

RESOLUTION 08-39

**A RESOLUTION ACCEPTING THE
PAVING CONTRACT ADDENDUM
FOR MILES JOHNSON PARKWAY, PHASE II**

WHEREAS, the City of Spring Hill had previously contracted with Mid-Tenn Construction & Electrical Co., Inc. to provide certain work and material for Miles Johnson Parkway, Phase II;

WHEREAS, on September 15th, 2008 Mid-Tenn Construction & Electrical Co., Inc. requested that due to the extreme increase in materials, rock and oil its subcontractors were not able to honor their original bid and therefore Mid-Tenn requested that it be relieved of the remaining portion of the contract;

WHEREAS, the reduction to the contract price would be \$502,209.79;

WHEREAS, Tennessee Valley Paving Co., Inc. had a previous contract with the City for paving of Kedron Road and Buckner Lane and has agreed to perform the remaining work on Miles Johnson Parkway, Phase II, along with the City for the sum of \$656,523.00.

WHEREAS, the overall construction and paving price remains consistent with the cost of the roadway as presented to this Board by the City Engineer and City Manager in July 2008.

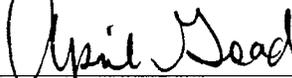
NOW, THEREFORE, BE IT RESOLVED, by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee that the Mayor be authorized to sign the addendums to the paving contract with Mid-Tenn Construction & Electrical Co., Inc. And Tennessee Valley Paving Co., Inc. which are attached hereto to this Resolution.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill,
Tennessee on this 20th day of October, 2008.



Danny M. Leverette, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Timothy P. Underwood, City Attorney

MID-TENN
CONSTRUCTION & ELECTRICAL CO., INC.

2317 CAMPBELL PARK (38401)
P.O. BOX 1115
COLUMBIA, TN 38402-1115

TELEPHONE: 931/388-9674
FAX: 931/388-9392
EMAIL: MALUGIN@CPWS.NET

September 15, 2008

Mr. Kenneth S. Weaver
City of Spring Hill, Tennessee
Town Center
Spring Hill, TN 37174

Dear Mr. Weaver.

RE: MILES JOHNSON PARKWAY-SECTION II

I am, at this time, requesting an Addendum to the Contract for the above Project. The line items that I am requesting release from are a part of the Roadway portion of this Contract and are as follows:

| | | | |
|-------------|--|--------------------------|--------------|
| Item #6 | Compacted Crush Stone Base-Remaining Portion | \$110,635.61 | |
| Item #7 | Bituminous Tack Coat | \$ 3,841.00 | |
| Item #8 | Bituminous Prime Coat | \$ 10,855.00 | |
| Item #9 | Asphalt Binder 4" | \$227,755.00 | |
| Item #10 | Asphalt Topping 2" | \$125,895.00 | |
| Item #11 | Curb & Gutter | \$ 7,145.60 | |
| Item #17 | Guardrails | \$ 11,055.00 | |
| Item #19a-f | All Traffic Markings | Included in Items #6-#10 | |
| Item #19g-h | All Signage | \$ 5,024.25 | \$5027.5 |
| | TOTAL | \$502,206.46 | \$502,209.79 |

All of these items were originally bid to us by a single Sub-Contractor. Due to the extreme increases in materials, rock, and oil he is unable to honor his original bid.

These revisions will reduce the total Contract Price (\$1,649,996.47 Base + \$10,127.56 Change Orders) of \$1,660,124.03 to \$1,157,917.57. as all other Items will remain in Contract.

Sincerely,



William L. Malugin, President
MID-TENN CONSTRUCTION & ELECTRICAL CO., INC.

Jerome
Fax
9-23-08
10:20AM

MID-TENN
CONSTRUCTION & ELECTRICAL CO., INC.

A

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P.O. BOX 1115
COLUMBIA, TN 38402-1115

TELEPHONE: 931/388-9674
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July, 24, 2007

Mr. John McCord
City of Spring Hill, Tennessee
Town Center
Spring Hill, TN 37174

Dear Mr. McCord,

RE: MILES JOHNSON PARKWAY-SECTION II

I would like to request a release from portions of the Contract between Mid-Tenn Construction, Inc. and the City of Spring Hill, Tennessee, on the above named project. The line items that I am requesting release from are the following:

Roadway Item #6 – Compacted Crushed Stone Base
Roadway Item #7 – Bituminous Tack Coat
Roadway Item #8 – Bituminous Prime Coat
Roadway Item #9 – Type 307-B Asphalt Binder
Roadway Item #10 – Type 411-D Asphalt Topping

At this time, the Sub-Contractor is unable to honor his bid to us, leaving us with no choice other than to make this request to you. Due to the extreme increases in materials, rock and oil, he has submitted a rebid to us. We have thus revised our quote to you.

