



CONSULTING ENGINEERS

May 18, 2023

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

Re: Construction of Water Plant No. 3 Improvements  
TWDB DWSRF No. 62715  
City of Montgomery

Dear Mayor and Council:

We received and recommend approval of Change Order No. 4 to the Water Plant No. 3 Improvements contract. This change order includes deductions of unused contract items, quantity adjustments, and a final accounting of the damages to Cooling Tower No. 1. Approval of the change order will result in a \$48,662.93 decrease to the final contract amount, from \$1,028,675.76 to \$980,012.83. As a reminder, the original contract amount was \$996,550.00.

Additionally, we conducted a final inspection of the referenced project on August 3, 2022 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 water infrastructure. As a reminder, the project was deemed substantially complete and the one-year warranty period began on August 3, 2022, as referenced in the enclosed certificate of substantial completion.

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

Sincerely,

Chris Roznovsky, PE  
Engineer for the City

CVR/kmv

Z:\00574 (City of Montgomery)\\_900 General Consultation\Correspondence\Letters\2023\2023.05.18 MEMO to Council RE WP 3 Improvements Change Order & Acceptance.docx

Enclosures: Change Order No. 4 – Water Plant No. 3 Improvements  
Certificate of Acceptance - Water Plant No. 3 Improvements  
Certificate of Substantial Completion - Water Plant No. 3 Improvements

Cc (via email): Mr. Gary Palmer – City of Montgomery, City Administrator  
Ms. Nici Browe – 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  
 www.quiddity.com

**CHANGE ORDER NO. 004**

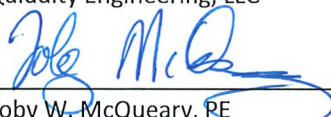

DATE: May 11, 2023

<b>Project:</b> Water Plant No. 3 Improvements	<b>Quiddity Job No.:</b> W5841-0030-00
<b>Owner:</b> City of Montgomery	<b>Contractor:</b> R+B Group, Inc.

**Description of Changes:** The Contract price is being reduced to reimburse the City of Montgomery for paying H2O Innovations to repair malfunction in existing Cooling Tower No. 1. Bid Item No. 8 is being reduced by fifty linear feet (50 LF). Bid Item No. 9 is being removed from the Contract.

**Reason for Changes:** The Contract price is being reduced to account for the labor, equipment and materials used for the repairs made to existing Cooling Tower No. 1. The construction activities performed did not require payout of the full amount from Bid Item No. 8. No SWPPP was needed that required a payout from Bid Item No. 9.

<u>Summary of Changes:</u>	<u>PRICE</u>	<u>TIME</u>
Original Contract:	\$996,550.00	270 Calendar Days
Net previous change(s):	\$32,125.76	87 Calendar Days
Contract prior to this change order:	\$1,028,675.76	357 Calendar Days
Net decrease from this change order:	(\$48,662.93)	0 Calendar Days
Revised Contract Amount:	\$980,012.83	357 Calendar Days
Cumulative % Change in Contract:	(1.66) %	32.22 %
Substantial Completion Date:	Original: February 20, 2022	Revised: May 18, 2022
Final Completion Date:	30 Days from Substantial Completion Date	

<b>APPROVED BY:</b> City of Montgomery	<b>RECOMMENDED BY:</b> Quiddity Engineering, LLC
_____	
Representative	Toby W. McQueary, PE
_____	5-12-2023
Date	Date
	<b>ACCEPTED BY:</b> R+B Group, Inc.
	
	_____
	Representative
	5/12/23
	Date
<b>Enclosures:</b> Attachment No. 004	

K:\W5841\W5841-0030-00 Water Plant No. 3 Improvements\3 Construction Phase\ChangeOrders\Change Order 004



**Water Plant No. 3 Improvements**  
**City of Montgomery**

The Contract price is being reduced to reimburse the City of Montgomery for paying H2O Innovations to repair malfunction in existing Cooling Tower No. 1. Bid Item No. 8 is being reduced by fifty linear feet (50 LF). Bid Item No. 9 is being removed from the Contract.

To implement payment for this work, the following revisions are made to the Items/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>
8	Provide trench safety system for piping, drainage facilities, and foundation construction, complete as specified.	L.F	\$1.00	\$1.00	350.0	300.0	\$350.00	\$300.00	(\$50.00)
9	Installation, maintenance, and record keeping of Storm Water Pollution Prevention Plan, complete as specified.	L.S.	\$5,000.00	\$5,000.00	1.0	0.0	\$5,000.00	\$0.00	(\$5,000.00)
15	Deduction from contract for labor, materials and equipment used to repair existing Cooling Tower No. 1.	L.S.	\$0.00	(\$43,612.93)	0.0	1.0	\$0.00	(\$43,612.93)	(\$43,612.93)
NET DECREASE IN CONTRACT PRICE									(\$48,662.93)

No days are being added to the Contract Period of Performance.

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
 Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY  
 CERTIFICATION OF FILING**

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**  
 R & B Group, Inc.  
 Houston, TX United States

**Certificate Number:**  
 2023-1020170

**Date Filed:**  
 05/12/2023

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**  
 City of Montgomery

**Date Acknowledged:**

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**  
 W5841-003-00  
 water plant No. improvements Change Order No.004

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Morrison , Brian	Houston, TX United States	X	

**5 Check only if there is NO Interested Party.**


**6 UNSWORN DECLARATION**

My name is Brian D. Morrison, and my date of birth is 7-28-1957.

My address is 5411 Killough Street, Houston, Texas, 77086, USA.  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Harris County, State of Texas, on the 12 day of May, 20 23.  
(month) (year)

  
 \_\_\_\_\_  
 Signature of authorized agent of contracting business entity  
 (Declarant)

## CERTIFICATE OF ACCEPTANCE

Mr. Michael Haralson  
R & B Group, Inc.  
5411 Killough St.  
Houston, TX 77086

Re: Construction of Water Plant No. 3 Improvements  
The City of Montgomery  
Texas Water Development Board No. 62715  
TIN: 74-2063592

Dear Mr. Haralson:

This is to certify that **THE CITY OF MONTGOMERY** accepts the subject project on the basis of the Certificate of Substantial Completion issued by our engineers, Quiddity Engineering, LLC, and understands that a guarantee shall cover a period of one (1) year beginning **August 03, 2022**.

### THE CITY OF MONTGOMERY

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

K:\W5841\W5841-0030-00 Water Plant No. 3 Improvements\3 Construction Phase\Pay Estimates\Pay Estimate 007

cc: Mr. Gary Palmer – City of Montgomery, City Administrator  
Ms. Nicola Browe – City of Montgomery, City Secretary  
Mr. Alan Petrov – Johnson Petrov, LLP, City Attorney  
Mr. Brian D. Morrison – R&B Group, Inc.  
Mr. Chris Roznovsky, PE – Ward, Getz & Associates, PLLC, City Engineer  
Ms. Lucia Loera – Texas Water Development Board



## CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner: City of Montgomery  
Contractor: R+B Group, Inc.  
Engineer: Toby W. McQueary, PE  
Project: Construction of Water Plant No. 3 Improvements

Owner's Contract No.: N/A  
Contractor's Project No.: 471-01  
Engineer's Project No.: W5841-0030-00  
Date: August 3, 2022

**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 completed 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, safety, maintenance, heat, utilities, 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: *Final Inspection 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.

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EXECUTED BY ENGINEER:

By:   
(Authorized Signature)

Quiddity Engineering, LLC

Date: August 22, 2022

ACKNOWLEDGED:

By:   
(Authorized Signature)

City of Montgomery

Date:

ACKNOWLEDGED:

By:   
(Authorized Signature)

R+B Group, Inc.

Date: 8/25/22



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