

## Contract Change Order # 1

Project Name: <u>9th Street: Elgin to El Paso Roadway Improvements</u>	Project Number: <u>ST1210</u>
Project Location: <u>9th Street Elgin to El Paso</u>	Date of Application: <u>Wednesday, March 13, 2019</u>
Contractor: <u>Ellsworth Construction</u>	Submitted By: <u>Nathan Ellsworth</u>

### Summary of Change in Scope of Work

The following scope of work consisting of work location, work description, established quantities, and timeline for completion has been reviewed and agreed upon by the contractor, the origin funding department, and the Engineering and Construction Department.

**Change of Work Items Included in this Change Order:**

- 1) After the start of construction, it was discovered that the planned Oklahoma Natural Gas underground utility relocations were not on schedule and were conflicting with the contractors work north of Houston St. Due to this conflict, the contract was forced to demobilize on May 26, 2019. Work resumed on August 27, 2019 once the underground and overhead conflicts were resolved and the contractor remobilized onsite. The below costs are the representative costs incurred as associated with the demobilization and re-mobilization of the contractors equipment and labor.
  
- 2) Per contract special provisions SP19, this contract is to be processed with asphalt binder price adjustments per the ODOT special provisions for price adjustment. The below costs summarize the adjustment applied to the asphalt laid to date on the project.

**Change in Contractual Project Time:**

- 1) As stated in CO item 1 above as well as within the contractors supplemental letter of request, the contract shall be amended to include the additional 45 days of contract time due to conflicts limiting full access to the project.

Plan Sheets or Additional Documents Attached: ☒ Yes ☐ No ☐ Other: \_\_\_\_\_

### Work Order Quantities

Item#	(Spec)	Item Description	Units	Price	Quantity	Total Amount
CO1-1		Demob & Remob due to Utility Conflicts	LS	\$ 30,000.00	1	\$ 30,000.00
CO1-2		Asphalt Binder Adjustment #1	LS	\$ 5,143.50	1	\$ 5,143.50
Total Change Cost:						\$ 35,143.50

### Summary of Project Costs

Total Previous Change Orders:	\$ -	Original Contract Amount:	\$ 3,392,045.19
Current Change Order:	\$ 35,143.50	Amended Contract Amount:	\$ 3,427,188.69
Total Cost of Change Orders:	\$ 35,143.50	Percent Change in Contract:	1.04%
Total Cost Applicable to CBA:	\$ 35,143.50	Percent Change Applicable to CBA:	1.04%

### Change Order Authorization

Change Order # <u>1</u>	in the sum of: \$ <u>35,143.50</u>	has been reviewed by all parties and is recommended for approval by:
Contractor Submitting Change Order:		
Name	Signature	Date
Construction Division Manager: <u>Timothy S Robins, PE</u>		
Name	Signature	Date
Director of Engineering & Construction: <u>Alex Mills, PE</u>		
Name	Signature	Date
Assistant City Manager - Operations: <u>Kenneth D Schwab, PE</u>		
Name	Signature	Date
City Manager: <u>Michael Spurgeon</u>		
Name	Signature	Date

**This Change is Executed Through:**

- ☐ This change to the contract documents is authorized by the City Manager's authority in accordance with the applicable state statutes and COBA Code of Ordinances.  
or  
☒ This change to the contract documents was approved at the City Council/BAMA meeting held on : Tuesday, March 19, 2019



5141 S. 24 W. AVE.  
TULSA, OKLAHOMA 74107  
(918) 446-5229 - FAX: (918) 446-8148

Date: February 19, 2019

Project: 9<sup>th</sup> Street Widening, Elgin to El Paso ST1210 Bid Number 18.130

Subject: Change Order #2 – Forced Stop Due to Existing Utility Conflicts

Chad Nichols,

Ellsworth Construction mobilized and started roadwork construction on 4/12/18 per our NTP. On 5/26/18 work and contract time was stopped due to substantial public utility conflicts that prevented the project from advancing at a normal and reasonable pace.

Although Ellsworth achieved minor progress during 4/12/18 to 5/26/18, a reasonable pace and amount of work could not be achieved. It is due to this fact that Ellsworth Construction is requesting those 45 days that elapsed between 4/12/18 and 5/26/18 be added back to the contract time. Those days could not be utilized as effectively due to the utility conflicts. Examples of conflicts that existed at the NTP that were believed to have been remedied prior to construction commencement included gas lines that were not relocated, overhead lines and associated poles that had not been relocated, among other conflicts.

Work did not resume until 8/27/18. During the time from 5/26/18 to 8/27/18, Ellsworth incurred additional cost that it otherwise would not have incurred if the project had not been ordered to stop. Rented equipment, stored materials, mobilization and demobilization expenses, wages for salaried employees, taxes, insurance, bond expenses and other expenses increased by the work stoppage. Ellsworth would like to request ~~\$60,000.00~~ to recoup those expenses related to the work stoppage in addition to the days requested above.

Se Revised Costs on  
Supplemental Letter

Please review this request and advise.

Respectfully,

Jimmy Minnick  
General Superintendent  
Ellsworth Construction, LLC  
918.446.1500



5141 S. 24 W. AVE.  
TULSA, OKLAHOMA 74107  
(918) 446-5229 - FAX: (918) 446-8148

Date: March 11, 2019

Project: 9<sup>th</sup> Street Widening, Elgin to El Paso ST1210 Bid Number 18.130

Subject: Change Order Request

Chad Nichols,

Ellsworth Construction is requesting a change order for the following items:

1. Asphalt Binder Index November 2018 in the amount of \$5,143.50
2. Work Stoppage in the amount of \$30,000.00
- ~~3. S1 Sanitary Sewer Utility Conflicts in the amount of \$3,000.00~~

Please review this request and advise.

Respectfully,

Jimmy Minnick  
General Superintendent  
Ellsworth Construction, LLC  
918.446.1500  
jminnick@ellsworthinc.com

Cost to be included in  
Allowance  
Authorization #2



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Date: February 19, 2019

Project: 9<sup>th</sup> Street Widening, Elgin to El Paso ST1210 Bid Number 18.130

Subject: Asphalt Binder Increase for Asphalt Installed November 2018

Chad Nichols,

Ellsworth Construction installed 548.24 tons of S3 and 157.65 tons of S4 during the month of November 2018. This project bid January 9<sup>th</sup>, 2018. The ODOT binder index for the month of January 2018 was \$312.50. The ODOT binder index for the month of November 2018 was \$490.00.

Per ODOT special provision 109-7(b-c)09 the allowable price increase for the tons installed and period installed would be \$5,143.50 and was calculated as shown below.

Bid Date	Install Date			
	Jan-18	Nov-18		
Price at Bid Date	Price at Install Date			
\$	312.50	\$	490.00	
D =	\$	168.13	\$ COT	\$ ODOT
S5		0.06 COT	0.053 ODOT	\$ 10.09 \$ 8.91
S4		0.06 COT	0.048 ODOT	\$ 10.09 \$ 8.07
S3		0.05 COT	0.042 ODOT	\$ 8.41 \$ 7.06
Installed in the Period				
S3		548.24	\$ 3,871.26	
S4		157.65	\$ 1,272.24	
			\$ 5,143.50	

We would like to bill this \$5,143.50 under owner allowance in our February 2019 billing application. Please review this request for authorization and advise.

Respectfully,

Jimmy Minnick  
General Superintendent  
Ellsworth Construction, LLC  
918.446.1500