



August 19, 2021

The Honorable Mayor and City Council  
City of Montgomery  
101 Old Plantersville Road  
Montgomery, Texas 77316

Re: Construction of Stewart Creek Wastewater Treatment Plant Lift Station Relocation  
City of Montgomery

Dear Mayor and Council:

We received and recommend approval of Change Order No. 2 to the Stewart Creek Wastewater Treatment Plant Lift Station Relocation contract. This change order includes deductions of unused contract items, quantity adjustments, and a final accounting of the settlement for liquidated damages. Approval of the change order will result in a \$52,367.72 decrease to the final contract amount, from \$1,094,300.00 to \$1,041,932.28.

Additionally, we conducted a final inspection of the referenced project and find it to be substantially complete in accordance with the approved plans and specifications. The developer's surety has provided the required maintenance bond for the infrastructure, as included with this letter, and all punch list items have been addressed. We recommend the City accept the public sanitary sewer infrastructure. As a reminder, the project was deemed substantially complete and the one-year warranty period began on September 17, 2020, as referenced in the enclosed certificate of substantial completion.

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Chris Roznovsky". The signature is fluid and cursive.

Chris Roznovsky, PE  
Engineer for the City

CVR/kmv

Z:\00574 (City of Montgomery)\\_900 General Consultation\Correspondence\Letters\2021.08.19 MEMO to Council RE LS No. 1  
Change Order No. 2 & Acceptance.docx

Enclosures: Change Order No. 2 - Stewart Creek Wastewater Treatment Plant Lift Station Relocation  
Certificate of Acceptance - Stewart Creek Wastewater Treatment Plant Lift Station  
Relocation  
Certificate of Substantial Completion - Stewart Creek Wastewater Treatment Plant Lift  
Station Relocation

Stewart Creek Wastewater Treatment Plant Lift Station Relocation

Honorable Mayor and City Council

City of Montgomery

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Cc (via email): Mr. Richard Tramm – City of Montgomery, City Administrator

Ms. Susan Hensley – City of Montgomery, City Secretary

Mr. Dave McCorquodale – City of Montgomery, Director of Planning & Development

Mr. Alan Petrov – Johnson Petrov, LLP, City Attorney



6330 West Loop South, Suite 150  
 Bellaire, Texas 77401  
 Tel: 713.777.5337  
 Fax: 713.777.5976  
[www.jonescarter.com](http://www.jonescarter.com)

**CHANGE ORDER NO. 002**

**DATE:** July 23, 2020

<b>Project:</b> Stewart Creek Wastewater Treatment Plant Lift Station Relocation	<b>J&amp;C Job No.:</b> W5841-0036-00
<b>Owner:</b> City of Montgomery	<b>Contractor:</b> Black Castle GC

**Description of Changes:** Quantity adjustments for items not used, Removing ductile iron pipe from proposed manhole connection and settlement agreement.  
**Reason for Changes:** Existing conditions of the 18" piping allowed for the PVC piping to be directly connected to the manhole rather than installing additional ductile iron piping. Contract amount is being adjusted per agreement between Owner and Contractor.

<u>Change in Contract price and time summary:</u>	<u>COST</u>	<u>TIME</u>
		Calendar Days to Substantial Completion
<b>Original Contract:</b>	\$1,094,300.00	180
<b>Net previous change(s):</b>	\$0.00	0
<b>Contract prior to this change order:</b>	\$1,094,300.00	180
<b>Net decrease from this change order:</b>	(\$52,367.72)	0
<b>Revised Contract Amount:</b>	\$1,041,932.28	180
<b>Cumulative % Change in Contract:</b>	(4.79) %	0.00 %
<b>Substantial Completion Date:</b>	<b>Original:</b> 3/7/2020	<b>Revised:</b> 3/7/2020
<b>Final Completion Date:</b>	<b>Original:</b> 30 Days from Substantial Completion	

