

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF DENTON, A TEXAS HOME-RULE MUNICIPAL CORPORATION, AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 2 TO THE CONTRACT BETWEEN THE CITY OF DENTON AND MOUNTAIN CASCADE OF TEXAS, LLC, FOR THE CONSTRUCTION OF THE NORTH SOUTH PHASE III 42-INCH WATER TRANSMISSION LINE PROJECT FOR THE CITY OF DENTON; PROVIDING FOR THE EXPENDITURE OF FUNDS THEREFOR; AND PROVIDING AN EFFECTIVE DATE (IFB 7200-1– CHANGE ORDER NO. 2 IN THE NOT-TO-EXCEED AMOUNT OF \$220,574.60, FOR A TOTAL CONTRACT AWARD AGGREGATED TO \$4,439,953.34).

WHEREAS, on June 22, 2021, by Ordinance No. 21-1265, the City Council awarded a contract to Mountain Cascade of Texas, LLC, in the amount of \$3,963,902.04, for the construction of the North South Phase III 42-inch Water Transmission Line Project for the City of Denton; and

WHEREAS, on April 5, 2022, by Ordinance No. 22-631, the City Council awarded a Change Order No. 1 between the City of Denton and Mountain Cascade of Texas, LLC, in the amount of \$255,476.70; and

WHEREAS, this procurement was undertaken as part of the City's governmental function; and

WHEREAS, the Staff having recommended, and the City Manager having recommended to the Council that a change order be authorized to amend such contract agreement with respect to the scope of work and an increase in the payment amount; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. Change Order No.2 , increasing the amount of the contract between the City and Mountain Cascade of Texas, LLC, which is on file in the office of the Purchasing Agent, in the amount of Two Hundred Twenty Thousand Five Hundred Seventy-Four and 60/100 \$220,574.60) dollars, is hereby approved, and the expenditure of funds therefore is hereby authorized in accordance with said change order which shall be attached hereto. The total purchase order amount increases to \$4,439,953.34.

SECTION 2. This ordinance shall become effective immediately upon its passage and approval.

The motion to approve this ordinance was made by \_\_\_\_\_ and seconded by \_\_\_\_\_. This ordinance was passed and approved by the following vote [\_\_\_ - \_\_\_]:

	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Jesse Davis, District 3:	_____	_____	_____	_____
Alison Maguire, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Chris Watts, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

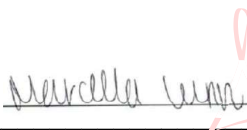
\_\_\_\_\_  
GERARD HUDSPETH, MAYOR

ATTEST:  
ROSA RIOS, CITY SECRETARY

BY: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
MACK REINWAND, CITY ATTORNEY

BY: \_\_\_\_\_

  
Digitally signed by Marcella Lunn  
DN: cn=Marcella Lunn, o,  
ou=City of Denton,  
email=marcella.lunn@cityofdent  
on.com, c=US  
Date: 2022.11.01 17:54:22 -05'00'



Docusign City Council Transmittal Coversheet

FILE	7200-1
File Name	North-South Water Main Phase 3 - CO#2
Purchasing Contact	Cori Power
City Council Target Date	
Piggy Back Option	Not Applicable
Contract Expiration	
Ordinance	

## CITY OF DENTON CHANGE ORDER FORM



City of Denton - Capital Projects  
401 N. Elm Street  
Denton, TX 76201  
Robin Davis, Project Manager

Contractor: Mountain Cascade of Texas, LLC  
11729 E. FM 917  
Alvarado, TX 76009  
Jamie Voris

Project: **North-South Phase 3 - 42" Water Transmission Main**

CHANGE ORDER NO. **2**

IFB# **7200-1**

CIP/ENG# **180006**

PO #: **197078**

Notice To Proceed Issued:  
7/12/2021

Current Completion Date:  
5/18/2022

New Completion Date:  
9/15/2022

Contract BID Amount:	\$ 3,963,902.04	Prior Approved Other Funded CO's:	\$ 255,476.70
5% Contingency Amount:	\$ -	Current Contract Amount w CO's:	\$ 4,219,378.74
Total NTE Amount :	\$ 3,963,902.04	This CO Other Funding Request:	\$ <b>220,574.60</b>
Prior Approved CAA's:	\$ -	Total Change Request:	\$ <b>220,574.60</b>
Available Contingency:	\$ -		
This CAA Request:	\$ -	Orig Contract Days:	265
Contingency Remaining:	\$ -	Approved CO Days:	45
		This CO Days Request:	120
		New Contract Days:	430

## PROJECT SCOPE AND REASON FOR CHANGE

Description of work included in Contract: Installation of approx. 4,300 LF of 42 Inch Water Transmission Main and 900 LF of 12 Inch Water Main along Bonnie Brae from I-35E to Panhandle

