

ROUTING SLIP CONTRACTS AND AGREEMENTS

Originating Department: General Services Council Meeting Date: 7/28/2016

Department Contact: Chris O'Neil Phone # 256-427-5281

Contract or Agreement: Dunlap Contracting

Document Name: Change Order 1- Dr. Richard Showers Center Exterior (Splash Pad)

City Obligation Amount: \$20,515.13

Total Project Budget:

Uncommitted Account Balance:

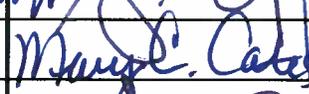
Account Number: 3020-14-00000-523000-PR8417XX

Procurement Agreements

<u>Title 39</u>	<u>Select...</u>
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Grant-Funded Agreements

Not Applicable	Grant Name: <u></u>
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Department	Signature	Date
1) Originating		<u>7/11/2016</u>
2) Legal		<u>7/11/16</u>
3) Finance		<u>7/18/2016</u>
4) Originating		<u>2/18/16</u>
5) Copy Distribution		
a. Mayor's office (1 copies)		
b. Clerk-Treasurer (Original & 2 copies)		

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 7/28/2016

Action Requested By:
General Services

Agenda Item Type
Resolution

Subject Matter:

Change Order #1 - Dr. Richard Showers Center Exterior Renovations (Splash Pad)

Exact Wording for the Agenda:

Resolution Authorizing the Mayor to execute Change Order #1 between the City of Huntsville and Dunlap Contracting for Construction Services for the Dr. Richard Showers Center Exterior Renovations (Splash Pad)

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

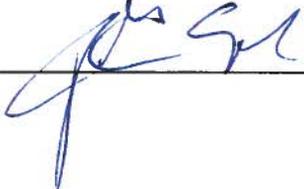
Additional landscaping, fencing, electrical connections and moving of shade structure

Associated Cost: \$20,515.13

Budgeted Item: Yes

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: _____



Date: _____

7/11/16

RESOLUTION NO. 2016-

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, and the Mayor that the contract with Dunlap Contracting, Inc. for Construction Services for the Dr. Richard Showers Center Exterior Renovations located on 4600 Blue Springs Road, Huntsville, Alabama, approved and executed by the City of Huntsville, Huntsville, Alabama on the 17th day of December, 2015, be and the same is hereby amended as is reflected on Change Order Number 1 attached hereto.

BE IT FURTHER RESOLVED that the total contract amount be hereby is amended from Total Contract Price - Two Hundred Twenty Three Thousand Dollars and No/100s (\$223,000.00) on behalf of the City of Huntsville, a municipal corporation in the State of Alabama to Two Hundred Forty Three Thousand Five Hundred Fifteen Dollars and 13/100s (\$243,515.13), including this Change Order Number 1 in the amount of Twenty Thousand Five Hundred Fifteen Dollars and 13/100s (\$20,515.13), said Change Order is substantially in word and figures as attached hereto and identified as "Change Order Number 1 to the contract between City of Huntsville and Dunlap Contracting Inc. for Dr. Richard Showers Center Exterior Renovations consisting of three pages (3) together with the signature of the City Council President and an executed copy of said document being permanently kept on file in the office of the City Clerk Treasurer of the City of Huntsville, Alabama.

ADOPTED this the _____ day of _____, 2016.

President of the City Council of
The City of Huntsville, Alabama

ADOPTED this the _____ day of _____, 2016.

Mayor of the City of Huntsville,
Alabama

“EXHIBIT B”

CITY OF HUNTSVILLE, ALABAMA

CONTRACT CHANGE ORDER

CHANGE ORDER NO. 1

DATE: June 27, 2016

PROJECT: Richard Showers Center Splash Pad

TO: Dunlap Contracting

(Contractor)

TERMS: You are hereby authorized, subject to the provisions of your contract for this project, to make the following changes thereto in accordance with the attached Change Order Request and supporting documents and to

FURNISH the necessary labor, materials and equipment to Move shade structure, additional landscaping, additional fencing, water supply line, electrical connections
(Description of work to be done or changes to be made)

TOTAL ADDITION OR DEDUCTION TO CONTRACT PRICE (NOTE: Numbers in parentheses are deductions).

For this Change \$ <u>20,515.13</u>	\$ <u>20,515.13</u>
ORIGINAL CONTRACT PRICE	\$ <u>223,000.00</u>
Net total previous Change Orders	\$ <u>0</u>
Previous revised Contract Price	\$ <u>0</u>
This Change Order No. <u>1</u> ADD (DEDUCT)	\$ <u>20,515.13</u>
Revised Contract Price this date	\$ <u>243,515.13</u>

Extension of time resulting from this Change Order 0 (Indicate no. of calendar days).

The amount of this Change Order will be the responsibility of City of Huntsville.

This contract modification constitutes full and mutual accord and satisfaction for all time and all cost related to this change. By acceptance of this Contract Modification, the Contractor hereby agrees that the modification represents an equitable adjustment to the Contract, and further, agrees to waive all right to file any future claims or changes arising out of or as a result of this change, or the accumulation of executed Contract Modifications on this Contract.

