

Memo

To: City Council

From: Bryan Myrkle, Community Development Director

Date: October 4, 2019

Re: Pocket Park – Request for Approval – Change Order

As you are aware, the pocket park project at 108 & 110 E. Lawrence is substantially complete, with only a few punch list items remaining for the contractor, utility connections from Consumers Energy, and a small amount of site restoration. There will be a park dedication and donor recognition event scheduled as soon as the utility connections are made.

However, *I do need to advise you of a change order necessary for the project contract*, based on a negation between the City and Contractor during the project. Due to the discovery of hidden conditions requiring additional excavation and disposal, and more extensive downspout connections, Moore Trosper Construction requested a contract change of \$12,444.29.

Part of the stated justification for this change was a claim that city inspectors and public works staff required the removal of additional underground rock and old masonry that was previously unplanned. However, my review of the matter demonstrated that claim to be inaccurate, and I subsequently denied this charge.

Nevertheless, there was a portion of additional excavation that could not be avoided during the installation of the storm drain catch basin; and three

underground downspout connections were also deemed to be necessary once the project had already commenced.

Therefore, I proposed a revised contract change of \$2,831.04, which would cover the additional expenses for work that seemed responsible and fair to all parties. This was eventually accepted by the contractor, and I recommend it here for approval.