

*Wed.*

**2009-0361**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PUBLIC WORKS)**

**ORDINANCE NO.** 09-9-21

An ordinance approving and authorizing the execution of Change Order No. 1(Final) for Parish Project No. P061102, Evangeline Road Culverts – Phase 1 to increase the contract amount by \$17,613.95.

**WHEREAS,** Ordinance No. 09-3-8, adopted March 2, 2009, by the St. Charles Parish Council, approved and authorized the execution of a contract with Sealevel Construction, Inc for Project No. P061102 Evangeline Road Culverts- Phase 1 in the amount of 129,510.00; and,

**WHEREAS,** the increase in contract amount resulted from the increased scope of work to include the acquisition of the KCS Railroad Permit and to implement the conditions imposed by the KCS Railroad Permit, improve the canal access to the 72" Culverts immediately upstream of the work area and to repair the previously damaged roadway on Evangeline Road in the vicinity of the relocation of the SCP Water main and AT&T Fiber Optic utility; and,

**WHEREAS,** It is necessary to finally amend the contract adding five items resulting in an increase in the contract amount by \$17,613.95.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS,**

**SECTION I.** To approve and authorize the execution of Change Order No. 1(Final) for Parish Project No. P061102 Evangeline Road Culverts - Phase 1 to increase the contract amount by \$17,613.95.

**SECTION II.** That the Parish President is hereby authorized to execute said Change Order.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, LAMBERT, NUSS  
NAYS: NONE  
ABSENT NONE

And the ordinance was declared adopted this 21st day of September, 2009, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]  
SECRETARY: [Signature]  
DLVD/PARISH PRESIDENT: September 22, 2009  
APPROVED: [Signature] DISAPPROVED: \_\_\_\_\_  
PARISH PRESIDENT: [Signature]  
RETD/SECRETARY: September 22, 2009  
AT: 3:32 pm RECD BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH  
CLERK OF COURT OFFICE  
ON September 23, 2009  
AS ENTRY NO. 355442  
IN MORTGAGE/CONVEYANCE BOOK  
NO. 1344 FOLIO 383

SECTION 00806

CHANGE ORDER

No. 1

DATE OF ISSUANCE <u>August 12, 2009</u>		EFFECTIVE DATE _____	
OWNER <u>St. Charles Parish Department of Public Works and Wastewater</u>			
CONTRACTOR <u>Sealevel Construction, Inc.</u>			
Contract: <u>Evangeline Culverts</u>			
Project: <u>Evangeline Culverts</u>			
OWNER's Contract No. <u>P061102</u>	ENGINEER's Contract No. <u>20-0728</u>		
ENGINEER <u>Meyer Engineers, Ltd.</u>			

You are directed to make the following changes in the Contract Documents:  
Description: See Attachment No. 1

Reason for Change Order: See Attachment No. 1

Attachments: (List documents supporting change) Attachment No. 1

CHANGE IN CONTRACT PRICE	
Original Contract Price:	<u>\$129,510.00</u>
Net increase (decrease) from previous Change Orders No. ____ to No. ____:	<u>\$0.00</u>
Contract Price prior to this Change Order:	<u>\$129,510.00</u>
Net increase of this Change Order:	<u>\$17,613.95</u>
Contract price with all approved Change Orders:	<u>\$147,123.95</u>

CHANGE IN CONTRACT TIMES	
Original Contract Times:	Substantial Completion: <u>60</u> Ready for final payment: <u>105</u> (days or dates)
Net change from previous Change Orders No. ____ to No. ____:	Substantial Completion: <u>0</u> Ready for final payment: <u>105</u> (days)
Contract Times prior to this Change Order:	Substantial Completion: <u>May 15, 2009</u> Ready for final payment: <u>June 29, 2009</u> (days or dates)
Net increase this Change Order:	Substantial Completion: <u>70</u> Ready for final payment: <u>175</u> (days)
Contract Times with all approved Change Orders:	Substantial Completion: <u>July 24, 2009</u> Ready for final payment: <u>September 7, 2009</u> (days or dates)