The Contractor and Owner(s) hereby agree to the terms of this Change Order as contained herein.

CONSENT OF SURETY

Great American Insurance Company
(Company)

By Jerry LeRoy
(Authorized Representative) **RECOMMENDED Attorney-In-Fact**

By [Signature]
(Design Engineer or Architect)

By [Signature]
(COH Facilities Project Manager)

By [Signature]
(Director of General Services)

CONTRACTING PARTIES

DUNLAP CONTRACTING
(Contractor)

By [Signature]
(Authorized Representative)
CITY OF HUNTSVILLE, ALABAMA

By _____
(Its Mayor)

By _____
(President of City Council)

Date _____

GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than TWO

No. 0 16384

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
JERRY LECROY	BOTH OF	BOTH
MIKE LECROY	BIRMINGHAM, ALABAMA	\$100,000,000

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 5TH day of NOVEMBER, 2014

GREAT AMERICAN INSURANCE COMPANY



My L C. B.
Assistant Secretary

David C. Kitchin
Divisional Senior Vice President

STATE OF OHIO, COUNTY OF HAMILTON - ss:

DAVID C. KITCHIN (877-377-2405)

On this 5TH day of NOVEMBER, 2014, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



Shelle Clontz
Notary Public, State of Ohio
My Commission Expires 08-09-2015

Shelle Clontz

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 27th day of June, 2016



My L C. B.
Assistant Secretary

"EXHIBIT A"

UPDATED 10/07/2015

CONTRACT MODIFICATION REQUEST

DATE: 6/22/2016 CMR NUMBER: 1
 PROJECT: Richard Showers Center - Splash Pad
 OWNER: City of Huntsville
 ARCHITECT: William Boehme and Associates
 CONTRACTOR: Dunlap Contracting

DESCRIPTION OF CHANGE (BY GENERAL CONTRACTOR):
See attached change order breakdown.
Move shade structure, additional landscaping, additional fencing, water supply line, electrical connections

1. TOTAL COST (CONTRACTOR TO ATTACH DETAILED BREAKDOWN): \$ 20,515¹³ *PH*
 2. TIME EXTENSION IN CALENDAR DAYS (ATTACH JUSTIFICATION): —
 THIS CHANGE AFFECTS THE CRITICAL PATH OF THE PROJECT

3. SUBMITTED BY:
 A. CONTRACTOR [Signature]
 B. ARCHITECT [Signature]

BOTTOM SECTION TO BE FILLED OUT BY CITY OF HUNTSVILLE REPRESENTATIVE

4. INITIATED BY: OWNER

5. OWNER'S CLASSIFICATION:
 CONTRACT MODIFICATION DUE TO:
 VALUE ENGINEERING OR COST REDUCTION
 CHANGES IN PROJECT SCOPE OF WORK
 OWNER REQUESTED UPGRADE
 UNFORESEEN CONDITIONS
 TECHNICAL COORDINATION

6. THIS CHANGE IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS ONE OF THE FOLLOWING TYPES:
 MINOR CHANGE OF A MONETARY VALUE AND NOT REQUIRED FOR COMPETITIVE BIDDING.
 CHANGES TO THE ORIGINAL CONTRACT NECESSITATED BY UNFORESEEABLE CIRCUMSTANCES ARISING DURING THE COURSE OF THE WORK.
 EMERGENCIES ARISING DURING THE COURSE OF THE WORK.
 CHANGE FOR ALTERNATES PROVIDED FOR IN THE ORIGINAL BIDDING WHERE THERE IS NO DIFFERENCE IN PRICE OF THE CHANGE FROM THE ORIGINAL BEST BID ON THE ALTERNATE.
 CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND DOES NOT EXCEED 10% OF THE CONTRACT PRICE.
 CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND EXCEEDS 10% OF THE CONTRACT PRICE AND CONSTITUTES EXTRAORDINARY CIRCUMSTANCES.

7. I HAVE REVIEWED, UNDERSTAND AND RECOMMEND THIS CHANGE WITH NO EXCEPTIONS:
 A. CoH ESTIMATOR
 B. CoH PROJECT MANAGER [Signature]
 C. DEPARTMENT HEAD (CUSTOMER) [Signature]
 D. CoH FACILITIES PROJ MANAGER
 E. DEPARTMENT HEAD (GS)

THIS EXECUTED FORM DOES NOT CONSTITUTE A CHANGE ORDER. THIS DOCUMENT IS AN ACKNOWLEDGEMENT BY THESE DESIGNATED REPRESENTATIVES THAT THEY RECOMMEND TO THE CITY OF HUNTSVILLE'S CITY COUNCIL TO APPROVE THE CHANGE IN CONTRACT SUM, SCOPE AND OR TIME STATED HEREIN. THE CITY OF HUNTSVILLE'S CITY COUNCIL MUST APPROVE ALL CHANGE ORDERS.