Thank you for your consideration in this matter.

Sincerely,



William L. Malugin, President
MID-TENN CONSTRUCTION & ELECTRICAL CO., INC.

MID-TENN
CONSTRUCTION & ELECTRICAL CO., INC.

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COLUMBIA, TN 38402-1115

TELEPHONE: 931/388-9674
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EMAIL: MALUGIN@CPWS.NET

QUOTE

TO: City of Spring Hill, Tennessee
DATE: July 24, 2008
PROJECT: MILES JOHNSON PARKWAY – PHASE II

WE HEREBY PROPOSE: To furnish in accordance with your Specifications and/or Drawings for the above named Project the following:

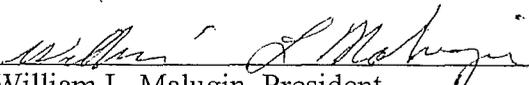
Quote for Paving

| ITEM # | DESCRIPTION | UNIT PRICE | UNIT | QUANTITY | TOTAL |
|--------|-----------------------|------------|--------|----------|------------|
| 7 | Bituminous Tack Coat | 3.73 | Gallon | 2,300 | 8,579.00 |
| 8 | Bituminous Prime Coat | 3.73 | Gallon | 6,500 | 24,245.00 |
| 9 | Asphalt Binder 4" | 83.95 | Ton | 5,050 | 423,947.50 |
| 10 | Asphalt Topping 2" | 102.35 | Ton | 2,750 | 281,462.50 |
| | | | | TOTAL | 738,234.00 |

This quote replaces any pricing for same items contained in prior contract for work on Miles Johnson Parkway. This quote is only valid until September 23, 2008, due to volatility of materials pricing. Weight/Quantity documentation to be provided for quantity verification.

WE PROPOSE to furnish Labor, Equipment, and Materials in Accordance to the above Specifications for the Sum of: Seven Hundred Thirty-eight Thousand, Two Hundred Thirty-four and No/100 Dollars.

PAYMENT to be made as follows: Net 10 days upon approval of Invoice. No Retainage to be held.

Signature: 
William L. Malugin, President
MID-TENN CONSTRUCTION & ELECTRICAL CO., INC.
Contractor License #00023364, Expiration 1/31/2010
Classifications: BC; MC-B; MU; CE-B; CMC; CE

ACCEPTANCE OF QUOTE: The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do this work as specified. Payment will be made as specified above.

Authorized Signature: _____ Date: _____

B

MID-TENN
CONSTRUCTION & ELECTRICAL CO., INC.

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COLUMBIA, TN 38402-1115

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FAX: 931/388-9392
EMAIL: MALUGIN@CPWS.NET

QUOTE

TO: City of Spring Hill, Tennessee
DATE: July 24, 2008
PROJECT: MILES JOHNSON PARKWAY – PHASE II

WE HEREBY PROPOSE: To furnish in accordance with your Specifications and/or Drawings for the above named Project the following:

Rebid of Base Stone Only

Plans dated 6/20/07 specify 10" of limestone base on a section of Miles Johnson Parkway, approximately 4,400 feet long. The new roadway section is to be 24 feet wide, plus a 4 foot shoulder on each side, thus making the limestone base a total of 32 feet wide. Approximately 2,000 tons of limestone base has previously been placed.

This Quote is a per ton price for placing base stone on the section of Miles Johnson Parkway, as existed when inspected by Lester Malugin on 7/17/08. This quote includes no work on the section adjacent to Hwy. 31 that has been paved by others. This Quote is to place base stone no thicker than ten inches. There are areas that have been graded in such a manner that does not allow for 10" of base stone. There are some pipes that exist at elevations such that little or no base stone can be placed over the pipe and/or surrounding area. Also noted is that the improvement areas to Duplex Road may not match drawing contained in original plans.

Limestone base 32" wide will be installed for a per ton price. This includes no work on section adjacent to Hwy. 31 and no work on the section that has been paved by others. Limestone Base will be placed at depths ranging from 0" to 10" on graded sections from the end of the paved area near Hwy. 31, and extending to the end of the project at Old Kedron Road. Base stone will be installed to a level of 6" below top of manholes. Certified weigh tickets for base stone will be provided for quantity verification.