**RECOMMENDED:**  
By: [Signature]  
ENGINEER (Authorized Signature)  
Date: 9-3-09

**APPROVED:**  
By: [Signature]  
OWNER (Authorized Signature)  
Date: 9-22-09

**ACCEPTED:**  
By: [Signature]  
CONTRACTOR (Authorized Signature)  
Date: 9-2-09

EJCDC 1910-B-B (1996 Edition)

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

END OF SECTION

00806-1

200728CO1

ATTACHMENT NO. 1  
 CHANGE ORDER NO. 1 (FINAL)  
 EVANGELINE CULVERTS - PHASE I  
 A/E PROJECT NO. 20-0728 AUGUST 12, 2009

ITEM NO.	DESCRIPTION	UNIT PRICE	FINAL QUANTITY	ORIGINAL QUANTITY	DIFFERENCE	JUSTIFICATION
201-01	CLEARING AND GRUBBING	\$1,000.00	1 LS	1 LS	\$0.00	
202-01	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	\$1,000.00	1 LS	1 LS	\$0.00	
202-02-B	REMOVAL OF ASPHALTIC CONCRETE PAVEMENT	\$22.00	131 SY	50 SY	\$1,782.00	1
203-06	EXCAVATION AND EMBANKMENT	\$12,000.00	1 LS	1 LS	\$0.00	
203-08	GEOTEXTILE FABRIC	\$2.00	300 SY	300 SY	\$0.00	
302-01	CLASS II BASE COURSE (NET SECTION)	\$180.00	25 CY	25 CY	\$0.00	
501-01	ASPHALTIC CONCRETE	\$500.00	60 TON	20 TON	\$20,000.00	1
501-05	SAW CUTS ON ASPHALTIC CONCRETE (FULL DEPTH)	\$12.00	104 LF	40 LF	\$768.00	1
701-02-E	CROSS DRAIN PIPE ARCH (30" RCPA)	\$100.00	24 LF	24 LF	\$0.00	
701-02-L	CROSS DRAIN PIPE ARCH (72" RCPA)	\$360.00	80 LF	80 LF	\$0.00	
713-01	TEMPORARY SIGNS AND BARRICADES	\$2,500.00	1 LS	1 LS	\$0.00	
723-02	GRANULAR MATERIAL (VEHICULAR MEASUREMENT)	\$25.00	160 CY	170 CY	-\$250.00	2
726-01	BEDDING MATERIAL (NET SECTION)	\$102.00	65 CY	65 CY	\$0.00	
727-01	MOBILIZATION	\$8,000.00	1 LS	1 LS	\$0.00	
741-18-C	WATER MAIN OFFSET (8")	\$32,000.00	1 LS	1 LS	\$0.00	

ITEM NO.	DESCRIPTION	UNIT PRICE	FINAL QUANTITY	ORIGINAL QUANTITY	DIFFERENCE	JUSTIFICATION
S-001	CONSTRUCTION LAYOUT	\$1,000.00	1 LS	1 LS	\$0.00	
S-002	RELOCATION OF INFRASTRUCTURE ITEMS	\$13,250.00	0 LS	1 LS	-\$13,250.00	3
S-002A	ROADWAY STRIPING	\$400.00	1 LS	0 LS	\$400.00	4
S-002B	RAILROAD FLAGMAN	\$750.00	3 DAY	0 DAY	\$2,250.00	5
S-002C	RAILROAD PERMIT	\$2,188.95	1 LS	0 LS	\$2,188.95	6
S-002D	EXCAVATE CANAL - UPSTREAM	\$2,225.00	1 LS	0 LS	\$2,225.00	7
S-002E	TREE REMOVAL	\$1,500.00	1 LS	0 LS	\$1,500.00	8

TOTAL CHANGE ORDER NO. 1 (FINAL) \$17,613.95  
ORIGINAL CONTRACT COST \$129,510.00  
PREVIOUS CHANGE ORDERS \$0.00  
TOTAL CONTRACT COST WITH CHANGE ORDER NO. 1 (FINAL) \$147,123.95