<p><b>APPROVED BY:</b> City of Montgomery</p> <p>_____</p> <p>Representative</p> <p>_____</p> <p style="text-align: right;">Date</p>	<p><b>RECOMMENDED BY:</b> Jones &amp; Carter, Inc.</p> <p style="text-align: center;"><i>Rebecca L. Watkins</i></p> <p>_____</p> <p>Rebecca L. Watkins, PE</p> <p style="text-align: right;">7-23-21</p> <p style="text-align: right;">Date</p> <p><b>ACCEPTED BY:</b> BlackCastle General Contractor</p> <p style="text-align: center;"><i>[Signature]</i></p> <p>_____</p> <p>Representative</p> <p style="text-align: right;">07-27-21</p> <p style="text-align: right;">Date</p>
<p><b>Enclosures:</b> Attachment No. 001</p>	

K:\W5841\W5841-0036-00 Lift Station No. 1 Relocation\3 Construction Phase\Change Order.RFP.Letters

**Construction of Stewart Creek Wastewater Treatment Plant Lift Station Relocation**

Description of Changes: Quantity adjustments for items not used, Removing ductile iron pipe from proposed manhole connection

To implement payment for this work, the following revisions are made to the Item/Quantity Sheets:

<u>Item No.</u>	<u>Description</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Revised Unit Price</u>	<u>Bid Quantity</u>	<u>Revised Quantity</u>	<u>Previous Amount</u>	<u>Revised Amount</u>	<u>Net Change</u>
5	Allowance for necessary modifications to complete the work for the proposed scope as described in the Contract Documents, complete as specified and as approved by the Engineer on an as needed basis:	1	\$15,000.00	\$0.00	1	0	\$15,000.00	\$0.00	(\$15,000.00)
9	Allowance for the installation of permanent power service to the site from Entergy. Payment to the Contractor will be based on the actual invoice from Entergy for installing the permanent power to the project site, complete as specified:	1	\$10,000.00	\$0.00	1	0	\$10,000.00	\$0.00	(\$10,000.00)



**Construction of Stewart Creek Wastewater Treatment Plant Lift Station Relocation**

Item <u>No.</u>	<u>Description</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Revised Unit Price</u>	<u>Bid Quantity</u>	<u>Revised Quantity</u>	<u>Previous Amount</u>	<u>Revised Amount</u>	<u>Net Change</u>
15	Existing conditions of the 18" piping allowed for the PVC piping to be directly connected to the manhole rather than installing additional ductile iron piping.		\$0.00	(\$1,044.84)	1	0	\$1,044.84	\$0.00	(\$1,044.84)
16	Per settlement agreement regarding bonded contract funds, in order to resolve the dispute over Obligee's Offset, Obligee and Surety agree that Obligee may assert one half (1/2) of the amount of Obligee's Offset as an offset or back charge against Unpaid Contract Balance	1	\$0.00	(\$26,322.88)	0	1	\$0.00	(\$26,322.88)	(\$26,322.88)
								<b>NET DECREASE IN CONTRACT PRICE</b>	<b>(\$52,367.72)</b>

**There is no change in the Contract Period of Performance.**



**CERTIFICATE OF ACCEPTANCE**

Veritas Management Company LLC  
DBA Black Castle General Contractor  
101 Southwestern Blvd., Suite 218  
Sugar Land, Texas 77478

Re: Construction of Stewart Creek Wastewater Treatment Plant Lift Station Relocation  
City of Montgomery  
TIN No. 74-2063592

Dear Mayor & Council:

This is to certify that **CITY OF MONTGOMERY** accepts the subject project on the basis of the Certificate of Substantial Completion issued by our engineers, Jones & Carter, Inc., and understands that a guarantee shall cover a period of one (1) year beginning September 17, 2020.

