plant in half. Repair is absolutely critical to the proper operation of the facility. The polymer feed system pump station needs to be raised above the flood waters to avoid further damage. The wall of the drying bed is too tall for the truck to come and go with the sludge dewatering box, so the wall must be modified and a ramp installed to allow the truck to pick up the dumpster for transportation to and from the landfill. The University is growing to the point that the existing 8" sewer line is no longer adequate, and a new larger line must be installed.

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 1,982,733.90

[Increase] [~~Decrease~~] from previously approved Change Orders No. 1 to No. 2:

\$ 196,319.25

Contract Price prior to this Change Order:

\$ 2,375,372.40

[Increase] [~~Decrease~~] of this Change Order:

\$ 154,279.40

Contract Price incorporating this Change

\$ 2,529,651.80

CHANGE IN CONTRACT TIMES:

Original Contract Times:

Substantial completion days: 270

Substantial completion date: January 29, 2016

[Increase] [~~Decrease~~] from previously approved Change Orders No. 1 to No. 2:

Substantial completion days: 390

Substantial completion date: May 30, 2016

Contract Times prior to this Change Order:

Substantial completion days: 390

Substantial completion date: May 30, 2016

[Increase] [~~Decrease~~] of this Change Order:

Substantial completion days: 120

Substantial completion date: September 27, 2016

Contract Times with all approved Change Orders:

Substantial completion days: 390

Substantial completion date: September 27, 2016

RECOMMENDED:

ACCEPTED:

ACCEPTED:

By: _____

Engineer (Authorized Signature)

Hayter Engineering Inc.

Date: _____

By: _____

Owner (Authorized Signature)

City of Commerce, Texas

Date: _____

By: _____

Contractor (Authorized Signature)

Rumsey Construction

Date: _____

ATTACHMENT TO CHANGE ORDER #3

- | | | |
|--------------------------------------|-------------|----------------|
| • Original contract amount | | \$1,982,733.90 |
| • Total of previous change orders | | \$196,319.25 |
| • Change Order #3 | | |
| 1. Repair broken clarifier mechanism | \$20,000.00 | |
| 2. Raise polymer feed pump station | \$45,600.00 | |
| 3. Modify wall of sludge drying bed | \$9,000.00 | |
| 4. 12" sewer line on TAMU-C campus | \$88,679.40 | |
| | Sub-total | \$154,279.40 |
| | | \$154,279.40 |
| • Total contract amount after CO #3 | | \$2,529,651.80 |

Change Order

No. 3

Date of Issuance: July 19, 2017

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Owner: City of Commerce, Texas	Date of Contract: December 19, 2014
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Justification:

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Original Contract Price:

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[Increase] [Decrease] from previously approved Change Orders No. 1 to No. 2:

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Contract Price prior to this Change Order:

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[Increase] [Decrease] of this Change Order:

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Contract Price incorporating this Change

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CHANGE IN CONTRACT TIMES:

Original Contract Times:

Substantial completion days: 270

Substantial completion date: January 29, 2016

[Increase] [Decrease] from previously approved Change Orders No. 1 to No. 2:

Substantial completion days: 390

Substantial completion date: May 30, 2016

Contract Times prior to this Change Order:

Substantial completion days: 390

Substantial completion date: May 30, 2016

[Increase] [Decrease] of this Change Order:

Substantial completion days: 90

Substantial completion date: August 28, 2016

Contract Times with all approved Change Orders:

Substantial completion days: 360

Substantial completion date: August 28, 2016



RECOMMENDED: MICHAEL N. TIBBETS ACCEPTED:

By: Michael N. Tibbets

Engineer (Authorized Signature)

Hayter Engineering Inc.

Date: 7-27-16

By: [Signature]

Owner (Authorized Signature)

City of Commerce, Texas

Date: 7/19/16

ACCEPTED:

By: _____

Contractor (Authorized Signature)

Rumsey Construction

Date: _____

TBPE #F-000315

ATTACHMENT TO CHANGE ORDER #3

- | | | |
|--------------------------------------|-------------------|----------------|
| • Original contract amount | | \$1,982,733.90 |
| • Total of previous change orders | | \$196,319.25 |
| • Change Order #3 | \$65,600.00 | |
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| 2. Raise polymer feed pump station | \$45,600.00 | |
| 3. Modify wall of sludge drying bed | <u>\$9,000.00</u> | |
| | Sub-total | \$65,600.00 |
| | | \$65,600.00 |
| • Total contract amount after CO #3 | | \$2,440,972.40 |