

CONTRACT CHANGE ORDER NO. 7

OWNER: CITY OF GAUTIER, MISSISSIPPI

CONTRACTOR: LANE CONSTRUCTION, INC.

PROJECT NAME: GAUTIER DOWNTOWN STREETScape - PHASE 2

CONTRACT NUMBER: CDBG PROJECT NO. R-109-192-01-KCR

REASON FOR CHANGE: Proposed change includes providing landscaping at the roundabout and modifying the structural capacity of the sculpture. Change also includes adjusting pay items to actual installed quantities or expected final contract totals.

626-G	THERMOPLASTIC DETAIL STRIPE, WHITE, 6" EQUIVALENT LENGTH	163	LF	\$	2.10	\$	342.30
626-H	THERMOPLASTIC LEGEND, WHITE	190.93	SF	\$	5.25	\$	1,002.38
630-A	STANDARD ROADSIDE SIGNS, SHEET ALUMINUM, 0.080" THICKNESS	6.6	SF	\$	36.60	\$	241.56
630-A	STANDARD ROADSIDE SIGNS, SHEET ALUMINUM, 0.125" THICKNESS	16	SF	\$	36.60	\$	585.60
630-K	WELDED AND SEAMLESS STEEL PIPE POSTS, 3 1/2"	148	LF	\$	52.25	\$	7,733.00
907-632-C	CONCRETE INTEGRAL COLOR ADDER	10	CY	\$	10.45	\$	104.50
682-A	UNDERGROUND BRANCH CIRCUIT, #6, 4 CON	914	LF	\$	6.70	\$	6,123.80
682-A	UNDERGROUND BRANCH CIRCUIT, #10, 3 CON	91	LF	\$	3.90	\$	354.90
682-B	UNDERGROUND BRANCH CIRCUIT, JACKED OR BORED #6, 4 CON	32	LF	\$	12.25	\$	392.00
682-D	UNDERGROUND PULL BOX	1	EA	\$	1,568.00	\$	1,568.00
815-A	LOOSE RIPRAP, SIZE 100#	193.21	TON	\$	58.75	\$	11,351.09
815-B	GROUTED RIPRAP	250	SY	\$	18.25	\$	4,562.50
CO2-2	CONCRETE ETCHING - COMPASS - PAVERS	1	EA	\$	15,000.00	\$	15,000.00
CO2-4	100 FOOT DECORATIVE SECTION	1	EA	\$	18,200.00	\$	18,200.00
						Total Deductions =	\$ (322,612.48)

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 CONTRACT NUMBER: CDBG PROJECT NO. R-109-192-01-KCR
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ADDITIONS

