

CHANGE ORDER

(Instructions on reverse side)

No. 1

PROJECT: Turnpike/Plantation Reclaimed Water Main and Force Main  
 DATE OF ISSUANCE: \_\_\_\_\_

OWNER:  
 (Name,  
 Address)

CONTRACTOR: Rainey Construction Co.

OWNER's Project No. 90231

CONTRACT FOR: Turnpike/Plantation  
 Reclaimed Water Main and  
 Force Main

ENGINEER: AECOM USA, Inc.  
 1600 W. Main Street  
 Suite 1  
 Leesburg, FL 34748  
 ENGINEER's Project No. 90231

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

Description: See Attached

Purpose of Change Order: See Attached

Attachments: (List documents supporting change) See Attached

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price \$ <u>1,068,591.66</u>	Original Contract Time <u>NA</u> days or date
Previous Change Orders No. <u>0</u> to No. <u>0</u> \$ <u>0</u>	Net change from previous Change Orders <u>0</u> Days
Contract Price prior to this Change Order \$ <u>1,068,591.66</u>	Contract Time Prior to this Change Order <u>NA</u> days or date
Net <u>Increase</u> (decrease) of this Change Order \$ <u>37,843.00</u>	Net Increase (decrease) of this Change Order <u>0</u> Days
Contract Price with all approved Change Orders \$ <u>1,106,434.66</u>	Contract Time with all approved Change Orders <u>NA</u> days or date

RECOMMENDED:  
 by C.S. Lee  
 Engineer

APPROVED:  
 by \_\_\_\_\_  
 Owner

APPROVED:  
 by [Signature]  
 Contractor

EJCDC No. 1910-8-B (1983 Edition) Prepared by the Engineers' Joint Contract Documents Committee and endorsed by the Associated General Contractors of America

CHANGE ORDER  
 17237.00/17287.00 - March 31, 2009 (006363.DOC)

006363-1

**RECEIVED**  
 AUG 19 2010

AECOM USA INC.



AECOM 407 425 1100 tel  
320 E. South Street 407 422 3886 fax  
Orlando FL 32801  
www.aecom.com

July 23, 2010

Mathew Bass  
Rainey Construction Company  
4477 East CR 462  
Wildwood, FL 34785

RE: Turnpike/Reclaimed Water Main and Force Main Construction  
City of Leesburg ITB Number 90231

Dear Matt:

The City of Leesburg has reviewed your proposed change order dated March 30, 2010, your explanation letter dated May 4, 2010, and the subsequent revised proposed change order and explanation letter dated June 7, 2010. It is understood that the proposed change order dated June 7<sup>th</sup> supersedes the proposed change order dated March 30<sup>th</sup>. The following paragraphs pertain only to the June 7<sup>th</sup> proposed change order.

The City agrees to part of the proposed change order as stated below. Note that the order of items presented below corresponds to the order of items presented in the proposed change order.

Rainey Item	Rainey Proposed Price	City Comment	City Agreed Price
Item # 1: Extra labor for movement of line – Part A	\$2,750.00	City accepts the proposed price.	\$2,750.00
Item # 2: Asphalt patch	\$623.00	City accepts the proposed price.	\$623.00
Item # 3: Extra silt fence – Gopher Tortoise	\$1,190.00	City accepts the proposed price.	\$1,190.00
Item # 4: Extra costs to Rainey Construction	\$22,747.53	This proposed change order item is not accepted in part or in whole. Rainey was advised at the beginning of the project, during the pre-construction meeting that the easements were not available. A copy of the pre-construction meeting minutes is attached. It appears that Rainey unilaterally took the decision to retain employees on payroll. Furthermore, Rainey had been advised that it	\$0.00

Mathew Bass  
 Rainey Construction Company  
 July 23, 2010  
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		would not be held responsible for timely completion of the portions for which easements are not available. Matt Bass' email of July 2 clearly indicates Rainey's full knowledge of the circumstances (copy attached). In any case, the city cannot be expected to pay the costs of employees who Rainey indicates performed no work.	
Item # 5: Re-mobilization Part B	\$39,160.00	This proposed change order item is accepted in part for \$19,580.00, as previously discussed. City acknowledges the three mobilizations. However as previously discussed (the two re-mobilizations each required only partial mobilization/demobilization), full payment of mobilization/demobilization is not accepted. If Rainey can provide acceptable documentation of actual costs in excess of \$19,580, this item may be revisited.	\$19,580.00
Item # 6: Remove and load stumps	\$1,400.00	City accepts the proposed price.	\$1,400.00
Item # 7: Jack and bore crew	\$4,500.00	This proposed change order item is accepted in part, for \$3,500.00, per email from Matt Bass dated 7/2/09, copy attached.	\$3,500.00
Item # 8: Initial material stored at Rogers Industrial Park Road	\$4,400.00	City accepts the proposed price.	\$4,400.00
Item # 9: Material stored at Treatment Facility	\$4,400.00	City accepts the proposed price.	\$4,400.00
<b>Total Proposed Change Order Cost</b>	<b>\$81,220.53</b>	<b>Total City Accepted Change Order Cost</b>	<b>\$37,843.00</b>

In summary, the City of Leesburg agrees to a total change order amount of **\$37,843.00**.



Mathew Bass  
Rainey Construction Company  
July 23, 2010  
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We hope you will accept this letter as the City's final decision in this matter. If you do not accept this decision, please contact the City's Mr. Ray Sharp, Director of Environmental Services/Public Works

Sincerely yours.

A handwritten signature in cursive script that reads "C. Scott Lee".

C. Scott Lee, PE  
Attachments

cc: Mr. Ray Sharp, City of Leesburg