

Date of Issuance: 03/08/2024	Effective Date: 09/14/2023
Owner: Town of Pendelton	Owner's Contract No.: #219091-21-049G
Contractor: Sicoli Construction Services, Inc.	Contractor's Project No.:
Engineer: Nussbaumer & Clarke, Inc	Engineer's Project No.: 22J1-0123
Project: Town of Pendelton Community Center	Contract Name: General Construction Contract

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

Description:

This Change Order is in reference to:

- Bollards in front of new gas meter.

Attachments: *Change Request #12 - Bollards in front of Gas Meter*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>1,749,700.00</u>	Original Contract Times: Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>N/A</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>GC-1</u> to No. <u>GC-6</u> : \$ <u>37,983.26</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>N/A</u> to No. <u>N/A</u> : Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ <u>1,787,683.26</u>	Contract Times prior to this Change Order: Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>N/A</u> days or dates
Increase of this Change Order: \$ <u>2,557.00</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>N/A</u> days or dates
Contract Price incorporating this Change Order: \$ <u>1,790,240.26</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>N/A</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (if required)	By: _____ Owner (Authorized Signature)	By:  Contractor (Authorized Signature)
Title: <u>Construction Services Manager,</u> <u>Nussbaumer & Clarke, Inc.</u>	Title: _____	Title: <u>Vice President</u>
Date: <u>03/08/2024</u>	Date: _____	Date: <u>3/13/2024</u>

SICOLI Construction Services, Inc.

4800 Hyde Park Blvd.
Niagara Falls New York 14305
Phone: (716)205-0540
Fax: (716)205-0541

VIA EMAIL

March 8, 2024

Nussbaumer & Clarke, Inc.
3556 Lake Shore Road, Suite 500
Buffalo, NY 14219

Attn: Christopher Freese

Re: Town of Pendleton Community Center
SCS Job #198, **CR#12**

Chris,

Per your request to add bollards in front of new gas meter, we hereby submit the following quotation for Change Order:

TOTAL OF CR #12:

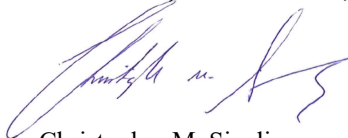
\$ 2,557.00

(See attached breakdown)

Please issue the appropriate Contract Change Order in the very near future, so we may include this charge as part of our next payment application.

If you have any questions, please feel free to contact me at your convenience at the above number. My extension is 106.

Sincerely,
Sicoli Construction Services, Inc.



Christopher M. Sicoli
Vice President



Change Request Breakdown

Date : 3/8/2024

Job #198 - Town of Pendleton Community Center

CR #12 - Bollards at Gas Meter

Sicoli Construction				
<u>SCS Job Foreman</u>	2	Hour(s) @	\$130/hr	\$260.00
<u>SCS Carpenter</u>	0	Hour(s) @	\$100/hr	\$0.00
Subcontractor(s)				
<u>Thomann Asphalt</u>				
Labor				\$0.00
Material				\$0.00
Equipment				\$0.00
O&P				\$0.00
Subcontractor Total =				\$2,150.00
Labor				\$0.00
Material				\$0.00
Equipment				\$0.00
O&P				\$0.00
Subcontractor Total =				
Subcontractor Grand Total =				\$2,150.00
SCS Grand Total =				\$260.00
SCS O&P =	15% on SCS Direct			\$39.00
	5% on Subcontractor			\$107.50
Total of CR #12				\$2,556.50
Contract Time Increase				(2) Calendar Days



Proposal

No.	24067	From	Daniel Schieder
Date	3/5/2024		Thomann Asphalt Paving Corp
Project	Pendleton Community Center	For	Ben Sicoli
Address	4800 Hyde Park Blvd		Sicoli Construction Services Inc.
	Niagara Falls, NY 14305		4800 Hyde Park Blvd
Type	Tax Exempt - Prevailing Wage		Niagara Falls, NY 14305

Bollards at Gas Meter	AMOUNT
2 EA	\$2,150.00
Site Bollards: Supply and install (2) 6-inch ID bollards per the drawings. Includes black plastic covers with double reflective red stripe.	
	Subtotal \$2,150.00
	Tax Exempt
	Total \$2,150.00

