

City of Madison, Alabama
Legal Department—Competitive Purchasing Division
INVITATION TO BID
#2024-008-ITB | Mill Road Ditch Improvements
Issued May 22, 2024

STATEMENT OF SUPPORT FOR CHANGE ORDER NO. 2

The following is offered in support of Contract Change Order No. 2 to Bid Number 2024-008-ITB as it was awarded to Miller & Miller, Inc. on June 24, 2024, by Resolution 2024-189-R:

1. The requested change order will result in an increase to the awarded Contract Sum, as well as an additional thirty (30) days to the contract time. Change Order No. 2 includes the following modifications to the Base Bid:
 - a. Additional Phase I traffic shift to south
 - b. Temporary realignment of Mill Road (suitable for roadway traffic)
 - c. Retaining Wall Re-Alignment for flood control
 - d. Additional excavation, backfill, and Mill Road repair
 - e. Maintained access to properties on south side of Mill Road
 - f. Modification of Propex Pyramat 75 to Propex Armormat 75 (Percussion Anchors)
 - g. Additional costs due to seasonal construction timeframe
 - h. Additional material and labor escalation costs for project delay
 - i. Phase III Road Closure for Retaining Wall Construction (STA 11+00 – STA 12+86)

2. The requested change order has been instituted by the undersigned for the following reasons:
 - The original contract documents provided insufficient quantities for the construction of a suitable Temporary Re-Alignment of Mill Road.
 - Additive Alternate No. 1 needs to be removed from the scope of work.
 - The Engineering Department agrees with the contractor's request for an extra 30 days to complete the contract.

3. Implementation of this change order will not exceed three hundred forty-five thousand seven hundred and eleven dollars (\$345,711) above the originally awarded contract amount. This change order amounts to a 15.7% increase in the contract price. However, extraordinary circumstances justify this change order. When the project was bid and awarded, the City anticipated that it would be able to close the road for one year and to complete the project during the dry summer season instead of the wet winter season. However, after contract award, the City discovered that the duration of the planned road closure was too disruptive for community and school traffic, and the Engineering Department needed to find a solution to shorten the road closure timeframe and to secure safer access for property owners located south of the project area, while at the same time completing the project in time to avoid failure of the road and ditch. Furthermore, labor and material costs have increased due to delays of the project start date. It makes fiscal and administrative sense to make these modifications via change order rather than through competitive bidding.

4. I have reviewed the pricing submitted by the Contractor and found it to be reasonable, fair, and equitable and recommend approval of the same.



Michael Johnson, City Engineer

Date: 12/24/2024

Witness:

