



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 3/14/2024

File ID: TMP-3940

Department: General Services

Subject:

Type of Action: Approval/Action

Resolution authorizing the Mayor to execute Change Order No. 1 and Final to the Fixed Price Agreement between the City of Huntsville and Porter Roofing Contractors Inc. for the Public Works South Maintenance and Sanitation Re-Roof and Repairs.

Resolution No.

Finance Information:

Account Number: 3020-14-00000-523014-000000000-

City Cost Amount: \$ -47,725.00

Total Cost: \$ 312,450.00

Special Circumstances:

Grant Funded: NONE

Grant Title - CFDA or granting Agency: N/A

Resolution #: N/A

Location: (list below)

Address: 4209 East Schrimsher Lane

District: District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☒ District 5 ☐

Additional Comments:

Change Order No. 1 and Final to include Deduction of allowance #1 and #2 for the value of the parts and labor to repair the gate that was damaged by contractor.

RESOLUTION NO. 2024-

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, and the Mayor that the contract with Porter Roofing Contractors Inc. for Construction Services for the Public Works South Maintenance and Sanitation Re-Roof and Repairs, Huntsville, Alabama, approved and executed by the City of Huntsville, Alabama on the 7th day of December, 2023, be and the same is hereby amended as is reflected on Change Order No. 1 and Final attached hereto.

BE IT FURTHER RESOLVED that the total contract amount be hereby is amended from Three Hundred Sixty Thousand One Hundred Seventy-Five Dollars and 50/100s (\$360,175.50) on behalf of the City of Huntsville, a municipal corporation in the State of Alabama to Three Hundred Twelve Thousand Four Hundred Fifty Dollars and 50/100s (\$312,450.50), including this Change Order No. 1 and Final in the amount of Negative Forty-Seven Thousand Seven Hundred Twenty Five Dollars and 00/100s (-\$47,725.00) said Change Order is substantially in word and figures as attached hereto and identified as “Change Order No. 1 and Final to the contract between City of Huntsville and Porter Roofing Contractors Inc. for the construction services at the Public Works South Maintenance and Sanitation Re-Roof and Repairs,” consisting of two (2) pages together with the signature of the City Council President and an executed copy of said document being permanently kept on file in the office of the City Clerk of the City of Huntsville, Alabama.

ADOPTED this the 14th day of March, 2024.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the 14th day of March, 2024.

Mayor of the City of Huntsville,
Alabama

"EXHIBIT B"

CITY OF HUNTSVILLE, ALABAMA

CONTRACT CHANGE ORDER

CHANGE ORDER NO. 1 and FINAL

DATE: 02/14/2024
TO: Porter Roofing
(Contractor)

PROJECT: Public Works S. Maint. & Sanitation Reroof

TERMS: You are hereby authorized, subject to the provisions of your contract for this project, to make the following changes thereto in accordance with the attached Change Order Request and supporting documents and to

FURNISH the necessary labor, materials and equipment to CMR 1: Deduct Allowance #1, Allowance #2, and the value of the parts and labor to repair the gate that was damaged by the contractor. (\$47,725.00)
(Description of work to be done or changes to be made)

TOTAL ADDITION OR DEDUCTION TO CONTRACT PRICE (NOTE: Numbers in parentheses are deductions).

For this Change (\$47,725.00)	(\$ 47,725.00)
ORIGINAL CONTRACT PRICE	\$ 360,175.50
Net total previous Change Orders	\$ 0
Previous revised Contract Price	\$360,175.50
This Change Order No. <u>1</u> DEDUCT	(\$ 47,725.00)
Revised Contract Price this date	\$312,450.50

Extension of time resulting from this Change Order 0 (Indicate no. of calendar days).

The amount of this Change Order will be the responsibility of City of Huntsville.

This contract modification constitutes full and mutual accord and satisfaction for all time and all cost related to this change. By acceptance of this Contract Modification, the Contractor hereby agrees that the modification represents an equitable adjustment to the Contract, and further, agrees to waive all right to file any further claims or changes arising out of or as a result of this change, or the accumulation of executed Contract Modifications on this Contract.

The Contractor and Owner(s) hereby agree to the terms of this Change Order as contained herein.

CONSENT OF SURETY

(Company)

By _____
(Authorized Representative)

CONTRACTING PARTIES

Porter Roofing Contractors Inc
(Contractor)

By [Signature]
(Authorized Representative)

RECOMMENDED

By [Signature]
(Design Engineer or Architect)

By [Signature]
(COH Facilities Project Manager)

By [Signature]
(Director of General Services)

CITY OF HUNTSVILLE, ALABAMA

By _____
(Its Mayor)

By _____
(President of City Council)

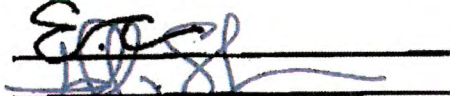
Date March 14, 2024

The parties agree that any form of electronic signature, including but not limited to signatures via facsimile, scanning, or electronic mail, may substitute for the original signature and shall have the same legal effect as the original signature.

