



RESOLUTION #20120828-04

RESOLUTION AUTHORIZING CHANGE ORDER NUMBER FOUR (4) TO HERITAGE CONSTRUCTORS, INC. - TEXAS WATER DEVELOPMENT BOARD PROJECT NUMBER: 21520: SEWER PLANT PROJECT (\$200,000)

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, TexAmericas Center has issued certain bonds sponsored by the Texas Water Development Board (TWDB) to support certain water and sewer utility improvements; and

WHEREAS, TexAmericas Center has proposed, subject to TWDB approval of certain plans and specifications for such improvements indicated by TWDB project number 21520; and

WHEREAS, TexAmericas Center has sought, through a competitive process, bids for the construction of a major upgrade to the domestic sewer treatment plant; and

WHEREAS, TexAmericas Center awarded a construction contract to Heritage Constructors, Inc. for the replacement of the area Sewer Plant by Resolution No. 20120124-09; and

WHEREAS, Heritage Constructors, Inc. has requested a change order to perform project management for project completion; subcontract a professional engineer; release all asserted and unasserted claims to date; and will be responsible for incorporation changes and modifications to existing plans. This scope of work is presented as change order number four (4) to the basic construction contract with a net increase of \$200,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of TexAmericas Center that change order number four (4) to the above referenced contract is approved and the Executive Director/CEO shall be and he is hereby authorized to execute change order number four (4) for an increase in contract amount not to exceed \$200,000.

PASSED and APPROVED this 28th day of August, 2012.


Denis Washington, Chairman of the Board

ATTEST:

Wayne Cranfill, Secretary-Treasurer

Attached: Change Order number four (4)

Change Order No. 4

Date of Issuance: September 7, 2012 Effective Date: September 7, 2012

Project: Waste Water Sewer Plant	Owner: TexAmericas Center	Owner's Contract No.: 11-21-002
Contract: Construction of Waste Water Sewer Plant on TAC-E		Date of Contract: February 2, 2012
Contractor: Heritage Constructors, Texarkana, TX		

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Make changes to the influent lift station, bar screen area, valve vault, aeration basin and plant water pump system

Attachments (list documents supporting change):

Attached letter dated September 4, 2012 from Heritage Constructors, Inc.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

\$5,641,640 _____

Decrease from previously approved Change Orders
No. 1 to No. 3:

\$-250,390 _____

Contract Price prior to this Change Order:

\$5,391,250 _____

Increase of this Change Order:

\$15,230 _____

Contract Price incorporating this Change Order:

\$5,406,480 _____

Original Contract Times: Working days Calendar days

Substantial completion: July 27, 2013
Final Completion: September 27, 2013
Demolition of Existing Plant: December 27, 2013

Increase from previously approved Change Orders
No. 1 to No. 3:

Substantial Completion: 0 days
Final Completion: 0 days
Demolition of Existing Plant: 0 days

Contract Times prior to this Change Order:
Substantial completion: July 27, 2013
Final Completion: September 27, 2013
Demolition of Existing Plant: December 27, 2013

Increase of this Change Order:
Substantial completion: 30 days
Final Completion: 30 days
Demolition of Existing Plant: 30 days

Contract Times with all approved Change Orders:
Substantial completion: August 26, 2013
Final Completion: October 27, 2013
Demolition of Existing Plant: January 26, 2014

RECOMMENDED:

By: N/A _____
Engineer (Authorized Signature)

Date: N/A _____

ACCEPTED:

By: Will V. Cook _____
Owner (Authorized Signature)

Date: 9/7/12 _____

ACCEPTED:

By: Chad Smith _____
Contractor (Authorized)

Date: 9-11-12 _____

**TEXAMERICAS CENTER
CHANGE ORDER NO. 4**

ATTACHMENT A

ITEM	DESCRIPTION	AMOUNT
Item No. 1	Owner has terminated the services of Allison Engineering Group, Inc. as its Engineer. Contractor will provide project management for completion of the project. As the Project Manager, Contractor shall manage the Project with the objective of achieving the project's scope, time, cost and other specified objectives as provided by the Plans and Specifications; consult with Owner to establish additional, changed or modified objectives, priorities, constraints, consumptions, and strategy; provide Value Engineering Assistance and organize budgets for alterations or changes to the contract documents, Plans and Specifications, as approved by Owner; and assist in managing, testing and budgeting. The Project Manager shall recommend to Owner such changes to the Plans and Specifications as deemed appropriate to provide efficiencies and savings of cost to obtain the objectives of the project. Contractor is not assuming any liability or providing any warranty or guarantee for either the engineering work, decisions regarding the design phase of the project, design specifications for the project or design process prior to the date of this Change Order. Contractor shall be responsible for its work under the Contract including but not limited to work incorporated, recommended changes or modifications made by Contractor and agreed to by Owner, and design changes made after the date of this Change Order.	Plus \$75,000.00
Item No. 2	Contractor will subcontract with a professional engineer to perform construction phase engineering including but not limited to the development of designs, plans, specifications and drawings for alterations or changes to the plans agreed to by Owner as well as providing the record drawings which are defined as the drawings produced by the engineer's modification of the original design drawings to reflect the "As-Built" changes following construction. Record drawings for the project will be completed by the Engineer within 60 days of contract completion and delivered to the Owner.	Plus \$75,000.00
Item No. 3	Compensate Contractor for delays in the production schedule attributable to prior engineering delays and delays in providing the	Plus \$50,000.00

detailed plans and drawings, and to compensate Contractor for delay claims, cost increase claims and incurred costs, including but not limited to those set forth in Contractor's letters to Owner of May 24, 2012, and June 21, 2012. The substantial completion date, final completion date, and demolition of existing plant date, shall be revised as set forth in the face of the Change Order No. 4. Owner shall compensate Contractor the additional contract sum as indicated. By execution of this Change Order, Contractor releases any and all claims against Owner, both asserted and unasserted, arising prior to the date of this Change Order.

Change Order No. 4 – Total Additive Amount \$200,000.00