



October 18th, 2023

Town of Lapel
825 Main St
Lapel, IN 46051

**RE: Town of Lapel
Town Council
Water Utility Improvements Project Division "B"
Proposed Change Order No. 4**

Dear Council:

Enclosed, for consideration and approval, please find proposed Change Order No. 4 for Division "B" of the Town of Lapel's Water Utility Improvements Project.

The following items are included in this change order:

- Pendleton Ave – Contaminated Soil Removal \$ 231,077.77

TOTAL \$ 231,077.77

Pendleton Ave – Contaminated Soils Removal

During initial excavation at the intersection of Pendleton Ave. and Ford. St., the Contractor reported a strong petroleum smell coming from the excavation. Upon further investigation, it was determined that the car dealership was previously a gasoline station. Due to the existing contaminated soils in the area, it was determined that the contaminated soil and piping in the area must be removed and replaced. New water main was installed in clean soil to address the contamination. As a result, additional costs were incurred for remediation efforts and replacement of newly installed water main. The originally quoted cost provided by the Contractor was adjusted based on 12 of the identified 15 days being used to perform the work.

Due to delays associated with utility locates and unforeseen contaminated soil remediation, a time extension composed of 133 additional days.

Change Order No. 4 and supporting documentation on costs are enclosed with this letter. We find these costs to be justified and reasonable for the required work. Should you have any questions, comments, or concerns, regarding the above information please feel free to contact us.

Sincerely,

COMMONWEALTH ENGINEERS, INC.

Robert Bellucci, P.E.
Project Manager

7256 Company Drive
Indianapolis, IN 46237
Phone: (317) 888-1177
Toll Free: 1-800-289-1177
Fax: (317) 887-8641

Date of Issuance: October 18, 2023	Effective Date: 10/18/23
Owner: Town of Lapel	Owner's Contract No.: N/A
Contractor: Atlas Excavating, Inc.	Contractor's Project No.:
Engineer: Commonwealth Engineers, Inc.	Engineer's Project No.: W20074
Project: Water Utility Improvements	

The Contract is modified as follows upon execution of this Change Order:

Description:

Contaminated Soils Cleanup - \$231,077.77 ; Total Cost - \$231,077.77

Attachments:

Atlas Quotation, Contaminated soil cost breakdown, Work Change Directive No. 1

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>2,181,663.00</u>	Original Contract Times: <input checked="" type="checkbox"/> Working Days <input type="checkbox"/> Calendar Days Substantial Completion: <u>335 Days – 1/16/22</u> Ready for Final Payment: <u>30 Days - 12/16/22</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>3</u> : \$ <u>186,330.08</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>3</u> : Substantial Completion: <u>197 Days – 6/1/23</u> Ready for Final Payment: <u>0 Days – 7/1/23</u> days or dates
Contract Price prior to this Change Order: \$ <u>2,367,993.08</u>	Contract Times prior to this Change Order: Substantial Completion: <u>532 Days – 6/1/23</u> Ready for Final Payment: <u>30 Days – 7/1/23</u> days or dates
[Increase] [Decrease] of this Change Order: \$ <u>231,077.77</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>133 Days – 10/12/23</u> Ready for Final Payment: <u>0 Days – 11/11/23</u> days or dates
Contract Price incorporating this Change Order: \$ <u>2,599,070.85</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>665 Days – 10/12/23</u> Ready for Final Payment: <u>30 Days – 11/11/23</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (if required)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Title: <u>Project Manager</u>	Title: <u>Town Council President</u>	Title: <u>Project Manager</u>
Date: _____	Date: _____	Date: _____

Approved by Funding Agency (if applicable)

By: _____ Date: _____
Title: _____

Impacted Soils and HDPE Replacement Change Order Proposal



Atlas Excavating Inc.

4740 Swisher Road

West Lafayette, Indiana 47906

Contact: Jonathan Leinberger

Phone: 765-429-4800

Email: Jonathanl@atlasexcavating.com

Quote To: Reilly Duffy
Engineer Intern

Job Name: Lapel Division B

Date of Plans:

Revision Date:

Phone:

Fax: 317-215-5432

Cell:

E-mail: rduffy@contactcei.com

Price is only good IF flowable fill is available
at the time of work.

ITEM	DESCRIPTION	QUANTITY	UNIT		AMOUNT
1000	Mobilization	1.00	LS		59,852.05
1080	Flowable Fill	120.00	LF		73,096.80
5010	Remove HDPE Pipe	120.00	LF		12,508.80
5020	8" C900 Pipe	120.00	LF		137,311.20
5100	Maintain Traffic	15.00	DAY		44,668.65
5102	Road Patching	12.00	EA		100,301.88
5103	Asphalt Restoration	120.00	LF		15,634.80
GRAND TOTAL					\$443,374.18

NOTES:

Due to the current global supply chain issues, pipe material pricing that is included in this proposal is subject to change and any cost increases incurred between the time of this proposal and contract execution may need to be discussed. We can honor this pricing for 5 days, we will provide documentation of price at time of quote and time of delivery for back up. Additionally, the availability of materials is not guaranteed.

