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**Public Works**

**City Transit**  
**263-8152**

**MEMORANDUM**

**Equipment Maintenance**  
**Roadway Maintenance**  
**Collection & Drainage**  
**Building & Grounds**  
**Engineering**

To: Gregg Mandsager, City Administrator  
CC: Fran Donelson, Secretary  
FROM: Randy Hill, Public Works Director  
DATE: April 5, 2011  
RE: Council Action – Change Orders for Hershey II Project

**INTRODUCTION:**

The City of Muscatine is under contract with Langman Construction Inc. for the construction of the Hershey Ave. Area Sewer Separation Project Contract 2.

**BACKGROUND:**

Langman Construction has submitted several Change Orders for city consideration.

Change Order #7 is for a retaining wall in front of 701 West Mississippi Drive. The wall was in a state of disrepair and the decision was made to replace the wall. The Contractor has a responsibility to protect existing property. They submitted an invoice for \$21,310.15, but Public Works staff agreed to present to the council an offer for 1/3 of the total cost amounting to \$7,103.38.

Change Order #9 is for the additional underdrain system on the east side of Broadway. The new system controls the seepage from the bluff by directing the water to an intake and keeping it off the roadway surface. The cost for this improvement is \$1,180.41.

Change Order #10 addresses costs incurred for the late date of paving Hershey Ave. in 2010. The subcontractor submitted an invoice for \$25,627.50 for thawing the ground prior to pouring and covering the concrete with blankets after a pour. The schedule for reopening Hershey Ave. was provided by the contractor and not dictated by the city. Public Works staff did direct the contractor to cover the concrete if they poured in the cold weather to ensure curing properly. The cost for the cover material is \$8,212.50, and Public Works staff agreed to present this to council.

Change Order #11 requests extension of the deadline for the project from May 1, 2011 to June 30, 2011. Due to design change delays in Mississippi Drive; wet weather last spring and summer; and staff refusal to allow Main Street to be torn up during the winter months the contractor seeks a revision for the completion date. Public Works staff concurs with the request.

**RECOMMENDATION/RATIONALE:**

To date Change Orders #1-#4, #6 & #8 have been approved by the city council for this project. Change Order #5 was voided. After conferring with Stanley Consultants' staff, Project Manager Dennis Kistenmacher, and Public Works staff (Matt Chandler, Jon Lutz & Randy Howell) it has been determined that Change Orders:

#7 = \$7,103.38

#9 = \$1,180.41

#10 = \$8,212.50

#11 = June 30, 2011 extension deadline

are legitimate costs (and request) incurred by the contractor. It is the city staff's recommendation to approve the change orders as submitted.

**BACKUP INFORMATION:**

1. Copies of CO's # 7,9,10 & 11
- 2.
- 3.
- 4.

## CHANGE ORDER

<b>Project Name:</b> Hershey Avenue, Contract 2, Sanitary and Storm Sewer Separation	<b>Change Order No.:</b> 7
<b>Project Description:</b> Storm and Sanitary Sewer Construction	<b>Instruction No.:</b>
<b>Contractor:</b> Langman Construction	<b>Cost Code:</b> Lump Sum
	<b>Date Prepared:</b> March 8, 2011

### Description of Change:

The retaining wall in front of 701 West Mississippi Drive (the corner of Mississippi Drive and Broadway) was in a state of disrepair. Langman chose to replace the wall. This was discussed prior to the replacement. A case could be made that construction operations caused some problems with the wall, leading to the property owner starting a lawsuit, so the wall was replaced to avoid legal action. Since the Contractor has a responsibility to protect existing property, it was decided that most of the cost of repair will be borne by Langman. The City will pay 1/3 of the total cost, which is \$21,310.15, amounting to \$7,103.38.

### Basis of Price Change:

\_\_\_\_\_ Unit Price      \_\_\_\_\_ Time and Material        X   Lump Sum

**Cost:**       \$7,103.38      

### Contract Time Change:

  X   No Change      \_\_\_\_\_ Extended      \_\_\_\_\_ Decreased      by \_\_\_\_\_ days

**Accepted:** Langman Construction  
Contractor

*Tom Shick*  
Signature & Date  
3-8-11

*Paul Foreman*  
Title

**Reviewed and Recommended by:** \_\_\_\_\_

**Accepted:** City of Muscatine  
Owner

\_\_\_\_\_  
Signature & Date

Randy Hill  
Public Works Director

**Reason for Change:** \_\_\_\_\_ Design Request      \_\_\_\_\_ Owner Request  
  X   Field Conditions      \_\_\_\_\_ Suggested by Contractor  
\_\_\_\_\_ Other

**Reviewed and Recommended By:** *Dennis Kistenmacher* 3/8/11  
Dennis Kistenmacher, Project Manager

**Distribution:** Owner, Contractor, Design Engineer



## CHANGE ORDER

<b>Project Name:</b> Hershey Avenue, Contract 2, Sanitary and Storm Sewer Separation	<b>Change Order No.:</b> 9
<b>Project Description:</b> Storm and Sanitary Sewer Construction	<b>Instruction No.:</b>
<b>Contractor:</b> Langman Construction	<b>Cost Code:</b> Lump Sum
	<b>Date Prepared:</b> March 8, 2011

### Description of Change:

Due to groundwater seepage out of the bank on the east side of Broadway, above Mississippi Drive, it was necessary to add more of an underdrain system. The new system controls the seepage, to direct the water to an intake, and keep it off of the surface. This solves the problem of a constantly wet roadway, and more importantly prevents icy conditions in the winter. The cost is shown below as a lump sum and includes all time and materials to do the work. The invoice/change order form from the Contractor is attached.