**JUSTIFICATIONS:**

1. ADDITIONAL SECTION OF ASPHALT ROADWAY REMOVED AND REPLACED. CRACK OPENED UP NEXT TO EDGE OF ROADWAY WHEN WATER LINE WAS EXCAVATED CAUSING AN UNSAFE CONDITION.
2. GRANULAR MATERIAL QUANTITIES ADJUSTED FOR ACTUAL QUANTITIES USED.
3. SEE ITEMS S-002A THRU S-002E FOR INFRASTRUCTURE ITEMS USED ON PROJECT.
4. WHEN ADDITIONAL AMOUNT OF ROADWAY REMOVED IT WAS NECESSARY TO RESTRIPE THE ROADWAY FOR SAFETY REASONS.
5. RAILROAD COMPANY REQUIRED THE USE OF A FLAGMAN WHEN WORK WAS NEAR RAILROAD TRACKS.
6. ADDITIONAL PERMIT REQUIRED BY RAILROAD FOR WORK TO BE PERFORMED IN THEIR RIGHT-OF-WAY.
7. ADDITIONAL STRETCH OF CANAL EXCAVATED UPSTREAM AS REQUESTED BY THE OWNER.
8. DEAD OAK TREE REMOVED AT AREA WHERE THE ADDITIONAL CANAL EXCAVATION WAS PERFORMED.

**TIME EXTENSION:**

ADD 70 DAYS TIME EXTENSION FOR DELAYS IN OBTAINING RAILROAD PERMIT AND ADDITIONAL WORK PERFORMED TO RESTORE ROADWAY. (SEE ATTACHMENT)

## Detail of Permit & Work Cronology

Project: Evangeline Road Culverts Phase I (Project # P061102)					
Date	Days in Process	Activity	Parish Days	Contractor Days	Contractor Days
Thursday, March 12, 2009	1	Notice to Proceed issued at Pre-Construction Meeting, effective date March 16, 2009			
Monday, March 16, 2009	4	Sealevel attempt to contact KCS RR with no response	Notice to Proceed Issued		
Tuesday, March 17, 2009	1	Sealevel contact SCP for assistance in obtaining RR Permit, SCP makes contact with KCS	1	0	
Wednesday, March 18, 2009	1	SCP transmits info to Sealevel for Right of Entry Permit Application for existing line	1	0	
Friday, March 20, 2009	2	Sealevel submits application and fees to KCS RR Permit Assistant Transaction Manager Jones Lang LaSalle Americas, Inc.	2	0	
Tuesday, March 24, 2009	4	KCS RR Permit Assistant Transaction Manager Jones Lang LaSalle Americas Inc. confirms receipt of application, (Estimate of 2 weeks to obtain permit)	4	0	
Tuesday, April 07, 2009	14	email from KCS RR Transaction Manager that Application sent to KCS RR, Transaction Manager out of Office for a week, plus additional requirements	14	0	
Wednesday, April 08, 2009	1	email from KCS RR Transaction Manager requesting original Railroad Insurance Policy. Multiple versions (3) of Agreement sent to Sealevel from Transaction Manager, confusion as to which agreement to use	1	0	
Thursday, April 09, 2009	1	RR Insurance Company offers Binder for Insurance, as Original Policy is not available, it is with the Underwriter, Sealevel attempts to expedite process by allowing KCS RR to switch agreement language without returning to Sealevel for re-execution	1	0	

