

April 13, 2021

Mr. Mike Gitter, P. E.
Interim General Manager
City Hall Annex
Racine Water & Wastewater Utilities
800 Center Street, Room 227
Racine, WI 53403

Re: Perry to Newman 36-inch Transmission Water Main Change Order No. 1
Project W-20-10, Segment 4.5

Dear Mr. Gitter:

Enclosed, for the Racine Water Utility Commission's review and approval is Change Order No. 1 to the above referenced project.

Due to the adverse weather conditions that affected the Gulf Coast earlier this year, resin producers and PVC pipe manufacturers have sent notice of Force Majeure. In an effort to maintain the price of the PVC pipe for the project, the pipe will be paid for (approximately \$1,060,000.00) and stored prior to installation of the water main. The requirements of using the Newman Road Pumping Station site to store materials are included in the Change Order.

Upon installation of the water main, the Contractor will be paid for installing the water main under the bid item unit costs. The payment of stored materials will be entered as a negative value, resulting in no addition to the contract price.

In addition to the requirements of using the Newman Road Pumping Station site to store materials, the Contractor shall be required to follow Section 00 73 00, Supplementary Condition SC-15.01.B.1.a that states that the Contractor shall submit the following three documents:

1. An invoice from the material supplier which states the item's cost.
2. An item-specific invoice, bill of sale, or other documentation warranting the Owner has received the materials free and clear of all Liens.
3. Evidence that the materials are covered by appropriate property insurance or other arrangements to protect the Owner's interest therein.

If you have any questions on the above, please feel free to contact me at 262-953-3054 or bfischer@ruekert-mielke.com.

Respectfully,

RUEKERT & MIELKE, INC.



Brennen E. Fischer, P.E., CFM
Project Engineer
bfischer@ruekertmielke.com

BEF:bef

Enclosure

cc: Evelin Garcia, Racine Water and Wastewater Utilities
Chad W. Regalia, P. E., Racine Water & Wastewater Utilities
Kenneth R. Ward, P.E., Ruekert & Mielke, Inc.

Date of Issuance: April 15, 2021	Effective Date:	Upon approval of Owner
	Owner:	Racine Water & Wastewater Utility
Contract: Perry to Newman 36-inch Transmission Water Main	Owner's Contract No.:	W-20-10
Contractor: Mid City Corporation	Engineer:	Ruekert & Mielke, Inc.
Address: 12930 W. Custer Avenue	Engineer's Project No.:	8022-10033.301
Butler, WI 53007	Effective Date of Contract:	December 18, 2020

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

Description:

1. Allows for payment of stored materials.
2. Allows for the stored materials to be kept at the Racine Water Utility Newman Road Pumping Station site.

Reason for Change Order:

Due to the adverse weather conditions that affected the Gulf Coast earlier this year, resin producers and PVC pipe manufacturers have sent notice of Force Majeure. In an effort to maintain the price of the PVC pipe for the project, the pipe will be paid for and stored prior to installation of the water main.

Attachments:

Change Order Number 1 – Description of Modifications to the Contract.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price \$ 7,765,290.00	Original Contract Times: Substantial Completion: <u>November 1, 2021</u> Ready for Final Payment: <u>December 1, 2021</u> Days or dates
Increase or Decrease from previously approved Change Orders No. ____ to No. ____: \$ 0.00	Increase or Decrease from previously approved Change Orders No. ____ to No. ____: Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> Days or dates
Contract Price prior to this Change Order: \$ 7,765,290.00	Contract Times prior to this Change Order: Substantial Completion: <u>November 1, 2021</u> Ready for Final Payment: <u>December 1, 2021</u> Days or dates
Increase of this Change Order: \$ 0.00	Increase of this Change Order: Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> Days or dates
Contract Price incorporating this Change Order: \$ 7,765,290.00	Contract Times with all approved Change Orders: Substantial Completion: <u>November 1, 2021</u> Ready for Final Payment: <u>December 1, 2021</u> Days or dates

RECOMMENDED:

ACCEPTED:

ACCEPTED:

By: _____
Engineer (Authorized Signature)

By: _____
Owner (Authorized Signature)

By: _____
Contractor (Authorized Signature)

Date: April 15, 2021

Date: _____

Date: _____

**Perry to Newman 36-inch Transmission Water Main
Change Order Number 1 – Description of Modifications to the Contract
Project W-20-10**

CHANGES TO THE CONTRACT FORMS:

1. Section 00 52 00, Agreement, Page 00 52 00-3, Article 6.02.A.1.a.

ADD the following:

- 1) If payment is allowed for certain materials and equipment not incorporated in the Work (but delivered and suitably stored and accompanied by documentation satisfactory to Owner as provided in Paragraph 15.01 of the General Conditions) these will be considered as Work completed.

CHANGES TO THE SPECIFICATIONS:

2. Section 01 29 76, Progress Payment Procedures, Page 01 29 76-1, Paragraph 1.01.D.1.

REPLACE with the following:

1. Payment as allowed by the General Conditions and Supplementary Conditions for materials and equipment not incorporated in the Work but suitably stored. Submit documentation in accordance with the General Conditions and the Supplementary Conditions.
 2. Requests for payment for materials and equipment not incorporated in the Work shall be restricted to the following items: 36-inch PVC Water Main Pipe
3. Section 01 35 13, Special Project Procedures, Page 01 35 13-3.

ADD the following:

1.14 STORED MATERIAL AT THE NEWMAN ROAD PUMPING STATION

- A. The stored material must be secured at a site owned by Racine Water Utility. Upon request of the Racine Water Utility the Contractor shall erect a temporary fence south of the existing Newman Road Pumping Station fence in order to secure the materials at no additional cost to Racine Water Utility.
- B. Stored material shall not conflict with the Racine Water Utility facility operations.
- C. Contractor restore any damaged pavement or landscaping restoration at the Newman Road Pumping Station due to storing the material at no additional cost to the Racine Water Utility.
- D. Contractor shall be responsible for any additional shipping or handling costs of the stored materials for transport from the Newman Road Pumping Station to the project site for installation.
- E. Contractor shall be responsible for any defects or distortion of the material being stored.

**Perry to Newman 36-inch Transmission Water Main
Change Order Number 1 – Description of Modifications to the Contract
Project W-20-10**

SUMMARY OF REVISIONS TO CONTRACT BASIS OF BID

- 1) Stored Materials – 36-inch PVC Water Main Pipe.
 - a. $7,326 \text{ L.F.} \times \$145.25/\text{L.F.} = \$1,064,101.50$ (Stored Materials prior to installation)
- 2) After the water main is installed, the Contractor will be paid for installing the water main under the bid item unit costs. The payment of stored materials will be entered as a negative value.
 - a. $-7,326 \text{ L.F.} \times \$145.25/\text{L.F.} = (\$1,064,101.50)$ (Stored Materials after installation)

Synopsis of items:

1)	\$1,064,101.50
2)	<u>$(\\$1,064,101.50)$</u>
	\$0.00

Original Contract Amount:	\$7,765,290.00
Executed Change Order(s):	<u>\$0.00</u>
Contract Price Prior to This Change Order:	\$7,765,290.00
 Contract Price Prior to This Change Order:	 \$7,765,290.00
Increase of Change Order No. One (1):	<u>\$0.00</u>
Contract Price Incorporating this Change Order:	\$7,765,290.00