### Basis of Price Change:

\_\_\_\_\_ Unit Price      \_\_\_\_\_ Time and Material        X   Lump Sum

**Cost:**       \$1,180.41      

### Contract Time Change:

  X   No Change      \_\_\_\_\_ Extended      \_\_\_\_\_ Decreased      by \_\_\_\_\_ days

**Accepted:** Langman Construction  
Contractor

Tom [Signature]  
Signature & Date

3-8-11

Paul Foreman  
Title

**Reviewed and Recommended by:** \_\_\_\_\_

**Accepted:** City of Muscatine  
Owner

\_\_\_\_\_  
Signature & Date

Randy Hill  
Public Works Director

**Reason for Change:** \_\_\_\_\_ Design Request      \_\_\_\_\_ Owner Request  
  X   Field Conditions      \_\_\_\_\_ Suggested by Contractor  
\_\_\_\_\_ Other

**Reviewed and Recommended By:** Dennis Kistenmacher  
Dennis Kistenmacher, Project Manager

3/8/11

**Distribution:** Owner (Public Works Director, Randy Hill)  
Contractor (Langman Construction, Inc.)  
Stanley Consultants, Inc. (Mike Knott)

## CHANGE ORDER

<b>Project Name:</b> Hershey Avenue, Contract 2, Sanitary and Storm Sewer Separation	<b>Change Order No.:</b> 10
	<b>Instruction No.:</b>
<b>Project Description:</b> Storm and Sanitary Sewer Construction	<b>Cost Code:</b> Lump Sum
<b>Contractor:</b> Langman Construction	<b>Date Prepared:</b> March 8, 2011

### Description of Change:

Due to the late date of paving in 2010, and the need to get Hershey Avenue paved, extra cost was involved. The cost is for warming the ground before placing concrete, and for extra labor to cover the new concrete. The amount approved for payment for extra costs involved is \$8,212.50.

### Basis of Price Change:

☐ Unit Price      ☐ Time and Material      ☒ Lump Sum

**Cost:** \$8,212.50

### Contract Time Change:

☒ No Change      ☐ Extended      ☐ Decreased by        days

**Accepted:** Langman Construction  
Contractor

*Tom [Signature]*  
Signature & Date

*Paul Foreman*  
Title

3-8-11

**Reviewed and Recommended by:** \_\_\_\_\_

**Accepted:** City of Muscatine  
Owner

\_\_\_\_\_  
Signature & Date

Randy Hill  
Public Works Director

**Reason for Change:** ☐ Design Request      ☐ Owner Request  
☒ Field Conditions      ☐ Suggested by Contractor  
☐ Other \_\_\_\_\_

**Reviewed and Recommended By:** \_\_\_\_\_

*Dennis Kistenmacher* 3/8/11  
Dennis Kistenmacher, Project Manager

**Distribution:** Owner (Public Works Director, Randy Hill)  
Contractor (Langman Construction, Inc.)  
Stanley Consultants, Inc. (Mike Knott)



## CHANGE ORDER

<b>Project Name:</b> Hershey Avenue, Contract 2, Sanitary and Storm Sewer Separation	<b>Change Order No.:</b> 11
<b>Project Description:</b> Storm and Sanitary Sewer Construction	<b>Instruction No.:</b>
<b>Contractor:</b> Langman Construction	<b>Cost Code:</b> Time Extension
	<b>Date Prepared:</b> March 8, 2011

### Description of Change:

Due to design change delays in Mississippi Drive and wet weather last spring and summer, the attached request from Langman for extra time to complete the Contract will be granted.

### Basis of Price Change:

\_\_\_\_\_ Unit Price      \_\_\_\_\_ Time and Material      \_\_\_\_\_ Lump Sum

**Cost:** \_\_\_\_\_ No Cost

### Contract Time Change:

\_\_\_\_\_ No Change      ☒ Extended      \_\_\_\_\_ Decreased      by 60 days

**Accepted:** Langman Construction  
Contractor

Tom Slattery  
Signature & Date

PROJ. FOREMAN  
Title

3-8-11

**Reviewed and Recommended by:** \_\_\_\_\_

**Accepted:** City of Muscatine  
Owner

\_\_\_\_\_  
Signature & Date

Randy Hill  
Public Works Director

**Reason for Change:** \_\_\_\_\_ Design Request      \_\_\_\_\_ Owner Request  
☒ Field Conditions      \_\_\_\_\_ Suggested by Contractor  
\_\_\_\_\_ Other

**Reviewed and Recommended By:** \_\_\_\_\_

Dennis Kistenmacher  
Dennis Kistenmacher, Project Manager

3/8/11

**Distribution:** Owner (Public Works Director, Randy Hill)  
Contractor (Langman Construction, Inc.)  
Stanley Consultants, Inc. (Mike Knott)