

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING PAYMENT OF AN ADDITIONAL THIRTY-SEVEN THOUSAND EIGHT HUNDRED FIFTY-THREE AND 21/100 DOLLARS (\$37,853.21) FOR CHATTANOOGA'S SHARE OF CHANGE ORDER NO. 1 (FINAL) OF THE CONTRACT BETWEEN THE CHATTANOOGA HOUSING AUTHORITY AND LEE ADCOCK CONSTRUCTION CO., INC., CONTRACT NO. E-10-016-201, FAIRMONT AVENUE TOWNHOUSES, FOR A REVISED CHATTANOOGA SHARE OF THREE HUNDRED SEVENTY-NINE THOUSAND FIFTY-THREE AND 21/100 DOLLARS (\$379,053.21).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, it is hereby authorizing payment of an additional \$37,853.21 for Chattanooga's share of Change Order No. 1 (Final) of the contract between the Chattanooga Housing Authority and Lee Adcock Construction Co., Inc., Contract No. E-10-016-201, Fairmont Avenue Townhouses, for a revised Chattanooga share of \$379,053.21.

ADOPTED: _____, 2012.

/mms

City of Chattanooga



Resolution/Ordinance Request Form

Date Prepared: September 20, 2012

Preparer: Dennis Malone

Department: Public Works

Brief Description of Purpose for Resolution/Ordinance:

Res./Ord. # _____ Council District # _____

1

A City Council resolution is requested to approve the Change Order No. 1 (Final), for Chattanooga Housing Authority, relative to Contract No. E-10-016-201, Fairmont Avenue Townhouses, for an increased amount of \$37,853.21, for a revised contract amount not to exceed \$379,053.21.

Name of Vendor/Contractor/Grant, etc.	<u>Chattanooga Housing Authority</u>	New Contract/Project? (Yes or No)	<u>No</u>
Total project cost \$	<u>379,053.21</u>	Funds Budgeted? (YES or NO)	<u>Yes</u>
Total City of Chattanooga Portion \$	<u>379,053.21</u>	Provide Fund	<u>4016</u>
City Amount Funded \$	<u>379,053.21</u>	Provide Cost Center	<u>K12139</u>
New City Funding Required \$	<u>0</u>	Proposed Funding Source if not budgeted	_____
City's Match Percentage %	_____	Grant Period (if applicable)	_____

List all other funding sources and amount for each contributor.

<u>Amount(s)</u>	<u>Grantor(s)</u>
\$ _____	_____
_____	_____
_____	_____
_____	_____

Agency Grant Number _____

CFDA Number if known _____

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by: _____

DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

Please submit completed form to @budget, City Attorney and City Finance Officer

Revised: 1/26/09



CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

Development Resource Center
1250 Market Street, Suite 2100
Chattanooga, TN 37402
Phone: (423) 757-5117
Fax: (423) 757-0586

CHANGE ORDER

Contract No.: E-10-016-201
Contractor: Chattanooga Housing Authority
Lee Adcock Construction Co., Inc.
Project Name: Fairmount Avenue Townhouses

Change Order No.: 1 (Final)
Date: August 21, 2012
Council Res. #'s: 26556
(Attach Copies)

Check Reason for Change Order
 Error/Omission
 Field Condition
 Field Dispute Settlement
 Owner Request
 Value Engineering
 Other: Completion of contract items

Contract Days Changed: _____
Revised Completion Date: _____

Original Contract Amount	\$	<u>341,200.00</u>
Net Change by Previous C.O.s	\$	_____
Contract Amount Prior to this C.O.	\$	<u>341,200.00</u>
Total Amount of this C.O.	\$	<u>37,853.21</u>
NEW CONTRACT AMOUNT	\$	<u>379,053.21</u>

Description / Justification (Add more pages if necessary)
The work is complete and in substantial conformance with the contract documents.

The terms and conditions of this Change Order, including the cost and time contained herein, constitute a full accord and complete satisfaction for all costs and time of performance related to the work described or referenced herein, including but not limited to, all delay and impact costs for the entire Project resulting from this Change Order. Except as amended herein, all provisions of the Contract remain in full force and effect.

APPROVALS

CONTRACTOR		ENGINEER / ARCHITECT	
Signature	Date	Signature	Date
<i>Ronald Sumner</i>	<u>9/20/12</u>	<i>Naveed</i>	<u>9/20/12</u>
CITY PROJECT MANAGER		CITY ENGINEER	
Signature	Date	Signature	Date
<i>Ronald Sumner</i>	<u>9/20/12</u>	<i>D. M. K.</i>	<u>9/20/12</u>
ADMINISTRATOR OF PUBLIC WORKS		CITY FINANCE OFFICER	
Signature	Date	Signature	Date



CHANGE REQUEST FORM (CRF)

City Contract No. _____
Project Name: Fairmount Avenue Townhouses
Engineer: Hefferlin & Kronenberg and March Adams
Contractor: Lee Adcock Construction Co., Inc.