Date	Days in Process	Activity	Parish Days	Contractor Days
Thursday, April 09, 2009		Sealevel email to KCS RR Transaction Manager requesting use of RR Insurance Rider till Original Insc Policy is Issued		
Thursday, April 09, 2009		KCS RR Transaction Manager advised in email that fully executed agreement from KCS will not be received until April 17, plus restatement of additional requirements		
Wednesday, April 15, 2009	6	KCS RR Transaction Manager sends email that Insurance rider is not acceptable and Original Policy must be submitted to KCS, KSC Agreement is being held until Original Policy is received	6	0
Tuesday, April 21, 2009	6	KCS issues Railroad Permit for Right of Entry to Sealevel, initial work scheduled to begin 7:30am Tuesday (4/28/09)	6	0
Tuesday, April 28, 2009	7	Initial Investigative Excavation begins on Site, Pot Hole Location looking for 8" water line and underground utilities, locate gas line on West side of road		7
Tuesday, May 12, 2009	14	Begin Construction for installing insert valves and hot taps on 8" line		14
Wednesday, May 20, 2009	8	AT&T Begins Digging for FiberOptic Line, Sealevel Shut Down from work		8
Friday, May 22, 2009	2	AT&T Completes Exposing of FiberOptic Line	2	0
Tuesday, May 26, 2009	4	Sealevel resumes Construction - 8" Water Bypass line	4	0
Monday, June 08, 2009	13	Evangeline Road Closed to Thru Traffic		13
Wednesday, June 17, 2009	9	Culverts installed and Evangeline Road reopened		9
Wednesday, June 17, 2009	0	Excavate West Side of Ditch and remove Tree (Outside of Contract)		
Wednesday, July 15, 2009	28	Locating sub-contractor for Asphalt installation	28	0
Wednesday, July 15, 2009	0	Sealevel notify SCP of contractor to perform Asphalt installation		
Monday, July 20, 2009	5	Saw Cut roadway		5
Wednesday, July 22, 2009	2	Excavate temporary road Surface - Close Roadway		2
Thursday, July 23, 2009	1	Apply Asphalt to road surface		1
Friday, July 24, 2009	1	Open Roadway		1
Friday, July 24, 2009				

Date	Days in Process	Activity	Parish Days	Contractor Days
130.00	Days from Effective Date for Notice to Proceed		70	60
		Days late for project		60
		Days over		0
		Penalty		\$0.00

20-0728  
JA

# Sealevel Construction, Inc.

P. O. Box 655  
Thibodaux, Louisiana 70302  
985 448-0970 Office  
985 448-0922 Fax

August 10, 2009

Meyer Engineers, LTD., Engineer and Architect  
Attention: Mr. James Ray  
4937 Hearst Street, Suite 1B  
Metairie, LA 70001  
FAXED TO: (504) 887-5056

RECEIVED  
AUG 11 2009

RE: Evangeline Culverts – Phase 1  
Project No. P061102  
Parish of St. Charles  
SCI Job #29029

Dear Mr. Ray:

We would like to complete the paperwork related to the final extra costs for the above referenced project. Accordingly, we submit, for your approval, the information shown below as it relates to the various extra work items performed on the project.

1. KCS Right of Entry Permit: The cost is **\$2,189.00** for the permit and required Railroad Protective Liability Insurance as was detailed in our 6/30/09 letter.
2. Remove Dead Oak Tree on Right-of-Way: The cost to knock down, cut up and stack alongside Evangeline Road for removal by St. Charles Parish Dept. of Public Works in **\$1,500.00**. This was previously submitted via fax on 6/16/09.
3. Excavate Canal Upstream of Culverts: Our cost to excavate the upstream side of the Cristina Canal north-west of Evangeline Road is **\$2,225.00**. This was also previously submitted via fax on 6/16/09.
4. Repair Asphalt on Evangeline Road (additional work in excess of original bid scope): This extra work consisted of various items of work which are detailed in the Excel Spreadsheet attached. The total for the five (5) items involved is **\$25,200.00**.



Page 2  
August 10, 2009  
Meyer Engineers, LTD., Engineer and Architect  
Attention: Mr. James Ray

The total value of these items to be included in the final change order is \$31,114.00.

Please call me if you have any questions or need any other information.

