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 <u>September</u>, 2024, to become effective five (5) days after this publication in the official journal.

LIT (I)
CHAIRMAN: 100 June 1
SECRETARY: Wichell Supertato
DLVD/PARISH PRESIDENT: September 24,2024
APPROVED: DISAPPROVED:
mall 1 m
PARISH PRESIDENT
RETD/SECRETARY: September 25, 2024
AT: 8:50 ain recd by:

RECORDED IN THE ST. CHARLES PARISH CLERK OF COURT OFFICE

ON 9/26/2024
AS INSTRUMENT NO. 484343

IN MORTGAĞE/CONVEYANCE/OATH BOOK

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

- 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.
- 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
- 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
- Appendix C Construction Photographs and Videos Contract Documents
 Appendix D Revised Plan Set Drawings

CHANGE IN CONTRACT PRICE: CHANGE IN CONTRACT TIMES: Original Contract Price Original Contract Times: Substantial Completion: July 12th, 2024 Ready for final payment: August 26th, 2024 \$2,757,000.00 (days or dates) Net change from previous Change Orders No. <u>001</u> to Net Increase (Decrease) from previous Change Orders No. <u>001</u> to <u>001</u>: No. <u>001:</u> Substantial Completion: 0 \$<u>166,603.23</u> Ready for final payment: $\underline{0}$ Contract Price prior to this Change Order: Contract Times prior to this Change Order: Substantial Completion: \$2,923,603.23 Ready for final payment: (days or dates) Net increase (decrease) this Change Order: Net increase (decrease) of this Change Order: Substantial Completion: 6 Ready for final payment: 6 \$30,720.00 (days) Contract Times with all approved Change Orders: Contract Price with all approved Change Orders: Substantial Completion: July 18th, 2024 Ready for final payment: September 1st, 2024 \$<u>2,954,323.23</u> (days or dates)

Appendix A

Remove and Replace 4" Driveway/Remove and Replace Drainage Pipe Cost Breakdown

Proposal

Omega Foundation Services From: Project: 23-061 DRIVEWAY CHANGE ORDER 1103 Hwy 19 Description: PRIMROSE CANAL DRIVEWAY AT Slaughter, LA 70777 339 ST JOHN STREET Phone: 225-244-6564 **ITEM / DESCRIPTION** BID QTY U/M **UNIT BID AMOUNT** 101 300.000 SY \$72.00 \$21,600.00 REMOVE AND REPLACE 4" DRIVEWAY w/ FIBER AT 339 ST. JOHN STREET 40.000 LNFT \$76.00 \$3,040.00 102 **REMOVE AND INSTALL NEW DRAIN PIPE**

TOTAL BID:

\$24,640.00

Signature:

Appendix B

Construction Layout/Excavation and Embankment Cost Breakdown

PROJECT: 23-061 LAYOUT AND

ITEM SHEET COSTS AS SHOWN

Date: 8/11/2024 7:27:06AM

Item:

02900-01

Description:

Cost Code: Production:

Alternate:

10200

DAYS Hours per Day: 10

CONSTRUCTION LAYOUT

Unit of Measure: LUMP SUM Bid Quantity: 1.00 Take-off Quantity: 1.000 20.00 Total Man-Hours:

Man-Hours per Unit: 20.0000 0.0500 Units / MH:

Item Production

ITEM#	DESCRIPTION	U/M	QTY Time Units		Time Req'd	
02900-01	CONSTRUCTION LAYOUT	LUMP SUM	1.00	0.50 (D)	2.00	

	Cost Detail for Item 02900-01									
R Code	Description	QTY	U/M	Factor	Rate	Cost				
L 17	SURVEY/PARTY CHIEF	1.00		2.00	729.15	1,458.29				
E 28	TRIMBLE BASE STATION W/ROVERS	1.00		2.00	518.75	1,037.50				
E 02	WORK TRUCK 3/4 TON	1.00		2.00	262.50	525.00				
M SURVSTK	48" Grade Stakes	50.00	EA	1.00	1.10	55.00				
O WRITEIN	PER DIEM	2.00	DY	1.00	100.00	200.00				
	Item Unit Cost: 3,275.79			Item Total	Cost:	3,275.79				

	Labor	Equipment	Rental Eq	Material	Subcontract	Other
Total:	1,458.29	1,562.50	0.00	55.00	0.00	200.00
Unit:	1,458.29	1.562.50	0.00	55.00	0.00	200.00

Bid Data for Item: 02900-01							
	Quantity	Bid Unit	Bid Amount	Total Cost	Prof	Windfall	
Bid Qty:	1.00	4,000.00	4,000.00	3,275.79	724.21		
Take-off Qty:	1.00	4,000.00	4,000.00	3,275.79	724.21	0.00	

05/03 -Topo on South side of canal between station 103+00 to 105+00. Doing away with the transition in elevation of the sheet piles in this area. Keeping the elevation consistent.

05/23 -We were provided updated boundary survey and linework for North side of Primrose canal from the parish so we re staked the sheet pile wall with updated boundary. This is the final and correct layout for the wall.