COMMONWEALTH - ESTIMATE FROM BID AND QUANTITIES

DESCRIPTION	QTY	UNIT	UNIT PRICE	AMOUNT
Mobilization	1	LS	\$ 59,852.05	\$ 59,852.05
Remove HDPE Pipe	120	LF	\$ 83.39	\$ 10,007.04
8" C900 Pipe	120	LF	\$ 915.41	\$ 109,848.96
Maintain Traffic	12	DAY	\$ 2,977.91	\$ 35,734.92
Asphalt Restoration	120	LF	\$ 130.29	\$ 15,634.80
				\$ 231,077.77

Flowable fill paid out by Heartland and removed from total final cost.

Road Patching cost removed since not road patching was completed.

T&M sheets indicate 12 of 15 working days were needed to complete the work.

WORK CHANGE DIRECTIVE NO. 1

Owner: Town of Lapel, IN **Owner's Project No.:** N/A
Engineer: Commonwealth Engineers, Inc. **Engineer's Project No.:** W20074
Contractor: Atlas Excavating Inc. **Contractor's Project No.:**
Project: Water Utility Improvements Project
Contract Name: Contract Division "B"
Date Issued: January 25, 2023 **Effective Date of Work Change Directive:** January 25, 2023

Contractor is directed to proceed promptly with the following change(s):

Description:

Removal and replacement of 120 L.F. of previously installed HDPE water main along Pendleton Avenue (S.R. 13) as required by the Indiana Department of Environmental Management (IDEM) in support of supplemental soil remediation activities adjacent to 22 West Pendleton Avenue, Lapel, IN 46051, a previously remediated and subsequently closed site. The originally installed HDPE pipe will be replaced with C900 PVC pipe. In addition to pipe removal and replacement, additional costs associated with Mobilization, Traffic Maintenance, and Surface Restoration are included. The work will be performed in concert with IDEM's Contractor whom is responsible for the excavation and removal of contaminated soils and replacement of said soils with flowable backfill as directed by the Indiana Department of Transportation (INDOT).

Attachments:

- 1) Site Plan Showing Limits of Contamination and Subsequent Work Area
- 2) Cost Proposal from Atlas Excavating Inc.

Purpose for the Work Change Directive:

To immediately replace previously installed water main along Pendleton Avenue (S.R.13) in support of supplemental soil remediation activities adjacent to 22 West Pendleton Avenue, Lapel, IN, 46051.

Directive to proceed promptly with the Work described herein, prior to ~~agreeing to change in Contract Price and Contract Time~~ issuance of a formal Contract Change Order, is issued due to:

Notes to User—Check one or both of the following

~~Non-agreement on pricing of proposed change.~~ Necessity to proceed for schedule or other reasons.

Estimated Change in Contract Price and Contract Times (**Estimated Not-to-Exceed**):

Contract Price: **\$370,277.38 NTE** **[increase] [decrease] [not yet estimated].**

Contract Time: **N/A** days **[increase] [decrease] [not yet estimated].**

Basis of estimated change in Contract Price:

Lump Sum Unit Price Cost of the Work Other (See attached proposal from Contractor)

This work is required due to an unforeseen site condition encountered during construction activities along Pendleton Avenue (S.R.13). Since this work was not included within the current construction project scope, supplemental funding will be required from the Indiana Finance Authority State Revolving Fund (SRF) Program. SRF has indicated that funds are available in the form of a 0% interest supplemental bond that shall be used as to mitigate funds issue while the Town continues to seek legal remedy for previous issues, inactions, and other unforeseen circumstances to which the Town does not agree to certain liability not assumption of responsibility. SRF is working directly with the Town and their Financial Consultant to assemble Due Diligence documentation in advance of scheduling a Pre-closing for the supplemental bond.

Recommended by Engineer	Authorized by Owner
By: _____	/s/ Noah Bozell
Title: _____	Town Council President and Town Executive
Date: _____	March 1, 2023

Reilly Duffy, EI

From: Robert Bellucci, PE
Sent: Wednesday, March 1, 2023 3:11 PM
To: Reilly Duffy, EI; Nick Dillon; jonathanl@atlasexcavating.com
Subject: Fwd: Work Order Change
Attachments: PT-10.11.C-940_2018 Work Directive No. 1[74] LAPEL Edit.docx

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Paula Lee <lapelclerk@hotmail.com>
Sent: Wednesday, March 1, 2023, 3:09 PM
To: Robert Bellucci, PE <rbellucci@contactcei.com>
Subject: Fw: Work Order Change

Rob,
Attached is the signed document.
Paula

From: Noah Bozell <noah@lapelindiana.org>
Sent: Wednesday, March 1, 2023 2:54 PM
To: Paula Lee <lapelclerk@hotmail.com>
Subject: Fwd: Work Order Change

Attached is the work change directive.
It has been electronically signed.

Noah J. Bozell
Lapel Town Council President
PH: 765-534-3131



----- Forwarded message -----

From: **Evan McMullen** <emcmullen@inlawemail.com>

Date: Wed, Mar 1, 2023 at 2:51 PM

Subject: Work Order Change

To: noah@lapelindiana.org <noah@lapelindiana.org>

Dear President Bozell,

Please see attached.

Respectfully,



Evan C. McMullen

Attorney at Law
Of Counsel

Graham, Farrer & Wilson, P.C.

c: 765-635-7120

o: 765-552-9878

a: 200 E State St, Pendleton, IN 46064

e: emcmullen@gfwlawyers.com

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