Sincerely,



Ben N. Roth III

BNR/art

Enclosures

cc: Mr. Rennan Duffour, St. Charles Parish Dept. of Public Works  
P. O. Box 705, Luling, LA 70070, Fax No. (504) 785-2207

**Item #4 Attachment**

DATE: AUGUST 10, 2009

PROJECT: SCI#29029 - EVANGELINE ROAD CULVERTS - PHASE 1  
PROJECT NO. P081102, PARISH OF ST. CHARLES

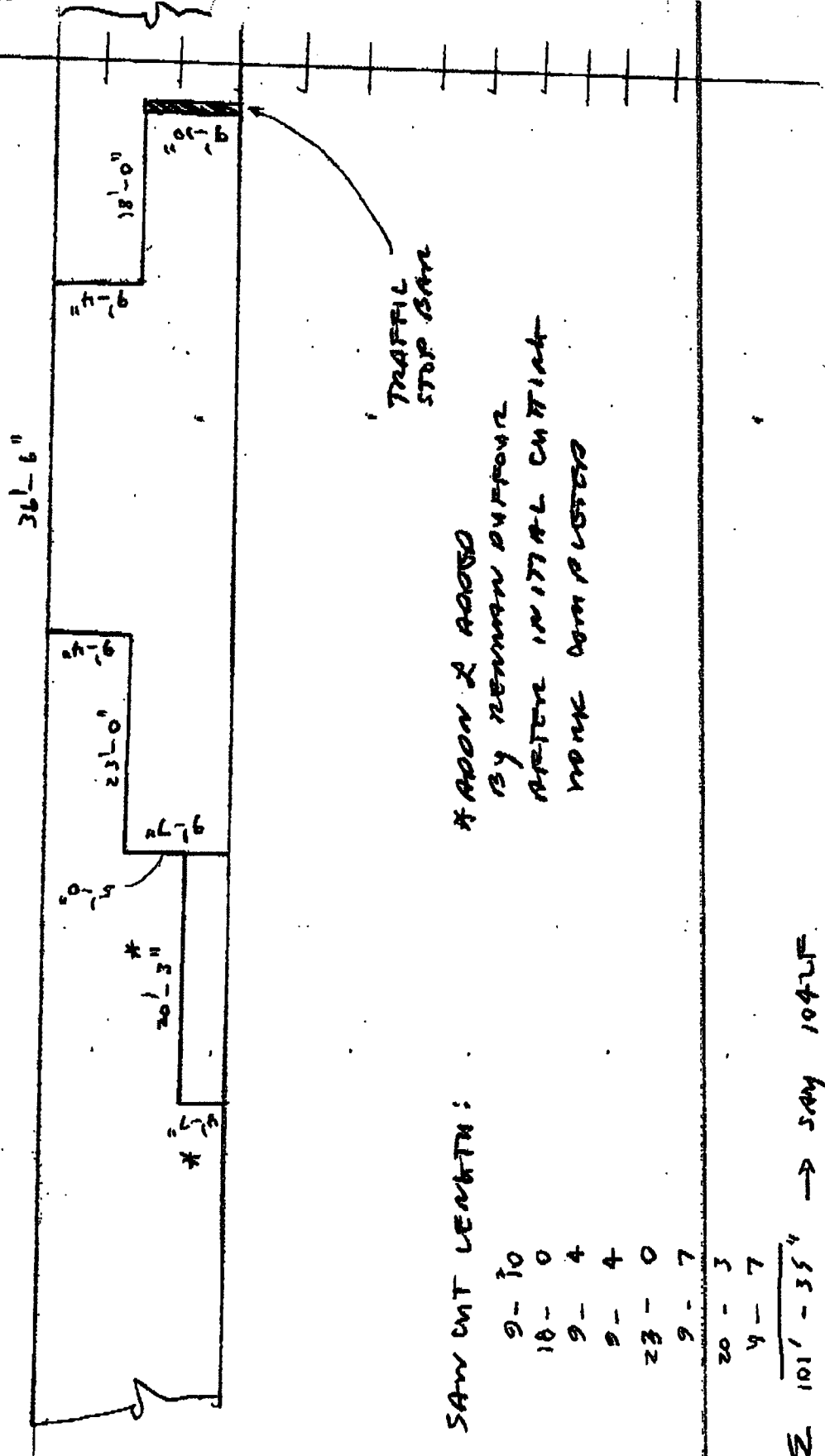
RE: Extra work items related to increasing the footprint of area to be repaved with Asphaltic Concrete.