Requested By: Chattanooga Housing Authority
Drawing: Change Order Request (COR) #23
Problem Desc: New retaining wall at Winter Street doesn't join existing wall on Mississippi Avenue.

Revised Scope Description/Details

Item No.	Description	Unit	Qty	Unit Price	Item Total
ADD					
1	Add additional blocks to new wall to attach to existing	1	1	\$600.00	\$600.00
TOTAL					\$600.00
DEDUCT					

Contractor Acknowledgement:
 No Change in Contract Amount is required. A Change in Contract Amount is required: _____ days
 No Change in Contract Time is required. A Change in Contract Time is required: _____ days

Mark A Bell _____ Contractor
 Architect / Engineer / Inspector / RPR

Change in Contract Amount is within the Contingency Amount authorized under Resolution No. 26556
 Yes No
Noweed 8/17/12
 Engineer / Architect Project Manager

Proceed with Execution
 Yes No
Donald Simmons 8/20/12
 City Project Manager



CHANGE REQUEST FORM (CRF)

City Contract No. _____
Project Name: Fairmount Avenue Townhouses
Engineer: Hefferlin & Kronenberg and March Adams
Contractor: Lee Adcock Construction Co., Inc.

Requested By: Chattanooga Housing Authority
Drawing: Change Order request (COR) #5.1 and COR #24, items #7 & #8
Problem Desc: S.E. retaining wall redesign adding drain inlet, enlarged footings and changes in wall height.
S.E. retaining wall drain line redesign & extending line further down than originally planned.

Revised Scope Description/Details

Item No.	Description	Unit	Qty	Unit Price	Item Total
ADD					
1	Retaining wall changes and additions	1	1	\$13,833.83	\$13,833.83
2	Re-design drain line and extension of line	1	1	\$1,493.00	\$1,493.00
DEDUCT					
TOTAL					\$15,326.83

Contractor Acknowledgement:
 No Change in Contract Amount is required. A Change in Contract Amount is required:
 No Change in Contract Time is required. A Change in Contract Time is required: _____ days

Mark A Bell
 Architect / Engineer / Inspector / RPR

 Contractor

Change in Contract Amount is within the Contingency Amount authorized under Resolution No. 26556
 Yes No
Abweed 8/17/12
 Engineer / Architect Project Manager

Proceed with Execution
 Yes No
Donald Simmons 8/20/12
 City Project Manager



CHANGE REQUEST FORM (CRF)

City Contract No. _____
Project Name: Fairmount Avenue Townhouses
Engineer: Hefferlin & Kronenberg and March Adams
Contractor: Tennessee American Water Company

Requested By: Chattanooga Housing Authority
Drawing: _____
Problem Desc: TAWC estimate for new water line in Winter Street was \$31,900.00 and actual \$24,865.91

Revised Scope Description/Details

Item No.	Description	Unit	Qty	Unit Price	Item Total
ADD					
DEDUCT					
1	TAWC water line in Winter Street actual cost less	1	1	\$7,034.09	\$7,034.09
TOTAL					(\$7,034.09)

Contractor Acknowledgement:

No Change in Contract Amount is required. A Change in Contract Amount is required: _____ days
 No Change in Contract Time is required. A Change in Contract Time is required: _____ days

Mark Hill _____ Contractor
 Architect / Engineer / Inspector / RPR

Change in Contract Amount is within the Contingency Amount authorized under Resolution No. 26556

Yes No

Noweed 8/17/12
 Engineer / Architect Project Manager

Proceed with Execution

Yes No

Ronald Simmons 8/20/12
 City Project Manager

RESOLUTION NO. 26556

A RESOLUTION RATIFYING THE EXECUTION BY THE
MAYOR OF A LETTER AGREEMENT WITH
CHATTANOOGA HOUSING AUTHORITY CONCERNING
THE FAIRMONT STREET PROJECT.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, it
is ratifying the execution by the Mayor of a letter agreement with Chattanooga Housing
Authority concerning the Fairmont Street project.

