

**Request for Construction Change
 Summary Change Order No. 1**

City of Franklin	Contract No. <u>2014-0037</u>
Engineering Office	Project <u>Third Avenue North Trail</u>
109 Third Avenue South	PIN 109424.00
Franklin, TN 37064	Fed. Proj. No. STP-M-9305(28)

Whereas, we **Jones Brothers Contractors, LLC** entered into a contract with the CITY OF FRANKLIN, on **August 20, 2015**, for the construction by said Contractor of the above designated contract; and Whereas, certain items of construction encountered are not covered by the original contract, we desire to submit the following additional items of construction to be performed by the Contractor and paid by the City at the prices scheduled therefore below:

Reason for Change Order:

1. To add calendar days to the original contract time due to weather delays
2. Addition of pay items for storm drainage structures to tie in drainage from 3rd Ave. roadway project.
3. Addition of pay item for removal of an additional large tree near water stairs area.
4. Addition of a pay item for surge stone required for compaction around water stairs and under overlook structure to prevent area from washing when river level rises.
5. To add calendar days to the original contract time due to river level delays. The original in-stream diversion was not sufficient for the high water elevations that were encountered during the winter months. A secondary stream diversion system was installed with the use of sheet piling, steel beams, etc in order to provide an area that the contractor could then de-water the area so that work on the water stairs could commence. The river level remained around elevation 605.00 for a majority of the winter months which was at or exceeded the height of the original ins-stream diversion, thus causing delay in constructing the water stairs.

Attachments (List documents supporting change):

1. JBC Weather Delays – Sept./Oct. 2015, Nov. 2015, Dec. 2015, Jan. 2016, Feb. 2016, Mar. 2016, April 2016
2. TDOT LP Field Change Order documents (TDOT Field Change Order #1, dated 11/11/15 and TDOT LP Field Change Order #2, dated 12/16/15, TDOT LP Field Change Order #3, dated 04/20/16)
3. JBC River Delays – Construction Schedule for Project Completion (July 31, 2016)

Item No.	Description of Work	Unit	Estimate Quantity	Unit Price	Amount
611-01.03	Manhole > 8FT-12FT Depth	Each	1	\$6,953.40	+ \$6,953.40
611-12.01	Catch Basin, Type 12, 0FT-4FT Depth	Each	1	\$4,187.35	+ \$4,187.35
625-02.26	Drilled Shaft Casing – Permanent	V.F.	58.33	\$5,541.35	+ \$5,541.35

201-01.01	Additional Clearing and Grubbing	LS	1	\$3,412.50	+ \$3,412.50
203-02.05	Borrow Excavation (Select)	TON	200	\$7,300.00	+ \$7,300.00
203-07	Furnishing & Spreading Topsoil	CY	300	\$4,875.00	+ \$4,875.00
TOTAL					+ \$32,269.60

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ 1,253,257.31
Net Increase (Decrease) from previous Change Orders No. 0 to 0: \$0.00
Contract Price prior to this Change Order: \$1,253,257.31
Net Increase of this Change Order: \$32,269.60
Contract Price with all approved Change Orders: \$1,285,526.91

CHANGE IN CONTRACT TIMES:
Original Contract Times: 240 Calendar Days Substantial Completion: ***** Ready for final payment: <u>May 17, 2016 (240 days)</u>
Net change from previous Change Orders No. 0 to 0 to: Substantial Completion: ***** Ready for final payment: <u>0 calendar days</u>
Contract Times prior to this Change Order: Substantial Completion: ***** Ready for final payment: <u>May 17, 2016 (240 days)</u>
Net increase (decrease) this Change Order: Substantial Completion: ***** Ready for final payment: <u>75 calendar days</u>
Contract Times with all approved Change Orders: Substantial Completion: ***** Ready for final payment: <u>July 31, 2016 (315 days)</u>

Now, Therefore, We, **Jones Brothers Contractors, LLC**, hereby agree to this Change Order consisting of the above mentioned items and prices, and agree that this Change Order is hereby made a part of the original contract and will be performed by this Contractor in accordance with specifications thereof, and that the original contract remain in full force and effect, except in so far as specifically modified by this Change Order.