ITEM NO	ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL COST
A)	<b><u>ASPHALTIC CONCRETE:</u></b> QUANTITY ACTUALLY INSTALLED	80.00	TONS		
	ORIGINAL BID QUANTITY	20.00	TONS		
	NET INCREASE	40.00	TONS	\$ 500.00	\$ 20,000.00
B)	<b><u>SAW CUT:</u></b> QUANTITY ACTUALLY INSTALLED (Per attached Sketch)	104.00	LF		
	ORIGINAL BID QUANTITY	40.00	LF		
	NET INCREASE	64.00	LF	\$ 12.00	\$ 768.00
C)	<b><u>ASPHALT REMOVAL:</u></b> ACTUAL QUANTITY REMOVED	131.00	SY		
	ORIGINAL BID QUANTITY	50.00	SY		
	NET INCREASE	81.00	SY	\$ 22.00	\$ 1,782.00
D)	<b><u>ROAD STRIPING:</u></b> THIS IS THE PRICE TO RESTRIPE THE ENTIRE ROADWAY AFFECTED BY THE ADDITIONAL LENGTH OF ROADWAY THAT WAS REPAVED.	1.00	LS	\$ 400.00	\$ 400.00
E)	<b><u>RAILROAD FLAGMAN:</u></b> THIS IS THE COST FOR PROVIDING THE FLAGMAN FOR THE INCREASED ROADWAY WORK "FOOT PRINT" THAT INCLUDED AN AREA WITHIN THE KCS RR ROW WHICH WOULD NOT HAVE OCCURRED IF ONLY THE ORIGINAL SCOPE WAS PERFORMED. ANY WORK PERFORMED ON THE RR ROW NECESSITATES THE USE OF A FLAGMAN.	3.00	DAYS	\$ 750.00	\$ 2,250.00

TOTAL ITEM #4 = \$ 25,200.00

KCSNR

EVAPORATIVE COLLECTORS  
 SAW CUT AS BUILT DIMENSIONS



SAW CUT LENGTH:

- 9 - 10
- 10 - 0
- 9 - 4
- 9 - 4
- 23 - 0
- 9 - 7
- 20 - 3
- 4 - 7

Σ 101' - 35" → SAW 104LF

TRAFFIC STOP BAR

\* ADDN 2 ADDSD  
 BY REMMAN DUFFOUR  
 AFTER INITIAL CUTTING  
 WORK COMPLETED

**FAXED**

#29029

**Sealevel Construction, Inc.**

P. O. Box 655  
Thibodaux, Louisiana 70302  
985 448-0970 Office  
985 448-0922 Fax

June 30, 2009

Meyer Engineers, LTD., Engineer and Architect  
Attention: Mr. James ray  
4937 Hearst Street, Suite 1B  
Metairie, LA 70001  
FAXED TO: (504) 887-5056

RE: Evangeline Culverts - Phase 1  
Project No. P061102  
Parish of St. Charles  
SCI Job #29029

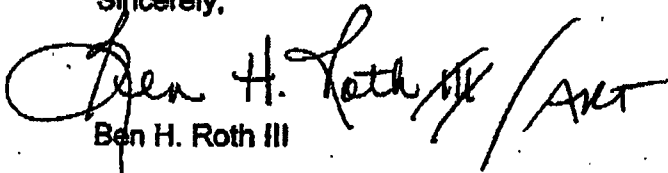
Dear Mr. Ray:

Below is the breakdown of extra costs associated with the KCS ROE Permit for the above referenced project. All back-up is attached.

1. Permit Fee _____	\$ 750.00
2. Fed-Ex ROE Agreement signed by us _____	24.45
3. RR Protective Liability Insurance _____	1,075.00
4. Extended Liab. Endorsement - RR requirement - _____	54.00
SUBTOTAL _____	\$ 1,903.45
15% Mark-up allowed per specs _____	285.50
<b>TOTAL COSTS associated with KCS ROE Permit--</b>	<b>\$ 2,188.95</b>

Call me if you have any questions.

