



Certified Copy

St. Charles Parish Clerk of Court
P.O. Box 424
Hahnville, LA 70057

Phone (985) 783-6632

Lance Marino
Clerk of Court
Parish of St. Charles

24-9-8
2024-0302

Instrument Number: 484343

Book/Index: MOB
Document Type: CONTRACT CHANGE ORDER
Recording Date: 09/26/2024 10:30 AM CDT

Grantor 1: ST CHARLES PARISH DEPARTMENT OF PUBLIC WORKS
Grantee 1: OMEGA FOUNDATION SERVICES INC

THIS PAGE IS RECORDED AS PART OF YOUR DOCUMENT AND
SHOULD BE RETAINED WITH ANY COPIES.

THE ATTACHED DOCUMENT IS A **CERTIFIED TRUE AND CORRECT COPY** THAT WAS
RECORDED ON THE DATE AND TIME LISTED ABOVE AND CERTIFIED ON THE SAME.



Aubrey Waguespack
Aubrey Waguespack, Deputy Clerk

2024-0302

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)**

ORDINANCE NO. 24-9-8

An ordinance approving and authorizing the execution of Change Order No. 2 (Final) for the Primrose Canal Cleaning and Improvements – Phase 1A (Project No. P210202), to increase the contract amount by \$30,720.00 and increase the contract time by 6 days.

WHEREAS, Ordinance No. 21-3-2 adopted March 15, 2021, by the St. Charles Parish Council, approved and authorized the execution of a Professional Services Agreement with Bryant Hammett & Associates, LLC for providing necessary surveying services for Primrose Canal Cleaning and Improvements (Project No. P210202), in the lump sum amount of \$39,810.00; and,

WHEREAS, Ordinance No. 22-3-11 adopted March 21, 2022, by the St. Charles Parish Council, approved and authorized the execution of a Professional Services Agreement with C. H. Fenstermaker & Associates, LLC, to perform engineering services for Primrose Canal Cleaning and Improvements (Project No. P210202), in the not to exceed amount of \$637,824.00; and,

WHEREAS, Ordinance No. 23-11-4 adopted November 6, 2023, by the St. Charles Parish Council, approved and authorized the execution Amendment No. 1 to Ordinance No. 21-3-2, which approved the Professional Services Agreement with Bryant Hammett & Associates, LLC for providing all necessary surveying services for the Primrose Canal Cleaning and Improvements (Parish Project No. P210202) in the amount of \$27,860.00, bringing the overall contract value to \$67,670.00; and,

WHEREAS, Ordinance No. 23-12-11 adopted December 18, 2023, by the St. Charles Parish Council, approved and authorized the execution of a construction contract with Omega Foundation Services, Inc., for Primrose Canal Cleaning and Improvements – Phase 1A (Project No. P210202), in the amount of \$2,757,000.00; and,

WHEREAS, Ordinance No. 24-1-1 adopted January 9, 2024, by the St. Charles Parish Council, approved and authorized the execution of a Professional Services Agreement with Alpha Testing and Inspection, Inc., to perform testing services for Primrose Canal Cleaning and Improvements – Phase 1A (Project No. P210202), in the not to exceed amount of \$26,000.00; and,

WHEREAS, Ordinance No. 24-6-5 adopted June 3, 2024, by the St. Charles Parish Council, approved and authorized Change Order No. 1 for the Primrose Canal Cleaning and Improvements - Phase 1A (Project No. P210202), to increase the contract amount by \$166,603.23, to cover the increase in steel sheet piles due to the project being delayed; and,

WHEREAS, it is necessary to amend the Contract to reconcile final contract quantities, as well as add two new contract items for removing and replacing a concrete driveway and associated drain pipe underneath, resulting in an increase to the contract amount by \$30,720.00 and 6 working days.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Change Order No. 2 (Final) for the Primrose Canal Cleaning and Improvements - Phase 1A (Project No. P210202), to increase the contract amount by \$30,720.00 and increase the contract time by 6 days hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute said Change Order on behalf of St. Charles Parish.

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

YEAS: MOBLEY, FONSECA, WILSON, SKIBA, PILIE, COMARDELLE,
O'DANIELS, FISHER, DEBRULER
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 23rd day of September, 2024, to become effective five (5) days after this publication in the official journal.

CHAIRMAN: Bob Fisher
SECRETARY: Michelle Dupont
DLVD/PARISH PRESIDENT: September 24, 2024
APPROVED: _____ **DISAPPROVED:** _____

PARISH PRESIDENT: Matthew Jewell
RETD/SECRETARY: September 25, 2024
AT: 8:50am **RECD BY:** [Signature]

CERTIFIED TRUE & CORRECT AS PER
MINUTES DATED 9/23/2024
Michelle Dupont
SECRETARY
ST. CHARLES PARISH COUNCIL

SECTION 00806

CHANGE ORDER

No. 002 -Final Change Order

DATE OF ISSUANCE 9/4/24

EFFECTIVE DATE 9/24/2024

OWNER St. Charles Parish
CONTRACTOR Omega Foundation Services, Inc.
Contract: Primrose Canal Cleaning & Improvements – Phase 1A
Project: Primrose Canal Cleaning & Improvements – Phase 1A
OWNER's Contract No. P210202
ENGINEER C. H. Fenstermaker & Associates, L.L.C.