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT	
				COST	TOTAL CONTRACT
202-B	REMOVAL OF PAVEMENT, ALL TYPES AND DEPTHS	1002.13	SY	\$ 3.00	\$ 3,006.39
202-B	REMOVAL OF DRAINAGE BOX, ALL TYPES & SIZES	4	EA	\$ 200.00	\$ 800.00
907-203-A	UNCLASSIFIED EXCAVATION, LVM, AH	52.26	CY	\$ 5.00	\$ 261.30
907-203-G	EXCESS EXCAVATION, LVM, AH	123	CY	\$ 5.00	\$ 615.00
216-B	SOLID SODDING, CENTIPEDE	1697.22	SY	\$ 2.95	\$ 5,006.80
907-403-A	HOT MIX ASPHALT, MT, 9.5-MM MIXTURE	277.13	TN	\$ 85.70	\$ 23,750.04
907-601-B	CLASS "B" STRUCTURAL CONCRETE, MINOR STRUCTURES	57.7	CY	\$ 839.00	\$ 48,410.30
603-CE	22" X 13" CONCRETE ARCH PIPE, CLASS III	25	LF	\$ 52.30	\$ 1,307.50
603-CE	29" X 18" CONCRETE ARCH PIPE, CLASS III	102	LF	\$ 62.25	\$ 6,349.50
603-CE	44" X 27" CONCRETE ARCH PIPE, CLASS III	34.5	LF	\$ 100.80	\$ 3,477.60
603-CF	29" X 18" CONCRETE ARCH PIPE END SECTION	5	EA	\$ 803.00	\$ 4,015.00
907-603-PE	18" HDPE PIPE, PERFORATED W/SOCK	2	LF	\$ 34.50	\$ 69.00
907-603-PE	36" HDPE PIPE, PERFORATED W/SOCK	5	LF	\$ 72.65	\$ 363.25
604-A	CASTINGS	649	LB	\$ 2.60	\$ 1,687.40
609-B	CONCRETE CURB, MONOLITHIC (MATCH EXISTING)	326.5	LF	\$ 8.20	\$ 2,677.30
609-B	CONCRETE CURB AND GUTTER, TYPE 3B	523.5	LF	\$ 16.15	\$ 8,454.53
907-611-C	BRICK PAVERS CROSS WALK- 8' WIDE (WITH 6" CONCRETE BASE)	5.32	LF	\$ 79.40	\$ 422.41
907-611-D	BRICK PAVERS PAD WITH DETECTABLE WARNING	1	EA	\$ 530.00	\$ 530.00
907-612-A	12" WATER MAIN (PVC OR DUCTILE IRON)	21	LF	\$ 55.30	\$ 1,161.30
613-D	ADJUSTMENT OF FIRE HYDRANT, ALL TYPES	1	EA	\$ 208.20	\$ 208.20
907-613-G	ADJUSTMENT OF MANHOLE (1' OR LESS)	3	EA	\$ 208.20	\$ 624.60
614-A	CONCRETE DRIVEWAY, WITHOUT REINFORCEMENT, 6-INCH THICKNESS	265.3	SY	\$ 35.50	\$ 9,418.15
626-G	THERMOPLASTIC DETAIL STRIPE, YELLOW, 6" EQUIVALENT LENGTH	315	LF	\$ 2.10	\$ 661.50
682-A	UNDERGROUND BRANCH CIRCUIT, #2, 4 CON.	787	LF	\$ 11.45	\$ 9,011.15
682-B	UNDERGROUND BRANCH CIRCUIT, JACKED OR BORED #2, 4 CON.	492	LF	\$ 17.05	\$ 8,388.60
682-B	UNDERGROUND BRANCH CIRCUIT, JACKED OR BORED #10, 3 CON.	12	LF	\$ 9.65	\$ 115.80
815-E	GEOTEXTILE UNDER RIPRAP	505	SY	\$ 5.15	\$ 2,600.75
CO7-A *	LANDSCAPING AROUND FOUNTAIN	1	LS	\$ 17,644.45	\$ 17,644.45
CO7-B *	LANDSCAPING IN SIDEWALK CIRCLE (IN FRONT OF HANCOCK BANK)	1	LS	\$ 1,967.52	\$ 1,967.52
CO7-C *	SCULPTURE STRUCTURAL MODIFICATIONS	1	LS	\$ 24,162.08	\$ 24,162.08
* Items added by this change order				Total Additions =	\$ 187,167.41

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CONTRACTOR:	LANE CONSTRUCTION, INC.
PROJECT NAME:	GAUTIER DOWNTOWN STREETScape - PHASE 2
CONTRACT NUMBER:	CDBG PROJECT NO. R-109-192-01-KCR
REASON FOR CHANGE:	Proposed change includes providing landscaping at the roundabout and modifying the structural capacity of the sculpture. Change also includes adjusting pay items to actual installed quantities or expected final contract totals.
TOTAL DEDUCTIONS = \$ (322,612.48) TOTAL ADDITIONS = \$ 187,167.41	
NET RESULT = \$ (135,445.07)	
ORIGINAL CONTRACT AMOUNT:	\$ 4,456,214.80
TOTAL CONTRACT CHANGES TO DATE:	\$ 188,140.30
CURRENT CONTRACT AMOUNT:	\$ 4,644,355.10
THIS CONTRACT CHANGE:	\$ (135,445.07)
REVISED CONTRACT AMOUNT:	\$ 4,508,910.03
CURRENT CONTRACT COMPLETION DATE:	January 27, 2013
TIME EXTENSION REQUIRED BY CHANGE:	60
REVISED CONTRACT COMPLETION DATE:	March 28, 2013
NOTE: THIS DOCUMENT SHALL BE AN AMENDMENT TO THE CONTRACT AND ALL PROVISIONS OF THE CONTRACT WILL APPLY.	
RECOMMENDED BY:	_____ NEEL-SCHAFFER, INC. ENGINEER _____ DATE
ACCEPTED BY:	_____ LANE CONSTRUCTION, INC. CONTRACTOR _____ DATE
APPROVED BY:	_____ CITY OF GAUTIER, MISSISSIPPI OWNER _____ DATE

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 072-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, pursuant to the Mississippi Codes Annotated, 1972 & Title 21, Chapter 19, Section 11 and based on all evidence and testimony presented at the public hearing, including the Planning and Economic Development Department's discussion paper, that the property owned by – Jonathan Palmer, 7301 Pineview Drive, Lots 91 & 99 Singing River Land Subdivision and made the subject of this public hearing, to be in substandard conditions.

