

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 [___ - ___]:

	Aye	Nay	Abstain	Absent
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.

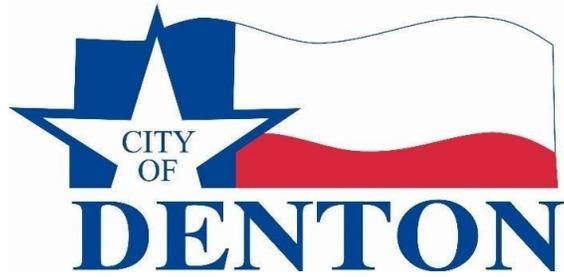
GERARD HUDSPETH, MAYOR

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:	\$ 220,574.60
Prior Approved CAA's:	\$ -	Total Change Request:	\$ 220,574.60
Available Contingency:	\$ -		
This CAA Request:	\$ -	Orig Contract Days:	<u>265</u> This CO Days Request: <u>120</u>
Contingency Remaining:	\$ -	Approved CO Days:	<u>45</u> New Contract Days: <u>430</u>

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
Revised Contract Amount:	\$ 4,439,953.34
% of CAA Approved To-Date:	-
Total Changes over Original Bid:	12.01%
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:
Robin Davis
Project Manager

ACCEPTED BY CITY ENGINEER/DIRECTOR OF CAPITAL PROJECTS

DocuSigned by:
Rebecca Diviney
Signature

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

DocuSigned by:
Andrew McCulloch
Signature

CITY MANAGER:

Signature

ATTEST: CITY SECRETERY

Signature

PURCHASING:

DocuSigned by:
Lori Howell
Signature

APPROVED AS TO LEGAL FORM:

DocuSigned by:
Marcella Gunn
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
Certificate Pages: 6	Initials: 1
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Cori Power
Time Zone: (UTC-06:00) Central Time (US & Canada)	901B Texas Street
	Denton, TX 76209
	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

Signer Events	Signature	Timestamp
Cori Power cori.power@cityofdenton.com Senior Buyer City of Denton Security Level: Email, Account Authentication (None)	Completed Using IP Address: 198.49.140.104	Sent: 10/24/2022 10:48:34 AM Viewed: 10/24/2022 10:48:47 AM Signed: 10/24/2022 10:49:01 AM
Electronic Record and Signature Disclosure: Not Offered via DocuSign		

Lori Hewell lori.hewell@cityofdenton.com Purchasing Manager City of Denton Security Level: Email, Account Authentication (None)	 13E1D934887C40F...	Sent: 10/24/2022 10:49:04 AM Viewed: 10/24/2022 2:27:35 PM Signed: 10/24/2022 2:27:41 PM
Electronic Record and Signature Disclosure: Not Offered via DocuSign	Signature Adoption: Pre-selected Style Using IP Address: 198.49.140.10	

Robin Davis Robin.Davis@cityofdenton.com Security Level: Email, Account Authentication (None)	 1786071FDEE947C...	Sent: 10/24/2022 2:27:44 PM Resent: 10/26/2022 12:55:02 PM Viewed: 10/26/2022 3:57:23 PM Signed: 10/26/2022 3:59:21 PM
Electronic Record and Signature Disclosure: Not Offered via DocuSign	Signature Adoption: Uploaded Signature Image Using IP Address: 198.49.140.10	

Marcella Lunn marcella.lunn@cityofdenton.com Deputy City Attorney City of Denton Security Level: Email, Account Authentication (None)	 4B070831B4AA438...	Sent: 10/26/2022 3:59:25 PM Viewed: 10/27/2022 10:02:08 PM Signed: 10/27/2022 10:02:55 PM
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Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Signer Events

Andrew McCulloch
AMcCulloch@mountaincascade.com
Vice-President
Harber Co.Inc. dba Mountain Cascade of Nevada
Security Level: Email, Account Authentication
(None)

Signature

DocuSigned by:
Andrew McCulloch
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Signature Adoption: Pre-selected Style
Using IP Address: 32.132.177.214

Timestamp

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Viewed: 10/28/2022 5:54:45 AM
Signed: 10/28/2022 7:47:35 AM

Electronic Record and Signature Disclosure:
Accepted: 10/28/2022 5:54:45 AM
ID: 42816cd5-b11b-4060-bd86-fa9d237c4d27

Rebecca Diviney
Rebecca.Diviney@cityofdenton.com
Director of Capital Projects/City Engineer
Capital Projects/Engineering
Security Level: Email, Account Authentication
(None)

DocuSigned by:
Rebecca Diviney
CE9F2B4E4B6745F...
Signature Adoption: Pre-selected Style
Using IP Address: 198.49.140.10

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Electronic Record and Signature Disclosure:
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ID: 21217b7a-637f-4686-8af5-8af9f9d6bcbd

Cheyenne Defee
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Procurement Administration Supervisor
City of Denton
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(None)

Sent: 10/28/2022 8:09:34 AM

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Not Offered via DocuSign

Sara Hensley
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(None)

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Rosa Rios
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(None)

Electronic Record and Signature Disclosure:
Accepted: 10/28/2022 12:31:55 AM
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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
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Cheyenne Defee
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Procurement Administration Supervisor
City of Denton
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Electronic Record and Signature Disclosure:
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Sent: 10/24/2022 10:49:04 AM

Gretna Jones
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Security Level: Email, Account Authentication
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Not Offered via DocuSign

City Secretary Office
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Security Level: Email, Account Authentication
(None)
Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Robin Davis
Robin.Davis@cityofdenton.com
Security Level: Email, Account Authentication
(None)
Electronic Record and Signature Disclosure:
Accepted: 10/26/2022 3:57:23 PM
ID: d0ca998e-7449-4d4d-8131-54a5b517dd55

Cheyenne Defee
cheyenne.defee@cityofdenton.com
Security Level: Email, Account Authentication
(None)
Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Payment Events	Status	Timestamps
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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 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 and in the body of such request you must state your e-mail, full name, IS 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"> •Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** 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.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

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