QUOTE: \$ 13.80/Ton

**This Quote replaces any pricing contained in prior contract for work on Miles Johnson Parkway.
This Quote is valid until 8/23/2008.**

WE PROPOSE to furnish Labor, Equipment, and Materials in Accordance to the above Specifications for the Sum of: Thirteen and 80/100 per ton.

PAYMENT to be made as follows: Net 10 days upon approval of Invoice. No Retainage to be held.

Signature: *William L. Malugin*
William L. Malugin, President
MID-TENN CONSTRUCTION & ELECTRICAL CO., INC.
Contractor License #00023364, Expiration 1/31/2010
Classifications: BC; MC-B; MU; CE-B; CMC; CE

ACCEPTANCE OF QUOTE: The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do this work as specified. Payment will be made as specified above.

Authorized Signature: _____ Date: _____

**ADDENDUM TO PAVING CONTRACT
OF MILES JOHNSON PARKWAY, PHASE II**

Comes now Mid-Tenn Construction & Electrical Co., Inc. and the City of Spring Hill and hereby agree to modify the existing paving contract of Miles Johnson Parkway, Phase II.

At the request of Mid-Tenn Construction & Electrical Co., Inc., by letter dated September 15th, 2008, attached hereto as Exhibit #1, it has been asked to be relieved of certain portions of the roadway base bid.

That such items include items #6 - #10, and more particularly described as follows:

- Roadway Item #6 - Compacted Crushed Stone Base
- Roadway Item #7 - Bituminous Tuck Coat
- Roadway Item #8 - Bituminous Prime Coat
- Roadway Item #9 - Type 307-B Asphalt Binder
- Roadway Item #10 - Type 411-D Asphalt Topping
- Roadway Item #11 - Curb and Gutter
- Roadway Item #17 - Installation of Standard T.D.O.T. Guardrail w/8 Flared Ends

Mid-Tenn Construction shall also be relieved of #19(a-h) in addition to the above referenced items.

That such revisions shall reduce the total contract price from \$1,660,124.03 (\$1,649,996.47 base, plus \$10,127.56 for change orders). That all other provisions of the existing contract between Mid-Tenn Construction and the City of Spring Hill, Tennessee not specifically changed by this Addendum shall remain in effect as previously agreed. The total contract price shall now be \$1,157,914.24.

Attested this 20th day of ^{October} ~~September~~ 2008.



Danny M. Leverette,
Mayor, City of Spring Hill, Tennessee

By: William L. Malogin
Mid-Tenn Construction & Electrical Co., Inc.

Print Name: WILLIAM L. MALOGIN

Title: PRESIDENT

*I have received copy
of Addendum
William L. Malogin Jr
10-22-08*

ADDENDUM TO PAVING CONTRACT
FOR KEDRON ROAD AND BUCKNER LANE

Comes now Tennessee Valley Paving Co., Inc. and the City of Spring Hill, Tennessee and hereby agrees to amend the original paving contract between the parties to allow for additional work to be performed by Tennessee Valley Paving on Miles Johnson Parkway, Phase II.

Pursuant to Section II of the Invitation to Submit Quotations, the successful bidder, Tennessee Valley Paving, would be awarded additional street paving projects within the city limits of Spring Hill, Tennessee. That it is the desire of the City of Spring Hill and Tennessee Valley Paving that such additional work shall include certain items for Miles Johnson Parkway, Phase II.

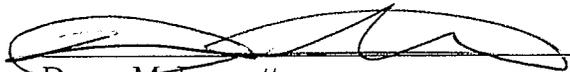
It is agreed that Tennessee Valley Paving will perform the following work on Miles Johnson Parkway, Phase II:

- Prime Coat
- 4 inch B-Mod Binder
- Tack Coat
- 2 inch D-Mix
- Curb and Gutter
- Line Striping

It is agreed by the parties for the above referenced work the City of Spring Hill will pay to Tennessee Valley Paving the sum of \$656,523.00.

The City of Spring Hill, Tennessee will purchase the estimated 9,800 tons of rock needed to complete the additional work to be performed by Tennessee Valley Paving.

Attested this 22nd day of October 2008.



Danny M. Leverette,
Mayor, City of Spring Hill, Tennessee

By: 

Tennessee Valley Paving Co., Inc.

Print Name: BRYA DERRYBERRY

Title: V.P.