Based on these findings, the Mayor and Members of the Council hereby approve and authorize abatement proceedings as recommended by the Planning and Economic Development Department – Jonathan Palmer, 7301 Pineview Drive, and Lots 91 & 99 Singing River Land Subdivision.

IT IS FURTHER ORDERED that the City Manager and City Clerk are authorized to execute any and all documents necessary.

Motion was made by Councilman Colledge, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

NAYS: None

MAYOR

ATTEST:

CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of March 19, 2013.

MEMORANDUM

DATE: March 11, 2013
TO: Samantha D. Abell, City Manager
THRU: Eric Meyer, Planning and Economic Development Director
Patty Huffman, Grants and Projects Manager
FROM: Joseph E. Belles, Code Enforcement Officer
SUBJECT: Public Hearing for Substandard Property Conditions, 7301 Pineview Drive
Gautier, Mississippi 39553

ISSUE:

Pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, the City Council has set the date of March 19, 2013, in order to conduct a public hearing and receive public comment(s) regarding the abatement of the subject property.

LEGAL DESCRIPTION:

This property listed on the land assessment roll more generally described as:

Legal Description: PIDN 87116076.000
Lots 91 & 99 SINGING RIVER LAND SUBDIVISION
Trailer # 2003433 1979 12 x 66 Fairmore Home
Deed Book 1604, page 516

Property Address: 7301 Pineview Drive

Owners of Record: Jonathan Palmer.
Last Known Address: 7205 Pineview Drive
Gautier, Mississippi 39553

BACKGROUND:

Initial code violations have existed with the previous owner going back to March 2009, concerning this dilapidated 1979 manufactured home. More recently, a final water bill was mailed to Mr. Palmer in Jan 2012 for a sum over five hundred dollars. Code Enforcement began getting telephone calls from neighbors concerned with individuals residing in this manufactured home without any water. Code Enforcement mailed an initial letter of violation to Mr. Palmer on January 25, 2012. The letter cited several code violations including the placement of two accessory structures, overgrown property condition and the overall dilapidated condition of the manufactured home. Mr. Palmer was advised the structure required repairs in accordance with the building code standards and it was suggested Mr. Palmer contact the City's Building Administrator for a complete inspection of the structure. A second letter of violation mailed on

February 29, 2012, cited the same previous violations and informing Mr. Palmer a summons would be issued to appear in City of Gautier, Municipal Court if the violations were not corrected by March 16, 2012. A final letter with a summons to appear were mailed to Mr. Palmer March 21, 2012, the letter informed Mr. Palmer there was no water or electrical power supplied to this structure and someone was living in the home. Mr. Palmer did not appear for his April 9, 2012 plea date and a warrant was issued. Subsequently, he was apprehended on the outstanding warrant entered a plea of not guilty and given a court date of July 9, 2012. Mr. Palmer failed to appear in court and was found guilty in his absence and reached the maximum fine of one thousand dollars. When no repairs were observed Code Enforcement served another summons October 26, 2012, to appear in municipal court in November 26, 2012. In early November 2012 code enforcement noticed, the manufactured home was being demolished and there was no permit issued by the Planning Department. Mr. Palmer was informed of the additional requirement to obtain a permit by code enforcement. When he appeared in municipal court, again, he entered a plea of Guilty and the judge found him guilty and assessed him a daily fine but suspended the fine until December 10, 2012 provided the property was in compliance or the fine would be assessed. Mr. Palmer incurred a second maximum fine of one thousand dollars and was scheduled to make payment to the City's collection agency. The manufactured home has remained in a state of disrepair and there has been no attempt to obtain a permit or complete the demolition of this manufactured home. Additionally, the property owner has allowed a pig and a goat to roam the vacant property without obtaining the appropriate permit from the city clerk. Mr. Palmer currently has an Outstanding Warrant for failure to pay old fines.