ENGINEER's Contract No. 2224838.00C

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

Description: See attached example on how to fill in this information

1. Delete the Following Work Items: N/A
2. Add the Following Work Items:
 - a. New Contract Item #: X-002 Remove and Replace 4" Driveway
Addition of \$ 21,600.00 (L.S.). See attached Appendix A for details.
 - b. New Contract Item #: X-003 Remove and Replace Drainage Pipe
Addition of \$ 3,040.00 (L.S.). See attached Appendix A for details.Total of Added Work Items = (+\$24,640.00)
3. Revise the Following Work Item Quantities:
 - a. Contract Item #: 02000-01 Construction Photographs & Videos
 - i. The quantity is to be changed to \$3,000.00 (L.S.) (-\$ 2,000.00) (-40% of original contract amount)
 - b. Contract Item #: 02300 – Excavation and Embankment
 - i. The quantity is to be changed to \$198,080.00 (L.S.) (+\$4,080.00) (+.021% of original contract amount) See attached Appendix B for details.
 - c. Contract Item #: 02900 – Construction Layout
 - i. The quantity is to be changed to \$17,500.00 (L.S.) (+\$4,000.00) (+30% of original contract amount) See attached Appendix B for details.

Total of Change in Work Items Quantity = (+\$6,080.00)

Reason for Change Order: List a reason for each Line Item listed above. See attached example on how to fill in this information

1. Deleted Work Items
 - a. N/A
2. Add Work Items
 - a. Removed and Replaced 4" driveway at 339 St. John Street, Luling. The driveway was used as a approved access route for the contractor and within the 25' Construction Servitude established for the project. The existing driveway was in poor condition and replacement became necessary after the contractor completed the scope of the project.
 - b. Removed and Replaced 24" equivalent CMPA. Existing pipe was not coated and partly corroded. Newly installed pipe is coated. Pipe was replaced at the same time as driveway as to not impact the new driveway in the future if the pipe were to be replaced as part of maintenance.
3. Revise Work Item Quantities
 - a. Section 02000 of the Contract Documents states "The contractor shall furnish to the OWNER color photographs showing existing structures, concrete driveways, trees, fences and other significant features that may be affected or damaged during construction on each lot or parcel... A minimum of four (4) photographs shall be provided for each lot or parcel with a driveway... Prior

to the start of construction the contractor shall provide the OWNER a video survey of the entire construction area..." (Appendix C) As deemed by the AE and the OWNER this specification was not met in its full description, and as such partial payment to the contractor was made in the excess of 60% of the original contract amount. This revision will in effect "zero out" this contract item that was not paid in full to the contractor.

- b. Additional excavation and embankment was required as a result of the actual Right-of-Way differing from the apparent ROW that was provided to Fenstermaker and shown on the plan documents. (see below for additional Construction Layout requirements). This additional excavation and embankment requirements did not require any additional material to be imported to the site. Additional costs in machinery and labor operations were deemed necessary to complete this additional work that was determined to not be a part of the original bid documents for the project.
- c. As requested by the AE and OWNER, the contractor was requested to shoot ground elevations at approximately STA 103+00 LEFT CENTERLINE. This request was to determine if it would be feasible to move the sheet pile wall elevation to approximately STA 100+40 LEFT CENTERLINE. This decision was finalized and can be found in revised redline drawings dated 5/17/2024 and attached in Appendix D. This work was performed by the contractor on 5/03/2024. Construction Layout was also increased as a result of verification of the Parish's Right-of-Way, which was provided by a third-party survey firm. As a result of the verification of the ROW, the sheet pile wall layout shifted throughout the project to not encroach on various residents' property. This was after the contractor had previously laid out the site according to the plan set documents. The contractor performed the necessary work to layout the sheet pile wall with the revised ROW on 5/23/2024. C. H. Fenstermaker & Associates is not responsible for any discrepancies in the survey provided. The survey information provided to C. H. Fenstermaker & Associates was provided by a Third-Party Engineering and Surveying Firm. Fenstermaker shall not be held liable for any survey data indicated in the proposed construction documents.

Attachments:

1. Appendix A – Remove and Replace 4" Driveway/Remove and Replace Drainage Pipe Cost Breakdown
2. Appendix B – Construction Layout/Excavation and Embankment Cost Breakdown
3. Appendix C – Construction Photographs and Videos Contract Documents
4. Appendix D – Revised Plan Set Drawings

CHANGE IN CONTRACT PRICE:
Original Contract Price <u>\$2,757,000.00</u>
Net Increase (Decrease) from previous Change Orders No. 001 to 001: <u>\$166,603.23</u>
Contract Price prior to this Change Order: <u>\$2,923,603.23</u>
Net increase (decrease) of this Change Order: <u>\$30,720.00</u>
Contract Price with all approved Change Orders: <u>\$2,954,323.23</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: <u>July 12th, 2024</u> Ready for final payment: <u>August 26th, 2024</u> (days or dates)
Net change from previous Change Orders No. 001 to No. 001: Substantial Completion: <u>0</u> Ready for final payment: <u>0</u> (days)
Contract Times prior to this Change Order: Substantial Completion: _____ Ready for final payment: _____ (days or dates)
Net increase (decrease) this Change Order: Substantial Completion: <u>6</u> Ready for final payment: <u>6</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: <u>July 18th, 2024</u> Ready for final payment: <u>September 1st, 2024</u> (days or dates)

RECOMMENDED:

By: [Signature]
ENGINEER (Authorized Signature)

Date: 9/4/24

APPROVED:

By: [Signature]
OWNER (Authorized Signature)

Date: 9/24/24

ACCEPTED:

By: [Signature]
CONTRACTOR (Authorized Signature)

Date: 09/06/24

**Remainder of the attachments (12 pages) to this Change Order are on file and may be viewed at the St. Charles Parish Council Office, Courthouse, 15045 River Road, Hahnville.

MOB: 484343; Page: 3; Filed: 9/26/2024 10:30:47 AM [stcharles:AW]