

## CHANGE ORDER

No. 1 (Final)

DATE OF ISSUANCE: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

OWNER: St Charles Parish Department of Waterworks  
 CONTRACTOR: Hawkmoon Construction Services, LLC  
 Contract: \_\_\_\_\_  
 Project: LA 18 Cast Iron Replacement, Hahnville  
 OWNER's Contract No.: WWKS67  
 ENGINEER: Danny J. Hebert, P.E., L.L.C.

ENGINEER's Contract No. N/A

You are directed to make the following changes in the Contract Documents:

**Description:**1. Delete the Following Work Items:

a.	Contract Item No. 20:	Relocation of Infrastructure and Miscellaneous Allowance Delete Item in its entirety.	(-\$55,000.00)
b.	Liquidated Damages:	39 Days of Contractor delay.	(-\$19,500.00)
Total of Deleted Items =		(-\$74,500.00)	

2. Add the Following Work Items:

a.	New Contract Item: Add1	Asphalt Patch (without stone base) Addition of 1,425 sf of asphalt	\$16,222.50
b.	New Contract Item: Add2	Addition of drainage at Keller Street to mitigate conflicts/improve safety	} \$36,016.44
c.	New Contract Item: Add3	Change water line to restrained joint ductile iron at Keller St.	
d.	New Contract Item: Add4	Additional fittings for Keller lateral and hydrant	
e.	New Contract Item: Add5	Improve lateral tie-ins to minimize outage disruptions.	
f.	New Contract Item: Add6	Construct deeper sections of waterline for hydrant laterals.	\$15,746.99
g.	New Contract Item: Add7	Replace deteriorated drainage at Smith Street	\$2,500.00
h.	New Contract Item: Add8	DOTD Drain at Hahn - Investigate and Repair	\$4,032.14
Total of Added Work Items =		+\$91,206.20	

3. Revise the Following Work Item Quantities:

a.	Contract Item No. 5	Fire Hydrant & Valves (incl. testing and removal) Installed one fewer than plan. Change quantity from 14 to 13.	(-\$5,250.00)
b.	Contract Item No. 7	10" 45 deg Elbow Installed four fewer than plan. Change quantity from 10 to 6.	(-\$2,800.00)
c.	Contract Item No. 11	10" Valves Installed two fewer than plan. Change quantity from 12 to 10.	(-\$5,800.00)
d.	Contract Item No. 14	10" Waterline (complete) Installed 61 LF less than plan. Change quantity from 5,170 to 5,109.	(-\$2,562.00)
f.	Contract Item No. 15	4" x 4' Wide Sidewalks with Joints and Bedding Installed 15 LF less than plan. Change quantity from 1,300 to 1,285	(-\$135.00)
e.	Contract Item No. 19	Concrete Driveway Patching Installed 835 SF less than plan. Change quantity from 1,000 to 165.	(-\$12,525.00)
g.	Contract Item No. 12	6" Connections Installed one more than plan. Change quantity from 3 to 4.	\$1,500.00
h.	Contract Item No. 13	10" Connections Installed one more than plan. Change quantity from 1 to 2.	\$3,500.00
i.	Contract Item No. 16	Limestone Driveways (12" Thick) Installed 189 SF more than plan. Change quantity from 600 to 789.	\$567.00
Total of Revised Work Items =		(-\$23,505.00)	