Property owners in the vicinity remain concerned with the visible appearance of this dilapidated structure, overgrown property and are concerned for the health, safety and welfare of their neighborhood. Staff considers the structure a potential hazard with all the loose material as we approach the hurricane season. Code enforcement informed the owner by letter on February 20, 2013, of the public hearing on March 19, 2013. Additionally, the property was posted with a copy of the hearing notification letter on March 5, 2013. The parcel of land and City of Gautier, bulletin board were posted with a copy of the public hearing notice on March 5, 2013.

RECOMMENDATION:

The City Council should make a determination to find the property a menace (as a nuisance and a hazard) to public health, safety and welfare of the community and direct staff to commence with the abatement of the dilapidated structures and surrounding property after the statutory 10-day appeal period from the date of Council action and adjournment.



Mayor
Tommy Fontenberry

City of Gautier
Gautier, Mississippi

City Manager
Samantha D. Abell

City Clerk
Cindy Russell

Council
At Large Mary F. Martin
Ward 1 Johnny Jones
Ward 2 Hurley Ray Guillotte
Ward 3 Gordon F. Gollott
Ward 4 Scott D. MacFarland
Ward 5 Adam D. Colledge



3330 Highway 90
Gautier, MS 39553
Phone: (228) 497-8000
Fax: (228) 497-8028
Email: gautier@gautier-ms.gov
Website: www.gautier-ms.gov

February 20, 2013

Jonathan Palmer
7205 Pineview Drive
Gautier, Mississippi 39553

POSTED
3-05-13 JB

Reference: 7301 Pineview Drive Gautier, Mississippi 39553

Mr. Palmer,

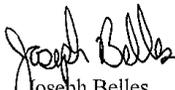
The City of Gautier, Mayor and City Council has approved and scheduled a public hearing for Tuesday, March 19, 2013, at 6:30 PM. The location for the hearing is the Gautier City Hall, 3330 Highway 90 Gautier, Mississippi 39553. The purpose of this public hearing is to determine whether or not the property referenced above is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community per Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11.

If at the scheduled hearing, the governing authority decides the property or parcel of land is in a condition determined to be a menace to the public health, safety, and welfare of the community, the city shall proceed to clean the land by the use of municipal workers or by contract. The scope of the work to be performed may include cutting grass/weeds, removing rubbish, draining cesspools/standing water from the property, removing dilapidated fences/building, removing personal property and other debris from the property.

Additionally, the municipality may reenter the property or parcel of land for a period of one year after the hearing without any further hearings. A notice will be posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven days before the property or parcel of land is reentered for cleaning.

If you have any questions you can contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-1878 or cell number (228) 219-7035.

Sincerely,


Joseph Belles
Code Enforcement Officer

"Nature's Playground!"

Mayor
Tommy Fortenberry

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Website: www.gautier-ms.gov

February 20, 2013

Jonathan Palmer
7205 Pineview Drive
Gautier, Mississippi 39553

COPY
mailed 2-21-13
JB

Reference: 7301 Pineview Drive Gautier, Mississippi 39553

Mr. Palmer,

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If you have any questions you can contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-1878 or cell number (228) 219-7035.

Sincerely,


Joseph Belles
Code Enforcement Officer

"Nature's Playground!"

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Tommy Fontenberry

City of Gautier Gautier, Mississippi

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City Clerk
Wendy S. McClain

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Phone: (228) 497-8000
Fax: (228) 497-8028
Email: gautier@gautier-ms.gov
Website: www.gautier-ms.gov

January 31, 2013

COPY

mailed 2-01-13
JB

Jonathan Palmer
7205 Pineview Drive
Gautier, Mississippi 39553

Reference: 7301 Pineview Drive Gautier, Mississippi 39553

Mr. Palmer,

This letter is to inform you the City of Gautier; Planning and Economic Development Department will recommend to the governing authority the property at 7301 Pineview Drive Gautier, Mississippi is a menace to the public health, safety, and welfare of the community. Code Enforcement will request the mayor and city council review the history of the code violations at this property during a scheduled February 2013 council meeting. If the mayor and council determine the property meets the criteria for abatement they will set a public hearing for a scheduled March 2013 council meeting. The purpose of the hearing is to listen to testimony and determine if the property meets the requirements outlined in Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11 to begin the necessary clean-up of this property.

Code enforcement is requesting the property be in compliance by February 15, 2013. If you have any questions you can contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-1878 or code enforcement cell number (228) 219-7035.

Sincerely,


Joseph Belles
Code Enforcement Officer

LTR RETURNED

FEB 27, 2013