Sincerely,



Ben H. Roth III

BHR/art

Enclosures

# Muntz Drainage Improvements: Evangeline Road - 72" Culverts

## Contract Change Order – Supplemental

### Clarification to Change Order for Evangeline Road Culverts Project:

#### **Description:**

1. The Following Items are Revised
  - a. Contract Line Item 202-02-B: Removal of Asphaltic Concrete Pavement
    - i. Increase quantity by 81 Sq Yd (+\$1,782.00)
  - b. Contract Line Item 501-01: Asphaltic Concrete
    - i. Increase quantity by 40 tons (+\$20,000.00)
  - c. Contract Line Item 501-05: Saw Cuts on Asphaltic Concrete (Full Depth)
    - i. Increase quantity by 64 Ln Ft (+\$768.00)
  - d. Contract Line Item 723-02: Granular Material
    - i. Decrease quantity by 10 Cu Yd (-\$250.00)
2. The Following Items were Deleted
  - a. Contract Line Item S-002: Relocation of Infrastructure
    - i. Delete Item in its entirety (-\$13,250.00)
3. The Following Items are Added
  - a. New Contract Item Ref S-002A: Roadway Striping
    - i. Additional Lump Sum Amount (+\$400.00)
  - b. New Contract Item Ref S-002B: Roadway Flagman
    - i. Additional Lump Sum Amount (+\$2,250.00)
  - c. New Contract Item Ref S-002C: KCS Railroad Permit Fee and Railroad Insurance
    - i. Additional Lump Sum Amount (+\$2,188.95)
  - d. New Contract Item Ref S-002D: Excavate Canal Upstream
    - i. Additional Lump Sum Amount (+\$2,225.00)
  - e. New Contract Item Ref S-002E: Tree Removal
    - i. Additional Lump Sum Amount (+\$1,500.00)

#### **Reason for Change Order:**

1. Items Revised
  - a,b,c. Additional section of Asphalt Roadway on Evangeline Rd (damage and road failure existed prior to project construction) was removed and replaced. Existing cracks increased in size and depth and road base had shifted when water main was excavated, causing an unsafe condition.
  - d. Granular Material quantities adjusted for actual quantities used.
2. Items Deleted
  - a. Relocation of Infrastructure not needed as all utilities identified during construction were identified in the scope of the construction bid document.
3. Items Added
  - a. Additional section of Asphalt Roadway on Evangeline Rd (damage and road failure existed prior to project construction) was removed and replaced. Existing

## Muntz Drainage Improvements: Evangeline Road - 72" Culverts

cracks increased in size and depth and road base had shifted when water main was excavated, causing an unsafe condition.

- b,c. KCS Railroad Permit was not in the scope of the bid document for the Contractor to provide. KCS Railroad required the permit be obtained by the company performing the work in the KCS Railroad ROW. KCS Railroad charged a fee for the permit and required a specialized Railroad Insurance be obtained from a 3<sup>rd</sup> Party identified by the KCS Railroad. An additional requirement from the KCS Railroad was to have an authorized KCS Railroad Flagman on site while work was being performed within the KCS Railroad ROW.
- d,e. The tie-in of the west side of the new 72" culverts to the Christina canal was not included in the scope of the bid document. A dead tree was in the direct path between the culverts and the Christina Canal and was removed. The Christina Canal was tied-in to the 72" culverts while leaving access to the existing 20" culverts under Evangeline Road.

### **Time Delay:**

The Project was delay by 70 days due to the following issues experienced during construction.

- Project time delay was experienced by the project due to 36 days required to obtain the KCS Rail Road Permit.
- Project time delay was experienced by the project due to 6 days of construction shut down while AT&T excavated and exposed a fiber optic line in the Construction Area.
- Due to previous project delays, the Contractor had to schedule an alternate Asphalt contractor to repair roadway due to construction activities and additional road repairs identified by the Engineer and Owner. This delay caused a 28 day delay in the completion of the roadway and permanent reopening of Evangeline Rd.