Grand Total	Subtotal	\$2,150.00
	Tax	
	Total	\$2,150.00

Standard Provisions And Exclusions

1. This proposal cannot be honored until a signed copy of the proposal is received at our office and may be withdrawn if not accepted within 30 days of the proposal date. This proposal is to become part of any contract awarded to Thomann Asphalt. Please note that all work not specifically described in this proposal is excluded from our scope.
2. Due to the unstable price of oil and asphalt products, Thomann Asphalt reserves the right to revise its price at any time due to fluctuations in asphalt prices up until the time the asphalt is delivered to the job. Price adjustment (per ton) will equal change in asphalt index times percent of asphalt in hot mix. To verify the NYSDOT asphalt index goto: <https://www.dot.ny.gov/main/business-center/contractors/construction-division/fuel-asphalt-steel-price-adjustments>
3. Any costs associated with the obtaining of permits, bonds, special fees, and licenses are not included unless specifically addressed in the text of this bid. We are not responsible for any penalties resulting from failure to obtain such paper work. Upon request we will pick up and pay for any of the above and will invoice for our costs.
 - 3.1 Any work performed under this contract on a T&M basis will be inclusive of a minimum charge per piece of machinery and equipment, equal to four (4) hours at our normal hourly rate. Additionally, if work is performed at a time when we are not already on site, the appropriate mobilization charges will be applied.
 - 4.1 Unless noted otherwise, no allowances have been made for unforeseen digging/earthwork conditions such as underground foundations, soft or unstable conditions, unmarked utilities, removal of "un-clean" fill, or rock excavation.
 - 4.2 For jobs that require excavation of more than 6", we will contact "UFPO- Underground Facilities Protective Organization" to mark public underground utility lines. The owner or general contractor is responsible for marking any private lines outside "UFPO's" scope and informing Thomann Asphalt of their presence and marked location.
 - 4.3. No compaction testing in this proposal. For jobs that require a minimum density on asphalt or stone, please note that we cannot guarantee density unless we agree to it explicitly in this proposal.
 - 5.1 It is normal for asphalt products in the first year after installation to scuff or divot. This is inherent to the product. The asphalt is still curing. It is most noticeable on hot days and usually caused by drivers turning the vehicle's power steering while in a stationary position. These marks will generally smooth back out over time.
 - 5.2 Thomann Asphalt cannot guarantee against reflective cracking on resurfaces over existing asphalt or concrete. Products such as petro-mat & petro-tac may reduce or delay its effects but will not eliminate this problem.
 - 5.3 In situations with less than 1% pitch, Thomann Asphalt cannot guarantee that there will not be puddling. Areas that require hand raking require slightly more pitch.
6. Unless specified elsewhere we are not responsible for concrete testing, caulking, cold weather protection, or heated material. No warranty / guarantee on concrete treated with rock salt or other de-icers. No guarantee against cracks, peeling, discoloration or any acts of God.
7. We are not responsible for clearing area of blocking items, i.e. vehicles, garbage bins, etc. At our discretion we will back charge for extra mobilizations and delays caused by blocking items.
8. We are not responsible for damage to property resulting from tracking of wet materials by persons or vehicles.
9. Thomann Asphalt warranties all work for a period of one year from the date of completion. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. All agreements contingent upon strikes, accidents or delays beyond our control. Thomann is fully covered by General Liability and Workmen's Compensation Insurance.
10. ADA compliance is not guaranteed in this proposal and Thomann Asphalt will not be liable if our work is found to be out of ADA compliance unless the ADA work is requested by our customer and documented in this proposal. If areas are thought to be out of ADA compliance we recommend employing a licensed architect/engineer for a site analysis.
11. Layout is for our work only. Owner/GC to provide TAPC with the design cad file from the engineer/architect inclusive of a minimum of 3 control points tied into the design coordinate system located both in the cad file and at precise onsite locations.
12. Payment must be made within 30 days from date of invoice. At our discretion a late charge of 1.5% / month may be added to the invoice for past due accounts. If it becomes necessary to employ a collection agency, or to initiate legal proceedings in order to enforce this agreement, Thomann Asphalt shall be entitled to recover their costs and attorneys' fees, and shall be added to the contract costs.

Respectfully Submitted,

Accepted by,

Thomann Asphalt Paving Corp.

Ben Sicoli

Sicoli Construction Services Inc.



Pendleton Community Center
Nussbaumer & Clarke, Inc.
Project No. 22J1-0123
Owner's Contract No. 21-049E

REQUEST FOR INFORMATION

Contractor's Name: Sicoli Construction Services, Inc.
Address: 4800 Hyde Park Blvd.
City, State, Zip: Niagara Falls, NY 14305
Phone: 716-205-0540
Email: csicoli@sicoliconstruction.com

Contractor's RFI No. 5 Date: 2/23/2024
RFI Title: Bollards at Gas Service
Job No.: 22J1-0123

PROJECT: Pendleton Community Center
PROJECT No: 21-049E
TO: **Nussbaumer & Clarke, Inc.**
3556 Lake Shore Rd.
Suite 500
Buffalo, NY 14219