**Reason for Change Order:**

1. Delete the Following Work Items:
  - a. Item not used.
  - b. Contractor delay in completing work.
2. Add the Following Work Items:
  - a. New item created for asphalt patch without limestone base, typically outside waterline trench in DOT ROW.
  - b. Improved drainage at Keller Street intersection by adding drain pipe and catch basin structures.
  - c. Changed water line to ductile iron to ensure safe operation near surface and storm drain.
  - d. Changed design configuration and added fittings to complete lateral tie-in and new hydrant.
  - e. Improved lateral tie-ins to new waterline and significantly reduced outage times and disruptions to citizens.  
New waterline at several locations required much deeper installation to accommodate new fire hydrant laterals clearing a multitude (both marked and unmarked) of existing utilities.
  - f. Removed deteriorated drainage pipe and structure and replaced with new drainage.
  - h. Assisted DOTD in repairing previously damaged drainage structure near Hahn Street.
3. Revise the Following Work Item Quantities:
  - a. An extra hydrant was included to ensure the 500 foot separation was not exceeded. The project was successfully completed with only 13 hydrants.  
Additional fittings were included to account for rapid changes in direction and to facilitate tie-ins. The project was successfully completed with less fittings.
  - b. Two valves were eliminated by the owner due to unexpected conflicts with existing utilities.
  - c. PVC pipe was replaced by ductile iron pipe and is included in addition "c." above; therefore, less PVC pipe was installed.
  - d. A significant amount of new sidewalk was constructed, but slightly less than estimated quantity, at the owner's direction.
  - e. At the owner's direction, several large concrete driveways were replaced with asphalt.
  - f. During design, owner unable to verify exact size of lateral waterlines. Project required an additional 6" connection.
  - g. Same as "g." above.
  - i. Several limestone driveways have been "widened" by homeowners, and replacement quantity over ran.
4. Change in Contract Time:
  - a. Additional 53 days in contract time for rain and rain effects on work site.
  - b. Additional 7 days in contract time due to river elevation.
  - c. Additional 14 days in contract time for scope change at Keller Street.
  - d. Additional 6 days in contract time for scope change, additional fittings.
  - e. Additional 14 days in contract time for deep sections.
  - f. Additional 1 day at Smith St.
  - g. Additional 2 days at Hahn St.

Note: Liquidated Damages assessed on 39 days of contractor delinquency.

Total 136 days over schedule  
- 53 rain days  
- 7 river days  
- 37 extra work days  

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39 days L.D.'s

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ 565,140.00
Net Increase (Decrease) from previous Change Orders No. _____ to _____ \$ 0.00
Contract Price prior to this Change Order: \$ 565,140.00
Net <del>increase</del> ( decrease ) of this Change Order: \$ (6,798.80)
Contract Price with all approved Change Orders: \$ 558,341.20

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: January 28, 2014 Ready for final payment: March 14, 2014 (days or dates)
Net Change from Previous Change Orders No. _____ to _____ No. _____ Substantial Completion: N/A Ready for final payment: N/A (days)
Contract Times prior to this Change Order: Substantial Completion: January 28, 2014 Ready for final payment: 45 days (days or dates)
Net increase ( <del>decrease</del> ) this Change Order: Substantial Completion: +136 - 39 LD's Ready for final payment: 45 days (days)
Contract Times with all approved Change Orders: Substantial Completion: June 13, 2014 Ready for final payment: July 28, 2014 (days or dates)

RECOMMENDED:

APPROVED:

ACCEPTED:

By: \_\_\_\_\_  
ENGINEER (Authorized Signature)

By: \_\_\_\_\_  
OWNER (Authorized Signature)

By: \_\_\_\_\_  
CONTRACTOR (Authorized Signature)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

EJCDC 1910-8-B (1996 Edition)

Prepared by the Engineers Joint Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute.

## **SETTLEMENT AGREEMENT AND RELEASE**

1.     **Introduction.** This Settlement Agreement and Release (the “Agreement”) is made effective the \_\_\_\_ day of \_\_\_\_\_, 2014, by and between St. Charles Department of Waterworks (“Owner”), and Hawkmoon Construction Services, LLC (“Contractor”).

2.     The parties agree to settle the Project: LA 18 Cast Iron Replacement Hahnville (the “Project”), subject to Change Order No. 1 (Final) entered into on \_\_\_\_\_, 2014, subject to the final approval of the St. Charles Parish Council.

3.     **Release of Claims.** Contractor hereby release and discharge Owner and its respective current and former predecessors, successors, parents, affiliates, subsidiaries, agents, employees, officers, directors, shareholders, attorneys, investors (all of the foregoing being referred to collectively herein as the “Releases”) from all claims of any kind (including any claims for damages, interest, fees and/or attorney’s fees) that Contractor may have with respect to the Project.

Contractor:

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Owner:

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Engineer:

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