CITY OF COFFEYVILLE
BOARD OF COMMISSIONERS AGENDA ITEM

MEETING DATE	August 23, 2016	
RESOLUTION OR ORDINANCE NUMBER	R-16-109	
AGENDA TITLE	**Emerson Chloride Inc. - Change Order # 01 – Uninterruptible Power Supply Package** **New Generation Project**	
REQUESTING DEPARTMENT	Electric	
PRESENTER	Mike Shook	
FISCAL INFORMATION	Cost as recommended:	($12,740.00)
	Budget Line Item:	890-5-030-850 Plant Improvements
	Balance Available	
	New Appropriation Required:	[ ] Yes [X] No
PURPOSE	To authorize a change order to apply liquidated damages for late delivery to the Uninterruptible Power Supply (UPS) contract.	
BACKGROUND	Emerson Chloride was awarded the UPS contract for the new generation project.	
SPECIAL NOTES	N/A	

ANALYSIS	Contractual delivery of the uninterruptible power supply unit was no later than 4/15/16, for all components. A delay in delivery of the charging system was suffered, not being delivered until 7/28/16. Change Order cap for this contract is 10% of contract value, and is being applied. This change order has been reviewed by Burns & McDonnell Mechanical Engineering staff.
PUBLIC INFORMATION PROCESS	N/A
BOARD OR COMMISSION RECOMMENDATION	
STAFF RECOMMENDATION	Staff recommends the approval and authorization of Change Order # 01, to Emerson Chloride Inc. in the amount of ($12,740.00) for the late delivery of components for the new generation project.
REFERENCE DOCUMENTS ATTACHED	Substation Construction – Emerson Chloride Inc. Change Order # 01

RESOLUTION NO. R-16-109

A RESOLUTION TO EXECUTE CHANGE ORDER # 01 UNINTERRUPTIBLE POWER SUPPLY WITH EMERSON CHLORIDE FOR THE CITY OF COFFEYVILLE ELECTRIC UTILITY.

BE IT RESOLVED by the Board of Commissioners of the City of Coffeyville, Kansas that the Mayor be and is hereby authorized to execute change order # 01 Uninterruptible Power Supply with Emerson Chloride for liquated damages resulting from late delivery of components in the amount of ($12,740.00) for the City of Coffeyville Electric Utility.

ADOPTED THIS 23rd DAY OF AUGUST, 2016.

_____
Christopher V. Williams, Mayor

ATTEST:

_____
Cindy Price, City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
Paul Kritz, City Attorney

Coffeyville KANSAS	**CHANGE ORDER #1**	Page 1 of 1
	CONTRACT NUMBER: **C5410** CONTRACT: **UPS** MUST APPEAR ON ALL INVOICES, PACKAGES AND PACKING SLIPS.	DATE: August 17, 2016
	Description: Contract Delivery Liquidated Damages	
Contractor/Supplier: Emerson *5980 West Sam Houston Parkway North, Suite 100* *Houston Texas 77041*	Owner: Coffeyville Municipal Light & Power Attn: Mike Shook 605 Santa Fe Coffeyville, KS 67337	

	Amount
All Terms and Conditions shall remain as originally written unless modified herein. This Change Order is for Liquidated Damages per Contract for late delivery of portions of the contract supply scope. Contract Delivery Date was No Later than 4/15/16. All materials were not received until 7/28/16. Change Order cap of 10% of contract value applies.	($12,740.00)
Total Proposed Amount for this Change Order	**($12,740.00)**

COST HISTORY

Original Contract Commitment	$	127,401.00
Total of Previous Changes Authorized	$	0.00
This Change (Net Amount) __X__Firm ___Est.	$	(12,740.00)
Total Commitment to Date (incl. this change)	$	114,661.00

SCHEDULE

X	Change Does Not Affect Completion Date
	Change Does Affect Completion Date - (See above text for revised dates)

THE UNDERSIGNED HEREBY ACKNOWLEDGES AND ACCEPTS THE TERMS AND CONDITIONS OF THIS CHANGE ORDER, ITS ATTACHMENTS AND REFERENCES. THE UNDERSIGNED FURTHER AGREES THAT THIS CHANGE ORDER REPRESENTS FULL AND FINAL COMPENSATION FOR ALL COSTS ASSOCIATED WITH THE SCOPE OF WORK CONTAINED HEREIN INCLUDING, BUT NOT LIMITED TO DELAY, DIRECT, AND INDIRECT.

Contractor/Supplier's Acknowledgement

_____

Date:_____

Owner Approval

_____

Date: _____