## Reason for change:

- 23 Reconnect Water Meter Long (4 additional meters not reflected in plans)
  - 24 Reconnect Water Meter short (3 additional meters not reflected in plans)
  - 29 Manway Vault (1 additional vault than shown in plans)
  - 33 16" DIP Special Class 52 (an additional 16' including bend was required to avoid DME Distribution Line)
  - 39-41 Quantity overruns for Curb & Gutter, Sidewalk and Drive Approaches
  - 46 Asphalt Pavement Repair Deduct for areas where subgrade was in good condition & full mill & asphalt depth was not required
- DAYS addition of 120 days due to material including concrete and paving delays

## CONTINGENCY ALLOWANCE AUTHORIZED (CAA) CONTRACT CHANGES

## QUANTITY CHANGES TO EXISTING ITEMS

Item No.	Spec. Section No.	Description of work	UOM	BID QTY	+/- QTY	Unit Price	Extended Price
		This contract does not have Contingency					\$ -
TOTAL CAA QTY CHANGES:							\$0.00

## OTHER FUNDED CONTRACT CHANGES (CO)

## QUANTITY CHANGES TO EXISTING ITEMS

Item No.	Spec. Section No.	Description of work	UOM	BID QTY	+/- QTY	Unit Price	Extended Price
23	NCTCOG 502.10.3A	Reconnect Water Meter (long)	EA	2	4	\$ 5,000.00	\$ 20,000.00
24	NCTCOG 502.10.3A	Reconnect Water Meter (short)	EA	3	3	\$ 5,000.00	\$ 15,000.00
29		Manway Vault	EA	2	1	\$ 8,800.00	\$ 8,800.00
33		16" DIP Special Class 52	LF	20	16	\$ 1,000.00	\$ 16,000.00
39	Bonnie Brae	Remove and Replace Additional Curb & Gutter damaged by S&J, not shown on drawings to be	LF	214	2,277	\$ 30.00	\$ 68,295.00
40	Bonnie Brae	Remove & Replace Additional Sidewalk damaged by S&J, not shown on drawings to be removed &	SY	52	307	\$ 212.00	\$ 65,084.00
41	Bonnie Brae	Remove & Replace Additional Driveway Approach damaged by S&J, not shown on drawings to be	SY	11	205	\$ 212.00	\$ 43,460.00
46		Asphalt Pavement Repair (4 lanes)	SY	16,750	-465.5	\$ 34.51	\$ (16,064.41)

TOTAL OTHER FUNDED QTY CHANGES: **\$220,574.60**

## NEW ITEMS OF WORK

		No New Items of Work					
TOTAL OTHER FUNDED NEW ITEMS:							\$0.00


TOTAL CO AMOUNT: **\$220,574.60**

North South Water Phase 3  
42" Transmission Main

Original BID/Contract Amount:	\$ 3,963,902.04
Original Not To Exceed Amount:	\$ 3,963,902.04
Total CAA's:	\$ -
Total CO's:	\$ 476,051.30
<b>Revised Contract Amount:</b>	<b>\$ 4,439,953.34</b>
% of CAA Approved To-Date:	-
<b>Total Changes over Original Bid:</b>	<b>12.01%</b>
Percent Changes over NTE:	12.01%

THE AFOREMENTIONED CHANGE, AND WORK AFFECTED THEREBY,  
IS SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.


SUBMITTED BY:

DocuSigned by:  
  
Project Manager

ACCEPTED BY CITY ENGINEER/DIRECTOR OF CAPITAL PROJECTS

DocuSigned by:  
  
Signature

ACCEPTED BY CONTRACTOR: Andrew McCulloch vice-President  
Name, Title

DocuSigned by:  
  
Signature

CITY MANAGER:

Signature


ATTEST: CITY SECRETERY

Signature

PURCHASING:

DocuSigned by:  
  
Signature

APPROVED AS TO LEGAL FORM:

DocuSigned by:  
  
Signature

**Certificate Of Completion**

Envelope Id: 096034D959094287BDA72AC555A5F0C4

Status: Sent

Subject: Please DocuSign: City Council Contract 7200-1 North-South Water Main Phase 3 - Change Order #2

Source Envelope:

Document Pages: 3

Signatures: 5

Envelope Originator:

Certificate Pages: 6

Initials: 1

Cori Power

AutoNav: Enabled

901B Texas Street

Envelopel Stamping: Enabled

Denton, TX 76209

Time Zone: (UTC-06:00) Central Time (US &amp; Canada)

cori.power@cityofdenton.com

IP Address: 198.49.140.104

**Record Tracking**

Status: Original

Holder: Cori Power

Location: DocuSign

10/24/2022 10:35:55 AM

cori.power@cityofdenton.com

**Signer Events****Signature****Timestamp**

Cori Power

**Completed**

Sent: 10/24/2022 10:48:34 AM

cori.power@cityofdenton.com

Viewed: 10/24/2022 10:48:47 AM

Senior Buyer

Signed: 10/24/2022 10:49:01 AM

City of Denton

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Security Level: Email, Account Authentication  
(None)**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

Lori Hewell

DocuSigned by:  
  
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lori.hewell@cityofdenton.com

Viewed: 10/24/2022 2:27:35 PM

Purchasing Manager

Signed: 10/24/2022 2:27:41 PM

City of Denton

Signature Adoption: Pre-selected Style


Security Level: Email, Account Authentication  
(None)