RECOMMENDED FOR APPROVAL BY:

By: _____ By: _____ By: _____
ENGINEER CITY PROJECT MANAGER DIRECTOR OF ENGINEERING

Date: _____ Date: _____ Date: _____

ACCEPTED

By: _____
CONTRACTOR (Authorized Signature)

Date: _____

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RECOMMENDED FOR APPROVAL BY:

By: [Signature] ENGINEER By: [Signature] CITY PROJECT MANAGER By: Jonathan Marston ASST. DIRECTOR OF ENGR.

Date: 5/12/16 Date: 05/23/2016 Date: 05/23/2016

ACCEPTED

By: [Signature]
 CONTRACTOR (Authorized Signature)

Date: 05/20/2016

APPROVED:

By: _____
OWNER (Authorized Signature)

Date: _____

May 2, 2016

City of Franklin
 109 Third Avenue South
 Franklin, TN, 37064

RE: Contract # 2014-0037 (the "Project")
 Project #'s: Federal-STP-M-9305(28); State-94LPLM-F3-018; PIN-109424.00
 County: Williamson County
 Description: City of Franklin Third Avenue North Trail / Greenway

Please accept this letter and the related documentation as Jones Bros Contractors formal claim for additional contract days due to adverse weather conditions incurred on the Project from the start of the Project through April 30, 2016.

Month	Baseline Weather Days	Actual Weather Days	Days in Excess (Additional Time)	Additional Dry-out Days	Total Days Requested
2015, 09 - September (Pro-Rata)	1	2	1	1	2
2015, 10 - October	5	8	3	3	6
2015, 11 - November	6	7	1	1	2
2015, 12 - December	11	7	0	0	0
2016, 1 - January	12	12*	0	0	0
2016, 2 - February	11	9	0	0	0
2016, 3-March	8	8	0	0	0
2016, 4-April	7	7	0	0	0
TOTAL TO DATE:					10
*January includes 5 rain days and 7 for snow covered days.					

Please let me know if you need any further information.

Sincerely,
 JONES BROS CONTRACTORS, LLC



Josh Randall
 Project Manager

Attachments: 1-Page, April Weather Data*
 *Previous months submitted previously/separately

March 8, 2016

City of Franklin
109 Third Avenue South
Franklin, TN, 37064

RE: Contract # 2014-0037 (the "Project")
Project #'s: Federal-STP-M-9305(28); State-94LPLM-F3-018; PIN-109424.00
County: Williamson County
Description: City of Franklin Third Avenue North Trail / Greenway

RE: Claim #1 – River water elevation delays

Please accept this letter as formal request from Jones Bros Contractors, LLC ("JBC") for reservation of rights to a claim for time and money on the Project for delays and work created by sustained river levels not identified in the bid documents.

Specifically, sheets L4.03 & L4.04 of the bid documents indicate the river level at Elev. 603. Reference to the river level is not known to exist in any other location in the bid documents. Additionally, in a pre-bid question and answer e-mail dated June 30, 2015, JBC was told that the normal flow condition of the river at the project location would be 2-ft in depth. Therefore, JBC bid the river diversion utilizing barrier rail, sand bags, geo-fabric, and plastic, according to the bid items. To date, however, the river has not receded to Elev. 603, and has only been at or below Elev. 605 for a duration of 1-week, during which, the drilled shaft foundations were installed. Since that time, the river levels have consistently been well above Elev. 605.

In an effort to progress the project, JBC evaluated other diversion alternatives, such as Port-a-dam, but ultimately had to mobilize equipment, material, and man-power sufficient to install additional diversion provisions consisting of sheet-piling, H-pile framing, and larger pumps. The effectiveness of these additional provisions and the over-all time delay to the project is not yet known. Construction of the remainder of the structures on the project require that the foundations at the bottom of the water stair feature, which are to be installed on the river bottom, be constructed first. Therefore the remaining structures and corresponding back-fill cannot start until the work in the river is completed and the diversion removed.

As such, JBC is left with no alternative but to make request for a claim on the project as described above. Please rest assured that JBC will work diligently to complete this work in a timely fashion, and once the work in the river is complete, a specific timeline can be provided for completion of the project.

Thank you for your consideration on this issue. If you have any questions regarding this letter, or if you need any further information, please contact me at your convenience to discuss.

Sincerely,
JONES BROS CONTRACTORS, LLC

Josh Randall, Project Manager





City of Franklin
 3rd Ave N. Greenway & Bicentennial Park

