RESOLUTION NO. 19 - 13

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS APPROVING CHANGE ORDER NO. 2 FOR THE WATER TREATMENT PLANT MOTOR CONTROL CENTER, PROJECT NO. CMR.012; AND AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 2 RELATING THERETO ON BEHALF OF THE CITY OF COMMERCE, TEXAS.

WHEREAS, in February of 2018, the City Council of the City of Commerce, Texas awarded the bid to James D. White Electric, Inc. and entered into a contract for services pertaining to the Water Treatment Plant (WTP) Motor Control Center Replacement Project; and

WHEREAS, a change order #1 was granted in July of 2018 extending the length of the contract by 60 days to allow for the manufacturing of a custom, arc-flash resistant Motor Control Center; and

WHEREAS, following Hurricane Florence, record-breaking rain fell in parts of North Carolina where Cutler-Hammer was manufacturing the motor control center; and

WHEREAS, the manufacturer is requiring extra time to manufacture the motor control center and Change Order No. 2 will increase the existing contract amount of $302,896.00 by approximately $86,816.60; and

WHEREAS, Change Order No. 2 will provide for completion of the project in one-hundred and seventeen (117) additional calendar days, resulting in a new, substantial completion date of July 20, 2019 and a final completion date of August 19, 2019.

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. 2 to the Contract with James D. White Electric, in the total amount of $389,712.60, in accordance with the terms and conditions set forth in said Change Order No. 2, attached hereto as Exhibit "A;" and further authorizes the City Manager to execute said Change Order No. 2 relating thereto on behalf of the City of Commerce, Texas.

AND IT IS SO RESOLVED.

PASSED AND APPROVED on this the 19th day of March, 2019.

CITY OF COMMERCE:

Gene Lockhart, Mayor Pro-Tem

ATTEST:

Molly Jacobsen, City Secretary

(Seal)

REVIEWED FOR ADMINISTRATION:

Darrek Ferrell, City Manager

REVIEWED AS TO FORM AND LEGALITY:

Charles Anderson, City Attorney

I, Molly Jacobsen, 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)

Molly Jacobsen, City Secretary

Sworn to and subscribed before me, the undersigned authority, on this the 21st day of March, 2019, to certify which witness my hand and seal of office.

(Seal)

BECKY PATTILLO
Notary Public
STATE OF TEXAS
My Comm. Exp. 05-01-2019

Notary Public, State of Texas

KSA 6781 Oak Hill Blvd. Tyler, TX 75703 **CHANGE ORDER No. 2**	Date	March 7, 2019
	Project No.	CMR.012
	Location	Commerce, TX
To (Contractor) James D. White Electric, Inc. 1609 North White Oak Road White Oak, TX 75693	Job Description	WTP Motor Control Replacement
	Total Contract Price: Original	$302,896.00
	Previous CO / WO	$0.00
	Current	$302,896.00

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No. (1)	Description of changes – quantities, units, Unit price, change in completion schedule, etc. (2)	Decrease in Contract price (3)	Increase in Contract price (4)
CO 2.1	HSP#1, HSP#2, HSP #3, BWP #1 AND CORE DRILL	$0.00	$19,725.00
CO 2.2	RAW WATER RESERVOIR PUMP #1 DOES NOT EXIST	$1,071.60	$0.00
CO 2.3	MOV DOES NOT EXIST	$249.00	$0.00
CO 2.4	ALUM TRANSFER PUMP DOES NOT EXIST	$1,656.00	$0.00
CO 2.5	(DEFERRED MAINTENANCE) ROOF FAN INVESTIGATION - DOES NOT INCLUDE REPLACEMENT	$0.00	$874.00
CO 2.6	(DEFERRED MAINTENANCE) REPLACE ALL SIX UNIT HEATERS	$0.00	$11,226.00
CO 2.7	ATS KEY LOCK COVER	$0.00	$0.00
CO 2.8	(DEFERRED MAINTENANCE) REPLACE HSP #1 VFD	$0.00	$9,490.00
CO 2.9	HIGH SERVICE PUMP STATION OUTLET POWER	$0.00	$5,759.60
CO 2.10	CARBON BUILDING FEED TO MPZ	$0.00	$2,290.00
CO 2.11	CARBON BUILDING HEATER FEED	$0.00	$2,404.00
CO 2.12	OFFICE BUILDING FEEDER OVERCURRENT PROTECTION	$0.00	$1,551.00
CO 2.13	(DEFERRED MAINTENANCE) CLARIFIER #1 WIRING	$0.00	$8,445.60
CO 2.14	(NEC 250.110, 118) RAW WATER PUMP MISSING EQUIPMENT GROUNDING CONDUCTOR	$0.00	$23,930.00
CO 2.15	FILTER BUILDING LIGHTING	$0.00	$5,510.00
CO 2.16	(NEC 352.30) CONDUIT SUPPORTS	$0.00	$790.00
CO 2.17	(NEC 352.6) REPLACE PLUMBING PIPE WITH ELECTRICAL PVC	$0.00	$2,084.00
CO 2.18	MCC Price Deduct Due to Mnfg Delays	$4,286.00	$0.00
	Change in contract price due to this Change Order:		
	Total Decrease	$7,262.60	
	Total Increase	$0.00	$94,079.20
	Difference between Columns (3) and (4)		$86,816.60
			$86,816.60

The sum of $ 86,816.60 is hereby ~~(unchanged)~~ (added to) ~~(deducted from)~~ the total contract price, and the total adjusted contract price to date thereby is $389,712.60.

The time provided for completion in the contract is ~~(unchanged)~~ (increased by) ~~(decreased by)~~ 117 additional calendar days added to the contract time for a total adjusted contract time of 417 calendar days for completion. This document shall become an amendment to the contract and all provisions of the contract will apply hereto.

Item No. (1)	Description of changes – quantities, units, Unit price, change in completion schedule, etc. (2)	Decrease in Contract price (3)	Increase in Contract price (4)

Recommended by (Engineer) — KSA — 7 Mar 19 Date

Accepted by (Contractor) — James D. White Electric, Inc. — 4/17/19 Date

Approved by (Owner) — City of Commerce — Date