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**Electronic Record and Signature Disclosure:**

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Robin Davis

DocuSigned by:  
  
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Sent: 10/24/2022 2:27:44 PM

Robin.Davis@cityofdenton.com

Resent: 10/26/2022 12:55:02 PM

Security Level: Email, Account Authentication  
(None)

Viewed: 10/26/2022 3:57:23 PM

Signed: 10/26/2022 3:59:21 PM

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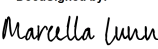
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Marcella Lunn

DocuSigned by:  
  
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Sent: 10/26/2022 3:59:25 PM

marcella.lunn@cityofdenton.com

Viewed: 10/27/2022 10:02:08 PM

Deputy City Attorney

Signed: 10/27/2022 10:02:55 PM

City of Denton

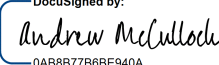

Signature Adoption: Pre-selected Style

Security Level: Email, Account Authentication  
(None)

Using IP Address: 198.49.140.104

**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

Signer Events	Signature	Timestamp
<p>Andrew McCulloch AMcCulloch@mountaincascade.com Vice-President Harber Co.Inc. dba Mountain Cascade of Nevada Security Level: Email, Account Authentication (None)</p> <p><b>Electronic Record and Signature Disclosure:</b> Accepted: 10/28/2022 5:54:45 AM ID: 42816cd5-b11b-4060-bd86-fa9d237c4d27</p>	<p>DocuSigned by:  0AB8B77B6BE940A...</p> <p>Signature Adoption: Pre-selected Style Using IP Address: 32.132.177.214</p>	<p>Sent: 10/27/2022 10:03:00 PM Viewed: 10/28/2022 5:54:45 AM Signed: 10/28/2022 7:47:35 AM</p>
<p>Rebecca Diviney Rebecca.Diviney@cityofdenton.com Director of Capital Projects/City Engineer Capital Projects/Engineering Security Level: Email, Account Authentication (None)</p> <p><b>Electronic Record and Signature Disclosure:</b> Accepted: 10/28/2022 8:09:20 AM ID: 21217b7a-637f-4686-8af5-8af9f9d6bcbd</p>	<p>DocuSigned by:  CE9F2B4E4B6745F...</p> <p>Signature Adoption: Pre-selected Style Using IP Address: 198.49.140.10</p>	<p>Sent: 10/28/2022 7:47:40 AM Viewed: 10/28/2022 8:09:20 AM Signed: 10/28/2022 8:09:31 AM</p>
<p>Cheyenne Defee cheyenne.defee@cityofdenton.com Procurement Administration Supervisor City of Denton Security Level: Email, Account Authentication (None)</p> <p><b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign</p>		<p>Sent: 10/28/2022 8:09:34 AM</p>
<p>Sara Hensley sara.hensley@cityofdenton.com Security Level: Email, Account Authentication (None)</p> <p><b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign</p>		
<p>Rosa Rios rosa.rios@cityofdenton.com Security Level: Email, Account Authentication (None)</p> <p><b>Electronic Record and Signature Disclosure:</b> Accepted: 10/28/2022 12:31:55 AM ID: 34047a2f-f981-4885-8806-e2f8604e83a5</p>		

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp
<p>Cheyenne Defee  cheyenne.defee@cityofdenton.com  Procurement Administration Supervisor  City of Denton  Security Level: Email, Account Authentication  (None)  <b>Electronic Record and Signature Disclosure:</b>  Not Offered via DocuSign</p> <p>Gretna Jones  gretna.jones@cityofdenton.com  Security Level: Email, Account Authentication  (None)  <b>Electronic Record and Signature Disclosure:</b>  Not Offered via DocuSign</p> <p>City Secretary Office  citysecretary@cityofdenton.com  Security Level: Email, Account Authentication  (None)  <b>Electronic Record and Signature Disclosure:</b>  Not Offered via DocuSign</p> <p>Robin Davis  Robin.Davis@cityofdenton.com  Security Level: Email, Account Authentication  (None)  <b>Electronic Record and Signature Disclosure:</b>  Accepted: 10/26/2022 3:57:23 PM  ID: d0ca998e-7449-4d4d-8131-54a5b517dd55</p> <p>Cheyenne Defee  cheyenne.defee@cityofdenton.com  Security Level: Email, Account Authentication  (None)  <b>Electronic Record and Signature Disclosure:</b>  Not Offered via DocuSign</p>	<div>COPIED</div>	<p>Sent: 10/24/2022 10:49:04 AM</p>
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	10/24/2022 10:48:34 AM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		



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To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at [melissa.kraft@cityofdenton.com](mailto:melissa.kraft@cityofdenton.com) and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

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- ii. send us an e-mail to [purchasing@cityofdenton.com](mailto:purchasing@cityofdenton.com) and in the body of such request you must state your e-mail, full name, US Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

**Required hardware and software**

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none"><li>•Allow per session cookies</li><li>•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection</li></ul>

\*\* These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

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