

305 Fountain Circle Huntsville, AL 35801



Meeting Type: City Council Regular Meeting Meeting Date: 11/6/2025 **File ID:** TMP-6211 **Department:** General Services Subject: **Type of Action:** Approval/Action Resolution authorizing the Mayor to execute Change Order No. 1 and Final between the City of Huntsville and Butler Construction Company, LLC for construction services of the Stoner Park Roller Skating Rink. Resolution No. **Finance Information:** Account Number: 3020-14-00000-521030-00000000 **City Cost Amount: -\$11,863.56 Total Cost:** \$2,217,136.44 **Special Circumstances: Grant Funded: NONE Grant Title - CFDA or granting Agency:** N/A Resolution #: N/A **Location: (list below)** Address: 3715 Bragg Street **District:** District 1 ⊠ District 2 □ District 3 \square District 4 District 5

Additional Comments:

Change Order No. 1 and Final to include 36 additional days for delivery and installation of NVR camera system; unsuitable soil allowance credit; 9 additional days for abnormal weather; unused contract allowance. This contract was extended for 45 calendar days.

Meeting Type: City Council Regular Meeting Meeting Date: 11/6/2025 File ID: TMP-6211

RESOLUTION NO. 2025-

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, and the Mayor that the contract with Butler Construction Company, LLC for Construction Services for the Stoner Park Skating Rink, Huntsville, Alabama, approved and executed by the City of Huntsville, Alabama on the 27th day of June, 2024, 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 Two Million Two Hundred Twenty-Nine Thousand Dollars and NO/100s (\$2,229,000.00) on behalf of the City of Huntsville, a municipal corporation in the State of Alabama to Two Million Two Hundred Seventeen Thousand One Hundred Thirty Six Dollars and 44/100s (\$2,217,136.44), including this Change Order No. 1 and Final in the amount of Negative Eleven Thousand Eight Hundred Sixty Three Dollars and 56/100s (-\$11,863.56), 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 Butler Construction Company, LLC for the construction services at the Stoner Park Skating Rink consisting of seven (7) 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 <u>6th</u> day of <u>November</u> , 2025.		
	President of the City Council of the City of Huntsville, Alabama	
APPROVED this the 6th day of No.	ovember, 2025.	
	Mayor of the City of Huntsville, Alabama	

"EXHIBIT B"

CITY OF HUNTSVILLE, ALABAMA

CONTRACT CHANGE ORDER	CHANGE ORDER NO. 1	
DATE:10/20/2025 TO:Butler Construction Company, LLC	PROJECT: Stoner Park Roller Skating Rink	
	(Contractor)	
TERMS: You are hereby authorized, subject to the provinchanges thereto in accordance with the attached	sions of your contract for this project, to make the following I Change Order Request and supporting documents and to	
FURNISH the necessary labor, materials and equipment to complete CMRs 4R1, 6, 7, and 9 (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 \$_(-)11,863.56	\$ (-)11,863.56	
ORIGINAL CONTRACT PRICE	\$ 2,229,000,00	
Net total previous Change Orders	\$ 0.00	
Previous revised Contract Price This Change Order No ADD (DEDUCT)	\$ 2,229,000.00 \$(-)11,863.56	
Revised Contract Price this date	\$(-)11,863,56 \$ 2,217,136.44	
100 1300 Contract 1 1100 tills trate	2,211,100.77	
Extension of time resulting from this Change Order	45 (Indicate no. of calendar days).	
The amount of this Change Order will be the responsibility	y ofCONTRACTOR	
By acceptance of this Contract Modification, the Contract adjustment to the Contract, and further, agrees to waive al result of this change, or the accumulation of executed Con The Contractor and Owner(s) hereby agree to the terms of	f this Change Order as contained herein.	
CONSENT OF SURETY	CONTRACTING PARTIES	
Atlantic Specialty Insurance Company	Butler Construction Company, LLC	
(Сотрану)	(Contractor)	
By	Fact (Authorized Representative) Chad Butler, Memb	
RECOMMENDED	CITY OF HUNTSVILLE, ALABAMA	
	D	
By	By	
Ву	Ву	
(COH Facilities Project Manager)	President of City Council)	
By	Due	
(Director of General Services)		



Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: Cyra B. Peterson, Mike Gardner, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surery, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: unlimited and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any hond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this first day of January, 2023.

1986

STATE OF MINNESOTA HENNEPIN COUNTY Ву

Sarah A. Kolar, Vice President and General Counsel

On this first day of January, 2023, before me personally came Sarah A. Kolar, Vice President and General Counsel of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and she acknowledged the execution of the same, and being by me duly sworn, that she is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.