ADOPTED: January 4, 2011

/mms

CHATTANOOGA HOUSING AUTHORITY

BOARD OF COMMISSIONERS

EDDIE F. HOLMES, CHAIRPERSON
JAMES F. SATTLER, VICE CHAIRPERSON
MOLLY H. COOPER
CONSUELO O'NEAL
WILBERT R. ROBERTS, JR.
BETTY ROBINSON
JIM STEFFES



ELIZABETH F. MCCRIGHT
EXECUTIVE DIRECTOR

801 N. HOLTZCLAW AVENUE
CHATTANOOGA, TN 37404-1236
TEL (423) 668-2374
FAX (423) 752-4462
TDD (423) 752-4830
www.chahousing.org

MAILING ADDRESS
P.O. BOX 1486
CHATTANOOGA, TN 37401-1486

August 2, 2010

The Honorable Ron Littlefield
Mayor, City of Chattanooga
101 E. 11th Street
Chattanooga, TN 37402

Mr. Mayor:

Thank you and your staff for meeting with the Chattanooga Housing Authority (CHA) last Friday, July 30 to hear our latest updates on the Fairmount Apartments project and to discuss the bid prices we received, and some specifics on how the City and CHA should now move forward, now that both parties have more information to them than was available for our more general Letter of Agreement (LOA) dated March 30, 2010. This letter can serve to summarize the discussions at Friday's meeting, and memorialize the decisions that we arrived at that will allow both the City and CHA to move forward with our respective parts of the project. Following are the major points that were talked about and agreed upon; for our records, if you believe that they adequately set out the substance of our discussions and decisions, please sign the letter at the bottom where shown:

- CHA has now received bids for the project, including separate pricing for the elements of the project that we had contemplated the City handling in our LOA. The apparent low bidder is Lee Adcock Construction of Shelbyville, TN. CHA and our architect have performed due diligence on this contractor, and believe them to be a quality firm capable of performing well on this project. Bids came in at prices that will make the project work, within the budget we have with HUD and within the general parameters set out in the LOA.
- For the elements that would be handled by the City, in order to finalize the bid alternates that will be selected, and the resulting contract amount, CHA desired to resolve which elements should be handled directly by the City, and which elements should be awarded to the general contractor to be done under its contract.
- With respect to the project work to be accomplished on Fairmount Avenue, we agreed that since the City has planned to do work on Fairmount Avenue that is shown in the proposed 2011 Capital Budget, the City would go ahead and undertake this work on its own, and CHA will not elect the Fairmount Bid Alternate (which was bid at \$132,000) with its general contractor.
- With respect to the pedestrian walkway work to be accomplished on the Winter St. right of way and from the apartments down to Dallas Road, we agreed that since the City's general preference for projects of this type is for them to be contracted out rather than performed by City forces, CHA will elect to have our general contractor perform these two alternates (at \$35,000 for the Winter St. alternate and \$97,000 for the Dallas Rd. alternate). Consistent with our LOA, the City will reimburse CHA for the cost of these alternates. CHA and our contractor will work with the City so that the timing of this work can be arranged in a way

that will be convenient to the City, subject to the requirements of our HUD grant and the general requirement of the project to achieve Certificates of Occupancy at the end of our construction period.

- With respect to the retaining wall repairs needed at the south property line, CHA will elect to have our general contractor perform this work, at the bid alternate cost of \$45,300. The City will reimburse CHA for the work under the LOA as in the previous point, and CHA will again make every effort to adjust the timing of the work to the City's convenience.
- Although it is not currently part of the scope of work that was bid on, CHA will request from its contractor a price to replace the sewer line leading from the edge of CHA's property down to Dallas, which is acknowledged to be in poor repair and would have to be fixed in any case. Although not discussed in the meeting, CHA is desirous that City Engineering provide design drawings and specifications for this work, to facilitate CHA getting a price for this change order. The City may choose to have this work performed by CHA's contractor for that price, under a reimbursement arrangement similar to those described above. CHA, with such assistance from the City as can be useful, will work to get the easement in place to allow this work to start.
- Bids received for additional water supply lines to the site from Mississippi Avenue up the Winter St. right-of way are reasonable (\$31,900 for bid alternate #11 and \$35,100 for bid alternate #12, both 8" lines). It was agreed that it would be desirable if CHA could elect both these bid alternates, include them in the contract with the general contractor, and obtain reimbursement from the City for the alternate #11 work (Winter St. water line) under a reimbursement arrangement similar to those described above; added to those above, this last item would then leave the City's contribution close to that originally contemplated by the LOA. However, CHA's discussions with the Tennessee American Water Co. have not been able to resolve whether the Water Co. would be willing to accept work done by our contractor, or whether they would only accept work performed by their own forces or selected contractors. Pricing for this work as quoted so far by Tennessee American has been significantly higher than the pricing received at bid by CHA. We agreed that both CHA and the City will make additional efforts to resolve this question by a reasonable time, but that for now and in the anticipation of being able to obtain a favorable compromise with the Water Co., CHA will go ahead and elect these two bid alternates, and the City plan to reimburse CHA for the work under alternate #11 only.
- Finally, several possibilities for the use of the project contingency were discussed, should it become apparent toward the end of the project that unused contingency is likely to be left. In this event, CHA will strongly consider decorative pavers for the parking areas, to further enhance the visual appeal of the site.
- The City's contribution to the project can be summarized as follows:

SUMMARY

Bid Alternate No.	Work Item Description	Bid Amount	Agreed To Be Reimbursed by the City to CHA
Alt. 4	Dallas Road Walkway (January 11)	\$97,000	\$97,000
Alt. 5	Winter St. Walkway (January 11)	\$35,000	\$35,000
Alt. 6	Fairmount Ave. - Submit to GC -	\$132,000	\$0 (City to perform this work)
Alt. 9	Retaining Wall	\$45,300	\$45,300
Alt. 11	8" Water line in Winter St.	\$31,900	\$31,900
Alt. 12	8" Water line in new portion of Fairmount right of way	\$35,100	\$0 (CHA will perform this work as part of its scope)

Pay this out
 at Bureau # Mon. A.

	Total Reimbursements		\$209,200
	Total City Commitments Agreed Upon as Shown Above	\$341,200	
	Estimated City Commitments in Letter of Agreement 3/30/10	\$331,359	

Thank you for your support of this project, and we look forward to seeing you at our ground-breaking ceremony very soon for this exciting project!

Sincerely,

Elizabeth F. McCright

Elizabeth F. McCright
Executive Director

City of Chattanooga

*ADD ROADWAY
to total - split into
2 years*

encl.: Bid tabulation

Meeting Attendees on July 30, 2010:

Mayor Ron Littlefield	City of Chattanooga
Richard Beeland	City of Chattanooga
Steve Leach	City of Chattanooga
Gary Hilbert	City of Chattanooga
Naveed Minhas	Chattanooga Housing Authority
Commissioner Jim Sattler	Chattanooga Housing Authority
Mike Sabin	Chattanooga Housing Authority
Craig Kronenberg	H+K Architects, PLLC

RESOLUTION NO. 26175

A RESOLUTION AUTHORIZING THE STAFF OF THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY TO INITIATE A ZONING CHANGE FOR FAIRMONT AVENUE APARTMENTS LOCATED ON FAIRMONT AVENUE AND OWNED BY THE CHATTANOOGA HOUSING AUTHORITY FROM R-3 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE AND TO DECLARE A MORATORIUM OF 120 DAYS ON ISSUANCE OF NEW BUILDING PERMITS RELATIVE TO THE FAIRMONT AVENUE APARTMENTS UNTIL APPROPRIATE STUDIES CAN BE DONE TO DETERMINE THE NEED FOR NEW ZONING REGULATIONS TO PROTECT THE PUBLIC SAFETY AND WELFARE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the Staff of the Chattanooga-Hamilton County Regional Planning Agency be and is hereby authorized to initiate a zoning change for Fairmont Avenue Apartments located on Fairmont Avenue and owned by the Chattanooga Housing Authority from R-3 Residential Zone to R-T/Z Residential Townhouse Zero Lot Line Zone.

BE IT FURTHER RESOLVED, That there be and is hereby declared a moratorium of 120 days on issuance of new building permits relative to the Fairmont Avenue Apartments until appropriate studies can be done to determine the need for new zoning regulations to protect the public safety and welfare.

ADOPTED: January 5, 2010

MAM/VLM/add

CHATTANOOGA HOUSING AUTHORITY

BOARD OF COMMISSIONERS

EDDIE F. HOLMES, CHAIRPERSON
JAMES F. SATTLER, VICE CHAIRPERSON
MOLLY H. COOPER
CONSUELO O'NEAL
WILBERT R. ROBERTS, JR.
BETTY ROBINSON
JIM STEFFES



ELIZABETH F. MCCRIGHT
EXECUTIVE DIRECTOR

801 N. HOLTZCLAW AVENUE
CHATTANOOGA, TN 37404-1236
TEL (423) 668-2374
FAX (423) 752-4462
TDD (423) 752-4830
www.chahousing.org

MAILING ADDRESS
P.O. BOX 1486
CHATTANOOGA, TN 37401-1486

November 10, 2010

The Honorable Ron Littlefield
Mayor, City of Chattanooga
101 E. 11th Street
Chattanooga, TN 37402

Mr. Mayor:

With regard to the 18 townhomes under construction at our Fairmount Ave. site, Naveed Minhas of our staff met on October 29 with Steve Leach, Lee Norris, Bill Payne, Dennis Malone and Mike Patrick of your staff to work out details regarding the construction. The agreements reached at that meeting flesh out the details and make some significant changes in how the City's contribution to the project will happen. If you recall, I summarized our current arrangement in a letter from the Chattanooga Housing Authority (CHA) to the City dated July 30, 2010 (which itself was an update to our original Letter of Agreement dated March 30, 2010. This letter can supplement the previous letters by setting out and documenting for both of our files the new agreed-upon scope of work and responsibilities for each party. If you believe that they adequately reflect our revised understanding, please sign the letter at the bottom where shown.