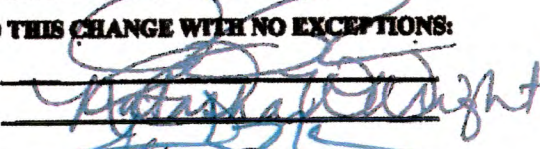

"EXHIBIT A"

UPDATED 10/07/2015

CONTRACT MODIFICATION REQUEST

DATE:	2/14/2024	CMR NUMBER:	1
PROJECT:	Public Works South Maintenance and Sanitation Re-Roof and Repairs		
OWNER:	City of Huntsville		
ARCHITECT:	Jeffrey B. Alpha		
CONTRACTOR:	Porter Roofing		
DESCRIPTION OF CHANGE (BY GENERAL CONTRACTOR):			
Credit Unpaid Allowances #1 & #2			
Credit cost for gate damage incident from 2/6/24 (parts & labor to repair)			
This concludes the CMRs for this project; and wholly comprises the Change Order #1 & FINAL Backup Docs			
1. TOTAL COST (CONTRACTOR TO ATTACH DETAILED BREAKDOWN):	\$47,725.00		
2. TIME EXTENSION IN CALENDAR DAYS (ATTACH JUSTIFICATION):	0		
<input type="checkbox"/> THIS CHANGE AFFECTS THE CRITICAL PATH OF THE PROJECT	N/A		
3. SUBMITTED BY:			
A. CONTRACTOR			
B. ARCHITECT			

BOTTOM SECTION TO BE FILLED OUT BY CITY OF HUNTSVILLE REPRESENTATIVE

4. INITIATED BY:	OWNER
5. OWNER'S CLASSIFICATION:	
CONTRACT MODIFICATION DUE TO:	
<input type="checkbox"/>	VALUE ENGINEERING OR COST REDUCTION
<input checked="" type="checkbox"/>	CHANGES IN PROJECT SCOPE OF WORK
<input type="checkbox"/>	OWNER REQUESTED UPGRADE
<input type="checkbox"/>	UNFORESEEN CONDITIONS
<input type="checkbox"/>	TECHNICAL COORDINATION
6. THIS CHANGE IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS ONE OF THE FOLLOWING TYPES:	
<input checked="" type="checkbox"/>	MINOR CHANGE OF A MONETARY VALUE AND NOT REQUIRED FOR COMPETITIVE BIDDING.
<input type="checkbox"/>	CHANGES TO THE ORIGINAL CONTRACT NECESSITATED BY UNFORESEEN CIRCUMSTANCES ARISING DURING THE COURSE OF THE WORK.
<input type="checkbox"/>	EMERGENCIES ARISING DURING THE COURSE OF THE WORK.
<input type="checkbox"/>	CHANGE FOR ALTERNATES PROVIDED FOR IN THE ORIGINAL BIDDING WHERE THERE IS NO DIFFERENCE IN PRICE OF THE CHANGE FROM THE ORIGINAL BEST BID ON THE ALTERNATE.
<input type="checkbox"/>	CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND DOES NOT EXCEED 10% OF THE CONTRACT PRICE.
<input type="checkbox"/>	CHANGE NOT CONTEMPLATED WHEN THE PLANS AND SPECIFICATIONS WERE PREPARED AND THE PROJECT WAS BID AND WHICH IS IN THE PUBLIC INTEREST AND EXCEEDS 10% OF THE CONTRACT PRICE AND CONSTITUTES EXTRAORDINARY CIRCUMSTANCES.
7. I HAVE REVIEWED, UNDERSTAND AND RECOMMEND THIS CHANGE WITH NO EXCEPTIONS:	
A. CoH ESTIMATOR	
B. CoH PROJECT MANAGER	
C. DEPARTMENT HEAD (CUSTOMER)	
D. CoH FACILITIES PROJ MANAGER	
E. DEPARTMENT HEAD (GS)	

THIS EXECUTED FORM DOES NOT CONSTITUTE A CHANGE ORDER. THIS DOCUMENT IS AN ACKNOWLEDGEMENT BY THESE DESIGNATED REPRESENTATIVES THAT THEY RECOMMEND TO THE CITY OF HUNTSVILLE'S CITY COUNCIL TO APPROVE THE CHANGE IN CONTRACT SUM, SCOPE AND OR TIME STATED HEREIN. THE CITY OF HUNTSVILLE'S CITY COUNCIL MUST APPROVE ALL CHANGE ORDERS.