

RESOLUTION NO. 2019- 05

A RESOLUTION ACCEPTING AND APPROVING CHANGE ORDER NO. 3 FINAL TO THE CONTRACT BETWEEN THE CITY OF ROCK SPRINGS AND COP WYOMING, LLC, FOR CONSTRUCTION OF THE 20" WATER TRANSMISSION LINE REPLACEMENT PROJECT – PHASE I, AND AUTHORIZING TIMOTHY A. KAUMO, AS MAYOR OF THE CITY OF ROCK SPRINGS, WYOMING, TO EXECUTE SAID CHANGE ORDER NO. 3 FINAL ON BEHALF OF SAID CITY.

WHEREAS, a contract between the City of Rock Springs and COP Wyoming, LLC, for construction of the Rock Springs 20" Water Transmission Line Replacement Project-Phase I, in the amount of \$7,335,004.00, was accepted and approved by Resolution 2016-83 on June 21, 2016; and,

WHEREAS, Change Order No. 1 between the City of Rock Springs and COP Wyoming, LLC, increasing the original contract price in the amount of \$374,900.00 and extending the contract time through December 4, 2017, was accepted and approved by Resolution 2017-90 on August 15, 2017; and,

WHEREAS, Change Order No. 2 between the City of Rock Springs and COP Wyoming, LLC, to extend the contract time through August 15, 2018, was accepted and approved by Resolution 2018-83 on May 15, 2018; and,

WHEREAS, COP Wyoming, LLC, has submitted a proposed final change order in the amount of \$13,932.78, for contract closeout, reflecting final quantities and completed contract amount.

WHEREAS, the Governing Body of the City of Rock Springs has said Change Order No. 3 Final before it and has given it careful review and consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROCK SPRINGS, STATE OF WYOMING:

Section 1. That Change Order No. 3 Final to the contract with COP Wyoming, LLC, for construction of the Rock Springs 20" Water Transmission Line Replacement Project-Phase I, in the amount of \$13,932.78, for contract closeout, reflecting final quantities and completed contract amount, attached hereto and by this reference specifically made a part hereof, is hereby accepted and approved by the Governing Body of said City.

Section 2. That the Mayor of said City, be and he is hereby authorized, empowered and directed to execute said Change Order No. 3 Final, on behalf of said City; and that the City Clerk of said City, be and he is hereby authorized and directed to attach to each duplicate original of said Change Order No. 3 Final a certified copy of this resolution.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Date of Issuance: December 17, 2018      *REC'D NE 12/27/18*      Effective Date: December 12, 2018  
 Owner: City of Rock Springs      Owner's Contract No.:  
 Contractor: COP Wyoming, LLC      Contractor's Project No.: 16203  
 Engineer: Nelson Engineering      Engineer's Project No.: 13-156-06  
 Project: 20-in Water Transmission Line Replacement Project,      Contract Name:  
 Phase I

The Contract is modified as follows upon execution of this Change Order:

**Description:** This Final Change Order is for contract closeout, reflecting final quantities and completed contract amount. Substantial Completion was achieved 10/29/18. Final inspection 11/20/18, work on site complete. Final contract amount is a net increase, resulting from increased completed quantities, but reduced by liquidated damages withheld by Owner.

Increased quantities	+\$201,362.37
Liquidated damages	<u>-\$187,429.59</u>
Net change:	<b>+\$13,932.78</b>

**Attachments:** Pay Application 10 spreadsheet of completed quantities.  
 Cover letter including summary of liquidated damages.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price:  \$7,335,004.00	Original Contract Times: Substantial Completion: <u>July 1, 2017</u> Ready for Final Payment: <u>August 1, 2017</u> dates
[Increase] [ <del>Decrease</del> ] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> :  \$374,900.00	[Increase] [ <del>Decrease</del> ] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> : Substantial Completion: <u>July 15, 2018</u> Ready for Final Payment: <u>August 15, 2018</u>
Contract Price prior to this Change Order:  \$7,709,904.00	Contract Times prior to this Change Order: Substantial Completion: <u>July 15, 2018</u> Ready for Final Payment: <u>August 15, 2018</u> dates
[Increase] [ <del>Decrease</del> ] of this Change Order:  \$13,932.78	[Increase] [ <del>Decrease</del> ] of this Change Order: Substantial Completion: <u>no change</u> Ready for Final Payment: <u>no change</u> dates
Contract Price incorporating this Change Order:  \$7,723,836.78	Contract Times with all approved Change Orders: Substantial Completion: <u>July 15, 2018</u> Ready for Final Payment: <u>August 15, 2018</u> dates

RECOMMENDED: By: <u><i>[Signature]</i></u> Engineer (if required) Title: <u>Project Manager</u> Date: <u>12/27/18</u>	ACCEPTED: By: _____ Owner (Authorized Signature) Title _____ Date _____	ACCEPTED: By: <u><i>[Signature]</i></u> Contractor (Authorized Signature) Title: <u>PROJECT MANAGER</u> Date: <u>12/26/2018</u>
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