



## Legislation Details (With Text)

**File #:** ID 21-0404    **Version:** 1    **Name:**  
**Type:** Resolution    **Status:** Passed  
**File created:** 5/20/2021    **In control:** City Council  
**On agenda:** 6/15/2021    **Final action:** 6/15/2021  
**Title:** Resolution Authorizing Change Order #4 in the Amount of \$1,000,000.00 for Contract 2009-056 (EL-5101DJ) for the Murrow Boulevard Roadway Improvements and Downtown Greenway Phase 2 Project with Yates Construction Company, Inc.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Yates SoS.pdf, 2. MWBE Memo Murrow Blvd Rdwy Imp & DG Phase 2 - GDOT.pdf, 3. 21-0404 RES Yates.pdf

Date	Ver.	Action By	Action	Result
6/15/2021	1	City Council	adopt	Pass

Resolution Authorizing Change Order #4 in the Amount of \$1,000,000.00 for Contract 2009-056 (EL-5101DJ) for the Murrow Boulevard Roadway Improvements and Downtown Greenway Phase 2 Project with Yates Construction Company, Inc.

Council Priority: Maintain Infrastructure and Provide Sustainable Growth Opportunities

Department: Engineering and Inspections

Council District: 2,3

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Hanna Cockburn, 373-4368

Contact 2 and Phone: Kenney McDowell, 373-2302

**PURPOSE:**

City Council approval is requested for a change order to Contract 2009-056 (EL-5101DJ) for the Murrow Boulevard Roadway Improvements and Downtown Greenway Phase 2 Project. This change order for \$1,000,000.00 is to account for additional work required to complete this project.

**BACKGROUND:**

This project includes Federal funding and is subject to the U.S. Department of Transportation Disadvantaged Business Enterprise (DBE) program. The M/WBE Program Plan expressly states, "...the following categories of contracts shall be excluded from the scope and application of this Program Plan: (a) Contracts that are subject to the U.S. Department of Transportation Disadvantaged Business Enterprise Program and Airport Concessions Disadvantaged Business Enterprise Program as set forth in 49 CFR Parts 23 and 26 or any successor regulations or legislation."

The DBE goal for this project is 10.0%. The DBE commitment for this project is 10.28% and is being met by using the following DBE firms - Carolina Environmental, Triad Road Maintenance, Martins Masonry, Highway Guardrail, Southern Garden, T. Simmons Backhoe, and Jessie Lane Landscaping.

This change order #4 is necessary to cover contract unit overruns as well as additional supplemental agreements required by the City and/or the NCDOT during construction.

After this project was bid, it was determined by the City and the NCDOT that additional work areas should be added to the project that caused an increase to the contract bid quantities. These areas included additional paving work on Gate City Boulevard and providing parking along Plott Street. These additions to the contract as well as overruns on other portions of the project has necessitated the need for this change order.

City Council originally approved a contract award in the amount of \$9,974,539.60 to Yates Construction Company, Inc. on September 18, 2018. DBE goals were 10% and Yates Construction Company, Inc. achieved 10.28% DBE participation. Change order #1 increased the total contract award to \$10,063,289.60. Change order #2 increased the total contract award to \$10,243,849.60. Change order #3 increased the total contract award to \$10,253,849.60. At this point in the contract, Yates Construction Company, Inc. has increased their DBE participation to 12.4%. Change order #4 increases the total contract award to \$11,253,849.60.

**BUDGET IMPACT:**

Funds for this change order will come from the Transportation Downtown Greenway account 401-4542-01.6014 A18068 in the amount of \$1,000,000.00.

**RECOMMENDATION / ACTION REQUESTED:**

The Engineering & Inspections and Transportations Departments recommend that City Council approve this change order for \$1,000,000.00 for Contract 2009-056 (EL-5101DJ) to Yates Construction Company, Inc.