By: \_\_\_\_\_

Mr. Richard Tramm  
City Administrator, City of Montgomery

Approved by City Council on: \_\_\_\_\_

K:\W5841\W5841-0036-00 Lift Station No. 1 Relocation\3 Construction Phase\Close Out Docs & Punch List  
cc: Mr. Christopher Roznovsky, P.E. – WGA, City Engineer  
Mr. Richard Tramm – City of Montgomery, City Administrator  
Ms. Susan Hensley – City of Montgomery, City Secretary  
Mr. Alan Petrov – Johnson Petrov, LLP, City Attorney  
Texas Water Development Board, Attention: Bill Blaik



## CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner: City of Montgomery  
Contractor: Veritas Management Company LLC  
DBA Black Castle General Contractor  
Engineer: Rebecca L. Watkins, P.E.  
Project: Construction of the Stewart Creek  
Wastewater Treatment Plant Lift Station Relocation

Owner's Contract No.: N/A  
Contractor's Project No.: N/A  
Engineer's Project No.: W5841-0036-00  
Date: September 17, 2020

### This final Certificate of Substantial Completion applies to:

- All Work  The following specified portions of the Work:

The Work to which this Certificate applies has been reviewed by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Work or portion thereof designated above is hereby established, subject to the provisions of the Contract pertaining to Substantial Completion.

*The date of Substantial Completion in the final Certificate of Substantial Completion marks the commencement of the contractual correction period and applicable warranties required by the Contract.*

A punch list of items to be completed or corrected is attached to this Certificate. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract.

The responsibilities between Owner and Contractor for security, operation, maintenance, insurance, and warranties upon Owner's use or occupancy of the Work shall be as provided in the Contract, except as amended as follows:

Amendments to Owner's responsibilities:  None

As follows

Amendments to Contractor's responsibilities:  None

As follows:

The following documents are attached to and made a part of this Certificate: *Punch List*



This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents, is not a release of the Contractor's obligation to complete the Work in accordance with the Contract and does not warrant or imply a warranty of the Contractor's materials or workmanship.

EXECUTED BY ENGINEER:

By: Rebecca L. Watkins

(Authorized signature)

Title: Project Manager

Date: 10-7-2020

ACKNOWLEDGED:

By: Richard Nam

Owner (Authorized Signature)

Title: City Administrator

Date: 10-27-2020

ACKNOWLEDGED:

By: [Signature]

Contractor (Authorized Signature)

Title: Division Manager

Date: 10/07/2020



10-7-2020

Rebecca L. Watkins





Jones & Carter, Inc.  
 6330 West Loop S #150  
 Bellaire, Texas 77401  
 United States  
 (713) 777-5337

**Punch Items for W5841-0036-00 - Stewart Creek Wastewater Treatment Plant Lift Station Relocation**

**12 Items**

**#1: Install Confined Space Markings on the Lift Station Hatches**

Type:	Location:
Date Created: <b>09/18/2020</b>	Due Date: <b>10/18/2020</b>
Priority:	Status: <b>Work Required</b>
Creator: <b>Tyralyn Spriggins</b>	Reference:
Punch Item Manager: <b>Tyralyn Spriggins</b>	Final Approver: <b>Tyralyn Spriggins</b>
Ball in Court:	Assignee Name: <b>Whitney, Mitchell (Jones Carter) Work Required Eddy, Clinton P. (Veritas Management Company LLC) Ready for Review</b>
<b>Mitchell Whitney (Jones Carter)</b>	
Description:	
<b>Please install signage per the notes on page G2 of the conformed documents.</b>	

**#2: Install Transducer Bolts**

Type:	Location:
Date Created: <b>09/18/2020</b>	Due Date: <b>10/18/2020</b>
Priority:	Status: <b>Closed by Tyralyn Spriggins on 10/07/2020</b>
Creator: <b>Tyralyn Spriggins</b>	Reference:
Punch Item Manager: <b>Tyralyn Spriggins</b>	Final Approver: <b>Tyralyn Spriggins</b>
Ball in Court:	Assignee Name: <b>Whitney, Mitchell (Jones Carter) Ready for Review Eddy, Clinton P. (Veritas</b>