ALISON D. NASH-TROUT
NOTARY PUBLIC - MINNESOTA
My Commission Expires
January 31, 2030

Morary Bublic

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 20th day of October, 2025

This Power of Attorney expires January 31, 2030 SEAL SEAL YORK YORK

Kara L.B. Barrow, Secretary

Please direct bond verifications to surety@intactinsurance.com

Stoner Park Roller Skating Rink 10/20/2025

REVISED CONTRACT AMOUNT	\$ 2,217,136.44
TOTAL CHANGE ORDER NO 1	\$ (11,863.56)
CMR NO. 9 - Credit for unused Contract Allowance #1 - Contingency	\$ (3,113.56)
CMR NO. 7 - Additional contract time due to abnormal weather conditions - (9 Days)	\$ -
CMR NO. 6 - Credit for unused contract Allowance #2 - Remove/Replace Unsuitable Soils	\$ (8,750.00)
CMR NO. 4R1 - NVR for Camera System - Cost charged to Allowance #1 - (36 Days)	\$ -
CHANGE ORDER NO 1 SUMMARY	
REVISED CONTRACT AMOUNT	\$ 2,217,136.44
CHANGE ORDER NO. 1	\$ (11,863.56)
ORIGINAL CONTRACT AMOUNT	\$ 2,229,000.00
BUTLER CONSTRUCTION COMPANY, LLC	

DATE: $\frac{7/1}{}$	5/2025 (Revised 9/23/2025)	CMR NUMBER:	4R1
PROJECT:	Stoner Park Skating Rink		
OWNER:	City of Huntsville		
ARCHITECT:	Nola VanPeursem Architects		
CONTRACTOR:	Butler Construction Company		
DESCRIPTION O	F CHANGE (BY GENERAL CONT	RACTOR):	
Add Network Rec	order (NVR) for Camera System		
Part Ordered 7/15	/2025 (44 days needed for delivery a	and installation - Contract Comp	letion 7/23/2025)
(Apply to Allowar	ice #1) —		
1. TOTAL COST	(CONTRACTOR TO ATTACH DETA	AILED BREAKDOWN):	\$16,781.03
2. TIME EXTENS	SION IN CALENDAR DAYS (ATTA	.CH JUSTIFICATION):	36
7		CRITICAL PATH OF THE PROJE	CT
3. SUBMITTED I	BY:		Apply I CO#1
	A. CONTRACTOR	oey Fisher Butler Constru	actionCompany LL(
	B. ARCHITECT	Calle L	The
BOTTO	OM SECTION TO BE FILLED OUT	BY CITY OF HUNTSVILLE RE	PRESENTATIVE
4. INITIATED BY	7: Contractor		
5. OWNER'S CLA	ASSIFICATION:		
CONT	TRACT MODIFICATION DUE TO:		
***************************************	VALUE ENGINEERING OR COST R	EDUCTION	
	CHANGES IN PROJECT SCOPE OF	WORK	
	OWNER REQUESTED UPGRADE		
	UNFORESEEN CONDITIONS		
X			
6. THIS CHANGE THE FOLLOW	E IS SUBMITTED FOR REVIEW A	ND APPROVAL AND IS CLASS	IFIED AS ONE OF
X		VALUE AND NOT REQUIRED FOR	COMPETITIVE DIDDING
	CHANGES TO THE ORIGINAL CON	•	
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	OF THE CONTRACT PRICE.		
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***************************************	THE PROJECT WAS BID AND WHIC	H IS IN THE PUBLIC INTEREST AN	D EXCEEDS 10% OF THE
	CONTRACT PRICE AND CONSTITU	TES EXTRAORDINARY CIRCUMST	ANCES.
. I HAVE REVIE	WED, UNDERSTAND AND RECOM	MMEND THIS CHANGE WITH	NO EXCEPTIONS:
	A. CoH ESTIMATOR	HemPer	
	B. CoH PROJECT MANAGER		
	C. DEPARTMENT HEAD (CUSTOM	(ED)	
	D. CoH FACILITIES PROJ MANAGE	the five wei	<u>K</u>
E	E. DEPARTMENT HEAD (GS)	Mod Ewilk-JR	(ED)

*** 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 SCORE AND OR TIME STATED HEREIN. THE CITY OF HUNTSVILLE SCORE AND OR TIME STATED HEREIN.