ATTN: **cfreese@nussclarke.com**

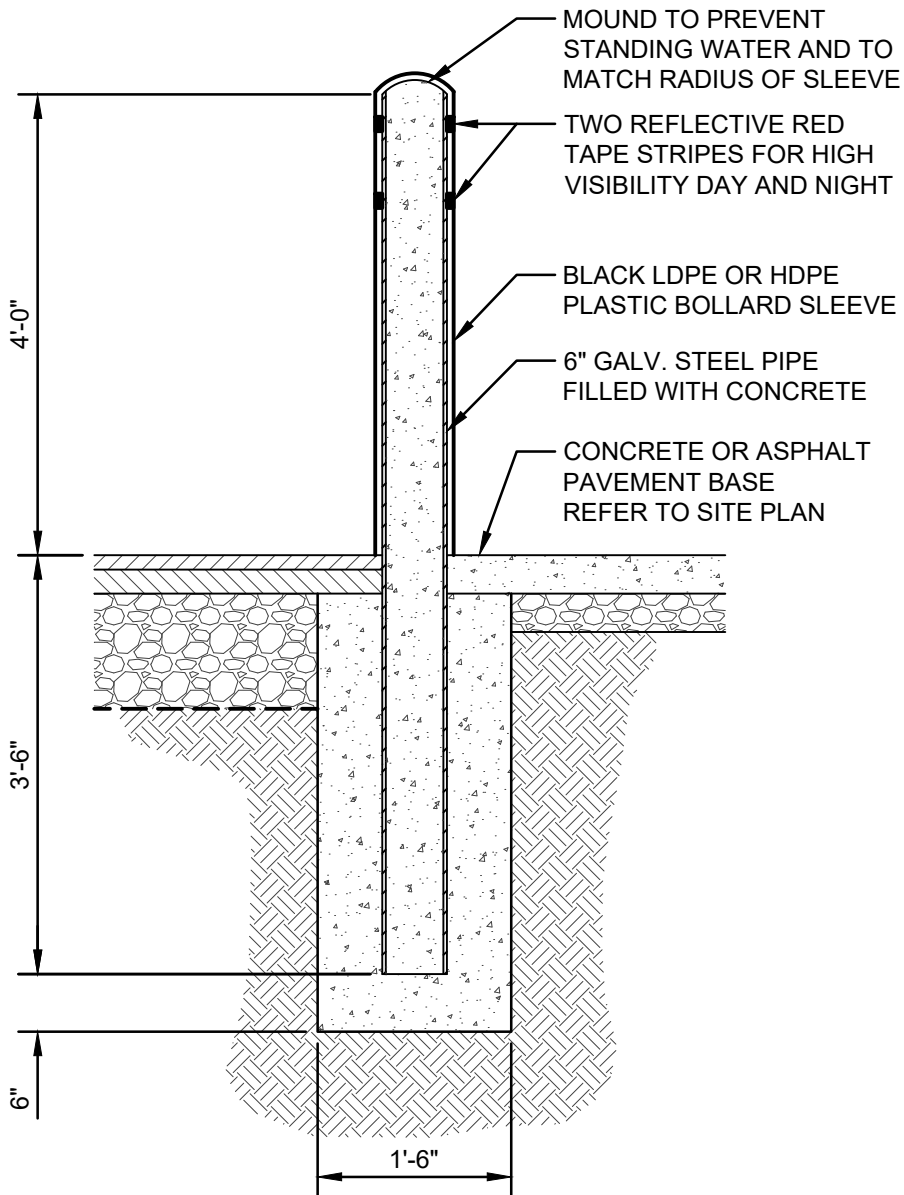
QUESTION:

Ron from the Town of Pendleton Code Enforcement informed us that Bollards are required to be installed in front of gas service at the Building. There is nothing indicated in the Documents to do so. Please advise

ANSWER:

Contractor to install 2 Bollards in front of the new Gas Meter per the attached Detail.

Note: The response to this RFI is for clarification of the contract documents. The response is **NOT** authorization to proceed with additional work.



NOTES:

1. LDPE OR HDPE PIPE BOLLARD COVER WITH ROUNDED TOP, 1/4" THICK WITH INTEGRAL COLOR AND ADHESIVE/TAPE SYSTEM TO ANCHOR COVER TO BOLLARD.

A1

LDPE/HDPE TYPICAL BOLLARD

SCALE: NTS



3556 Lake Shore Road, Suite 500
 Buffalo, NY 14219
 (716) 827-8000 | (716) 826-7958 fax
 www.nussclarke.com

STANDARD DETAILS

LDPE OR HDPE TYPICAL BOLLARD

DETAIL

C-SI-17