Management Company  
LLC)  
*Ready for Review*

Description:

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**#3: Remove spray foam and fill MCC control building wall penetration with grout**

Type:	Location:
Date Created: <b>09/18/2020</b>	Due Date: <b>10/18/2020</b>
Priority:	Status: <b>Ready for Review</b>
Creator: <b>Tyralyn Spriggins</b>	Reference:
Punch Item Manager: <b>Tyralyn Spriggins</b>	Final Approver: <b>Tyralyn Spriggins</b>
Ball in Court:	Assignee Name: <b>Whitney, Mitchell (Jones Carter)</b> <i>Ready for Review</i> <b>Eddy, Clinton P. (Veritas Management Company LLC)</b> <i>Ready for Review</i>

Description:

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**#6: Install label on mcc for Lift Station in control bldg.**

Type:	Location:
Date Created: <b>09/19/2020</b>	Due Date: <b>10/19/2020</b>
Priority:	Status: <b>Ready for Review</b>
Creator: <b>Tyralyn Spriggins</b>	Reference:
Punch Item Manager: <b>Tyralyn Spriggins</b>	Final Approver: <b>Tyralyn Spriggins</b>
Ball in Court:	Assignee Name: <b>Eddy, Clinton P. (Veritas Management Company LLC)</b> <i>Ready for Review</i> <b>Whitney, Mitchell (Jones Carter)</b> <i>Ready for Review</i>

Description:

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**#7: Establish grass as required on site**

Type:	Location:
Date Created: <b>09/19/2020</b>	Due Date: <b>10/19/2020</b>
Priority:	Status: <b>Work Required</b>
Creator: <b>Tyralyn Spriggins</b>	Reference:
Punch Item Manager: <b>Tyralyn Spriggins</b>	Final Approver: <b>Tyralyn Spriggins</b>
Ball in Court: <b>Mitchell Whitney (Jones Carter) Clinton P. Eddy (Veritas Management Company LLC)</b>	Assignee Name: <b>Whitney, Mitchell (Jones Carter) Work Required Eddy, Clinton P. (Veritas Management Company LLC) Work Required</b>
Description:	

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**#8: Remove dirt and leave driveway in the same condition as when the project began**

Type:	Location:
Date Created: <b>09/19/2020</b>	Due Date: <b>10/19/2020</b>
Priority:	Status: <b>Work Required</b>
Creator: <b>Tyralyn Spriggins</b>	Reference:
Punch Item Manager: <b>Tyralyn Spriggins</b>	Final Approver: <b>Tyralyn Spriggins</b>
Ball in Court: <b>Mitchell Whitney (Jones Carter) Clinton P. Eddy (Veritas Management Company LLC)</b>	Assignee Name: <b>Whitney, Mitchell (Jones Carter) Work Required Eddy, Clinton P. (Veritas Management Company LLC) Work Required</b>
Description:	

### #9: Install laminate panel label on main

Type:	Location:
Date Created: <b>09/19/2020</b>	Due Date: <b>10/19/2020</b>
Priority:	Status: <b>Work Required</b>
Creator: <b>Tyralyn Spriggins</b>	Reference:
Punch Item Manager: <b>Tyralyn Spriggins</b>	Final Approver: <b>Tyralyn Spriggins</b>
Ball in Court:  <b>Mitchell Whitney (Jones Carter)</b>	Assignee Name: <b>Whitney, Mitchell (Jones Carter)</b> <i>Work Required</i> <b>Eddy, Clinton P. (Veritas Management Company LLC)</b> <i>Ready for Review</i>

Description:

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### #10: Overload push button for pump 2 is missing on Lift Station Control Panel

Type:	Location:
Date Created: <b>09/19/2020</b>	Due Date: <b>10/19/2020</b>
Priority:	Status: <b>Closed by Tyralyn Spriggins on 10/07/2020</b>
Creator: <b>Tyralyn Spriggins</b>	Reference:
Punch Item Manager: <b>Tyralyn Spriggins</b>	Final Approver: <b>Tyralyn Spriggins</b>
Ball in Court:	Assignee Name: <b>Whitney, Mitchell (Jones Carter)</b> <i>Ready for Review</i> <b>Eddy, Clinton P. (Veritas Management Company LLC)</b> <i>Ready for Review</i>