- With respect to the drainage and walkway improvements to be accomplished on Fairmount Avenue leading to the new site, City staff now believes that they can be more cost-effectively accomplished as a change order to CHA's contract with its General Contractor (previously the City had intended to handle this portion of the work itself). CHA is agreeable to handling it this way, with provision for reimbursement from the City. Bid Alternate #6 corresponds exactly with the scope of work required, and was bid by our contractor Adcock Construction at \$132,000; this will be the amount of the change order CHA will now execute with Adcock. Because the City is in the best position to negotiate any needed easements or access licenses from adjoining property owners, the City will continue to handle this limited aspect (including any associated costs). Dennis Malone will review the scope of work and advise CHA of any changes or additions the City may want, which will be handled via a change order with CHA's General Contractor and will be reimbursed by the City.
- With respect to the pedestrian walkway work to be accomplished on the Winter St. right of way and from the apartments down to Dallas Road, we previously agreed that CHA would include this work in our contract with Adcock, and that the City would reimburse CHA. No change has been proposed to this aspect of our agreement.
- With respect to the additional water supply lines to the site from Mississippi Avenue up the Winter St. right-of-way, in discussions in early August, CHA, Tennessee American Water Company (TAWC) and the City agreed that TAWC would perform the work at a cost of \$77,155, and that the City would reimburse CHA for \$31,900 (note: this work has been completed and the City invoiced by CHA).

- With respect to the retaining wall repairs needed at the southwest property line, we previously agreed that CHA would include this work in our contract with Adcock, and that the City would reimburse CHA. No change has been proposed to this aspect of our agreement.
- The City believes that the 6" sewer line leading down to Dallas Road from our site is in poor repair and should be replaced. The City is contracting with March Adams and Associates engineers, to perform design work for the new sewer line. Based on the design, CHA will obtain a quote from its general contractor Adcock Construction to install the line. If the quote is acceptable to CHA and the City, CHA will issue a change order to Adcock for this work, and the City will reimburse CHA for the construction and related expenses. Mike Patrick will be the City's key staff contact for this work.
- The City will also require an easement on which to locate the new sewer line as it runs down the hill, since no easement exists for the existing line. The City will work with March Adams to prepare suitable easement documents, negotiate, purchase, execute and record the easement. Dan Thornton will be the key staff contact for the City on this work. The easement will be a dual-purpose easement, so as to also serve as the basis for our required all-weather pedestrian pathway. The City will coordinate its easement and sewer design work through March Adams, and CHA, so that Adcock's construction schedule for the site and sewer work will not be adversely affected.

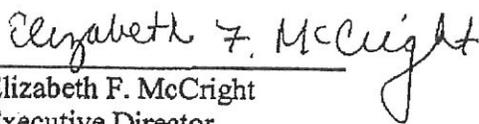
The City's contribution to the project can be summarized as follows:

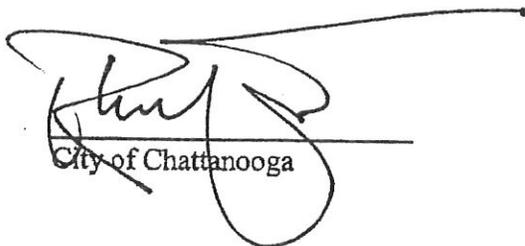
SUMMARY

Bid Alternate No.	Work Item Description	Agreed To Be Reimbursed by the City to CHA
Alt. 4	Dallas Road Walkway	\$97,000
Alt. 5	Winter St. Walkway	\$35,000
Alt. 6	Fairmount Ave.	\$132,000
Alt. 9	Retaining Wall	\$45,300
Alt. 11	8" Water line in Winter St.	\$31,900
	Total City Commitments Agreed Upon as Shown Above	\$341,200
	Sewer line down to Dallas Rd.	Actual Cost of Change Order

Thank you for your support of this project, and we look forward to working closely with you and your staff throughout the construction process.

Sincerely,


 Elizabeth F. McCright
 Executive Director


 City of Chattanooga