

RESOLUTION

RESOLUTION GIVING AUTHORITY TO APPROVE CHANGE ORDER NO. 2 AND PAY APPLICATION NO. 13 FOR THE 7TH AVENUE RECONSTRUCTION PROJECT

WHEREAS, the City of Laurel has planned to make improvements to 7th Avenue from 5th Street to 13th Street;

WHEREAS, these improvements include removal of existing trolley car tracks and associated timber and concrete substructure which are believed to be the cause of the rutting under the pavement of 7th Avenue;

WHEREAS, these improvements include the necessary rehabilitation or replacement of sanitary sewer mains, service laterals, water mains, water service lines and appurtenances required to complete the roadway reconstruction;

WHEREAS, bids were received on October 31, 2014;

WHEREAS, a contract was awarded to Walters Construction Company, Inc. in the amount of \$2,137,509.09;

WHEREAS, Change Order No. 1 was approved which adjusted the contract amount to \$2,154,309.09 and the completion date of the project to October 12, 2015;

WHEREAS, additional work was performed to install drainage inlets, provide a leveling course of asphalt and remove existing traffic striping;

WHEREAS, Change Order No. 2 provides pay items to compensate Walters Construction for the additional work as well as deducts pay items not used in the project;

WHEREAS, the net result of Change Order No. 2 is a deduction of \$7,994.04 in the contract amount;

WHEREAS, Change Order No. 2 includes the addition of 40 calendar day related to the additional work, rain days and unforeseen conditions as documented in the attached letter;

WHEREAS, Change Order No. 2 revises the completion date of the project to November 21, 2015;

WHEREAS, the contractor has submitted Pay Application No. 13 which includes payment for work completed in January and February 2016 in the amount of \$135,689.56;

WHEREAS, Pay Application No. 13 also includes the pay items identified in Change Order No. 2;

WHEREAS, in accordance with the contract documents, Liquidated Damages are being assessed to

Pay Application No. 13 in the amount of \$33,600.00;

NOW, THEREFORE, BE IT RESOLVED by the City of Laurel, Mississippi:

1. That authority is given to the administration to approve Change Order No. 2 for a net deduct of \$7,994.04 and revise the completion date of the project to November 21, 2015.
2. That authority is given to the administration to assess liquidated damages in the amount of \$33,600.00 to Pay Application No. 13.
3. That authority is given to the administration to pay Pay Application No. 13 in the amount of \$102,089.56.

Adoption of the above and foregoing Resolution was moved by Councilperson Comegys, the second was by Councilperson Carmichael, upon roll call vote, the result was as follows:

YEAS: L. Jones, Wheat, Thaxton, Carmichael, Comegys, Wash

NAYS: None

ABSTAINING: None

ABSENT: M. Jones

The President thereupon declared the motion carried and the Resolution adopted, this the 19th day of April, A. D., 2016.

PRESIDENT OF THE COUNCIL

ATTESTED AND SUBMITTED TO THE MAYOR FOR APPROVAL BY THE CLERK OF THE COUNCIL ON _____.

CLERK OF THE COUNCIL

APPROVED () DATE _____

VETOED () DATE _____

MAYOR

ATTEST:

MUNICIPAL CLERK

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Min. of 04/19/16; Bk. No. 100; Pg. No. _____; Agn. Itm. 4I