Description:

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## #11: Grout in the main panel legs at Pump Control Panel

Type:	Location:
Date Created: <b>09/19/2020</b>	Due Date: <b>10/19/2020</b>
Priority:	Status: <b>Ready for Review</b>
Creator: <b>Tyralyn Spriggins</b>	Reference:
Punch Item Manager: <b>Tyralyn Spriggins</b>	Final Approver: <b>Tyralyn Spriggins</b>
Ball in Court:	Assignee Name: <b>Whitney, Mitchell</b> <b>(Jones Carter)</b> <i>Ready for Review</i> <b>Eddy, Clinton P. (Veritas</b> <b>Management Company</b> <b>LLC)</b> <i>Ready for Review</i>
<b>Tyralyn Spriggins</b> <b>(Jones Carter)</b>	

Description:  
**Please provide a cut about 1"-1.5" wide, with a slope to the edge of the concrete pad so that it will drain.**

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## #12: Repair Flood Light

Type:	Location:
Date Created: <b>09/19/2020</b>	Due Date: <b>10/19/2020</b>
Priority:	Status: <b>Work Required</b>
Creator: <b>Tyralyn Spriggins</b>	Reference:
Punch Item Manager: <b>Tyralyn Spriggins</b>	Final Approver: <b>Tyralyn Spriggins</b>
Ball in Court:	Assignee Name: <b>Eddy, Clinton P. (Veritas</b> <b>Management Company</b> <b>LLC)</b> <i>Ready for Review</i> <b>Whitney, Mitchell</b> <b>(Jones Carter)</b> <i>Work Required</i>
<b>Mitchell Whitney</b> <b>(Jones Carter)</b>	

Description:  
**The light near the lift station was flickering overnight. The light stays on for 5 seconds, turn off for 1 second and then back on for 5 seconds.**

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### #13: Height of Sun Shield at LS Control Panel

Type:	Location:
Date Created: <b>10/01/2020</b>	Due Date: <b>10/31/2020</b>
Priority:	Status: <b>Work Required</b>
Creator: <b>Tyralyn Spriggins</b>	Reference:
Punch Item Manager: <b>Tyralyn Spriggins</b>	Final Approver: <b>Tyralyn Spriggins</b>
Ball in Court:	Assignee Name: <b>Whitney, Mitchell (Jones Carter)</b> <i>Work Required</i>
<b>Mitchell Whitney (Jones Carter)</b> <b>Clinton P. Eddy (Veritas Management Company LLC)</b>	<b>Eddy, Clinton P. (Veritas Management Company LLC)</b> <i>Work Required</i>



Description:  
**Per drawing E9, provide 6" clearance from top of panel to bottom of edge of sun shield.**

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### #14: Generator Nuisance Alarms

Type:	Location:
Date Created: <b>10/07/2020</b>	Due Date: <b>11/06/2020</b>
Priority:	Status: <b>Work Required</b>
Creator: <b>Tyralyn Spriggins</b>	Reference:
Punch Item Manager: <b>Tyralyn Spriggins</b>	Final Approver: <b>Tyralyn Spriggins</b>
Ball in Court:	Assignee Name: <b>Eddy, Clinton P. (Veritas Management Company LLC)</b> <i>Work Required</i>
<b>Clinton P. Eddy (Veritas Management Company LLC)</b> <b>Jennifer Catalan (Black Castle General Contractor)</b>	<b>Catalan, Jennifer (Black Castle General Contractor)</b> <i>Work Required</i>

Description:  
**The operator has been receiving a number of call outs from the WWTP onsite generator. The call outs are mainly running alarms but when they arrive on site there is no sign that the generator was running.**