DATE:	9/26/2025	CMR NUMBER:	6		
PROJECT:	Stoner Park Skating Rink				
OWNER:	City of Huntsville				
ARCHITECT:	Nola VanPeursem Architects				
CONTRACTOR:	Butler Construction Company				
DESCRIPTION OF	CHANGE (BY GENERAL CONTR	ACTOR):			
Credit back for unsu	uitable soil allowance (Allowance	e #2)			
1. TOTAL COST (CONTRACTOR TO ATTACH DETA	ILED BREAKDOWN):	-\$8,750.00		
2. TIME EXTENSI	ON IN CALENDAR DAYS (ATTAC		-0-		
		RITICAL PATH OF THE PROJECT	N/A		
3. SUBMITTED BY	ί: Contractor	Joey Fisher, Butler Construction	mCompany II (
	ARCHITECT	Alu 1061	one-diparty EEC		
		BY CITY OF HUNTSVILLE REPRI	ESENTA TIVE***		
4. INITIATED BY:	^	BY CITY OF HUNISVILLE REFR	ESENTATIVE		
5. OWNER'S CLAS					
	ACT MODIFICATION DUE TO:				
X	VALUE ENGINEERING OR COST RI	EDUCTION			
	CHANGES IN PROJECT SCOPE OF V	WORK			
***	OWNER REQUESTED UPGRADE				
	_ UNFORESEEN CONDITIONS				
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6. THIS CHANGE I		ID APPROVAL AND IS CLASSIFIE	D AS ONE OF		
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	OF THE CONTRACT PRICE.				
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		TH IS IN THE PUBLIC INTEREST AND E TES EXTRAORDINARY CIRCUMSTAN			
THAVE DEVIEW					
		IMEND THIS CHANGE WITH NO	EXCEPTIONS:		
	CoH ESTIMATOR	Jun 13			
	CoH PROJECT MANAGER	6			
C.	DEPARTMENT HEAD (CUSTOM	ER)			
D.	CoH FACILITIES PROJ MANAGE	ER Pfive Nei	K		
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DATE:	9/23/2025	CMR NUMBER:	7
PROJECT:	Stoner Park Skating Rink		
OWNER:	City of Huntsville		
ARCHITECT:	Nola VanPeursem Architects		
CONTRACTOR:	Butler Construction Company		
DESCRIPTION OF	CHANGE (BY GENERAL CONT	RACTOR):	
Additional contract	time due to abnormal weather con-	ditions (Days submitted on 8/15	5/2025)
Walter the second of the secon		,	
1. TOTAL COST (C	CONTRACTOR TO ATTACH DETA	AILED BREAKDOWN):	\$0.00
,	ON IN CALENDAR DAYS (ATTA		9
	THIS CHANGE AFFECTS THE (ECT
3. SUBMITTED BY	':		
A	. CONTRACTOR	oey Fisher Butler Const	ructionCompany LL(
В	ARCHITECT	Millel	UST.
BOTTOM	SECTION TO BE FILLED OUT	BY CITY OF HUNTSVILLE R	EPRESENTATIVE
4. INITIATED BY:	Contractor		
5. OWNER'S CLAS	SIFICATION:		
CONTR	ACT MODIFICATION DUE TO:		
***************************************	_ VALUE ENGINEERING OR COST R	EDUCTION	
	CHANGES IN PROJECT SCOPE OF	WORK	
	OWNER REQUESTED UPGRADE		
X	UNFORESEEN CONDITIONS		
	TECHNICAL COORDINATION		OFFICE AS ONE OF
6. THIS CHANGE I	S SUBMITTED FOR REVIEW A	ND APPROVAL AND IS CLAS	SIFIED AS ONE OF
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	THE PROJECT WAS BID AND WHIC	TH IS IN THE PUBLIC INTEREST A	ND DOES NOT EXCEED 10%
	OF THE CONTRACT PRICE.		
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	CONTRACT PRICE AND CONSTITU	TES EXTRAORDINARY CIRCUMS	STANCES.
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	CoH FACILITIES PROJ MANAG		
	DEPARTMENT HEAD (GS)	DANG DIL	JR.

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DATE:	10/3/2025	CMR NUMBER:	9
PROJECT:	Stoner Park Skating Rink		
OWNER:	City of Huntsville		
ARCHITECT:	Nola VanPeursem Architects		
CONTRACTOR			
	OF CHANGE (BY GENERAL CONTR	ACTOR):	
	d Contract Allowance #1 - Contingence		
erean for onase	d contract thowance #1 - Contingence	у	
1. TOTAL COS	T (CONTRACTOR TO ATTACH DETA	II ED BREAKDOWN)	-\$3,113.56
	NSION IN CALENDAR DAYS (ATTAC	***************************************	
2. TIME EXTEN		***************************************	O CT N/A
3. SUBMITTED		CITICAL FAITH OF THE PROJEC	.1 IN/A
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	B. ARCHITECT	NVP WILL	01
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	OM SECTION TO BE FILLED OUT E	SY CITY OF HUNISVILLE RE	PRESENTATIVE***
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	OWNER REQUESTED UPGRADE		
	UNFORESEEN CONDITIONS		
	TECHNICAL COORDINATION		
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	EMERGENCIES ARISING DURING TH	IE COURSE OF THE WORK.	
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	OF THE CONTRACT PRICE.		
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	B. Coh Project Manager	1 Cold	<u>~</u>
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	E. DEPARTMENT HEAD (GS)	Delol Ewill	JR.

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