PROJECT: 23-061 LAYOUT AND

ITEM SHEET COSTS AS SHOWN

Date: 8/11/2024 7:27:09AM

Item: Description: 02300-01

Cost Code: Production:

30250

Hours per Day: 10 Alternate:

EXCAVATION AND EMBANKMENT

DAYS

Unit of Measure: LUMP SUM 1.00 **Bid Quantity:**

Take-off Quantity: 1.000 Total Man-Hours: 40.00 40.0000 Man-Hours per Unit: Units / MH: 0.0250

Item Production

ITEM# U/M QTY Time Units Time Req'd DESCRIPTION 1.00 (D) 02300-01 LUMP SUM 1.00 1.00 **EXCAVATION AND EMBANKMENT**

	Cost Detail for Item 02300-01								
R	Code	Description	QTY	U/M	Factor	Rate	Cost		
ī	04	FOREMAN	1.00	-	1.00	560.08	560.08		
L	05	SKILLED LABORER	1.00		1.00	336.61	336.61		
L	09	HEAVY OPERATOR	2.00		1.00	468.06	936.12		
Ε	02	WORK TRUCK 3/4 TON	1.00		1.00	262.50	262.50		
Ε	13	HYUNDAI LONG REACH EXCAVATOR	1.00		1.00	1,262.50	1,262.50		
М	EMBANKCLA HEAVY CLAY EMBANKMENT	0.00	CYTM	1.00	9.35	0.00			
		Item Unit Cost: 3,357.81			Item Tota	ol Cost:	3,357.81		

	Labor	Equipment	Rental Eq	Material	Subcontract	Other
Total:	1,832.81	1,525.00	0.00	0.00	0.00	0.00
Unit:	1,832.81	1,525.00	0.00	0.00	0.00	0.00

Bid Data for Item: 02300-01							
	Quantity	Bid Unit	Bid Amount	Total Cost	Prof	Windfall	
Bid Qty:	1.00	4,080.00	4,080.00	3,357.81	722.19		
Take-off Qty:	1.00	4,080.00	4,080.00	3,357.81	722.19	0.00	

PROJECT: 23-061 LAYOUT AND

ITEM SHEET COSTS AS SHOWN

Date: 8/11/2024 7:27:09AM

Item:

INDIRECT

Description: Cost Code:

Alternate:

Production: Hours per Day: INDIRECT ITEM

DAYS 10

Unit of Measure:

Bid Quantity: Take-off Quantity: Total Man-Hours:

0.00 0.0000

1.00

1.000

Man-Hours per Unit: Units / MH:

0.0000

Item Production

ITEM#	DESCRIPTION	U/M	QTY	Time Units	Time Req'd
INDIRECT	INDIRECT ITEM		1.00	0.50 (D)	2.00

Cost Detail for Item INDIRECT

U/M Factor R Code Description QTY Cost Rate

Item Unit Cost:

0.00

Item Total Cost:

	Labor	Equipment	Rental Eq	Material	Subcontract	Other
Total:	0.00	0.00	0.00	0.00	0.00	0.00
Unit:	0.00	0.00	0.00	0.00	0.00	0.00

Appendix C

Construction Photographs and Videos Contract Documents

SECTION 02000 – CONSTRUCTION PHOTOGRAPHS AND VIDEOS

PART 1 ___ GENERAL

1.01 SECTION INCLUDES

- A. Construction Photographs: 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 two (2) photographs shall be provided for each lot or parcel. In addition, a minimum of (2) photographs shall be provided for each paved driveway. Hence, a minimum of four (4) photographs shall be provided for each lot or parcel with a driveway. The photographs shall be taken prior to beginning construction on the project. The photographs shall be a minimum size of 4 inches by 6 inches. The photographs shall be mounted on 8-½ inch by 11-inch sheets and identified with the project name, property owner, address and date. Two (2) sets of photographs shall be provided and each set shall be bound in a three-ring binder. In addition, the contractor shall provide a digital copy of the photographs. The digital copy shall be of the DVD or flash-drive format.
- B. Construction Video: Prior to the start of construction, the contractor shall provide to the OWNER a video survey of the entire construction area. The video shall include coverage of all surface features that may be affected or damaged during construction of the project and shall include, but not be limited to the following items: roadways, pavements, curbs, driveways, sidewalks, culverts, headwalls, buildings, landscaping, trees and fences. Each parcel shall be identified with the project name, property owners name where available, address, date and time. The video shall be of the DVD or flash-drive format. The video shall produce sharp, clear images. The video shall be indexed with the project title, street name(s) and location.

1.02 UNIT PRICES

Item No.Pay ItemPay Unit02000-01Construction Photographs & VideosLump Sum

1.03 MEASUREMENT PROCEDURES

A. Measure for this work shall be by the lump sum and payment shall be made at the contract lump sum price for "Construction Photographs and Videos."

END OF SECTION

CHF-02000-1

Appendix D

Revised Plan Set Drawings





