

**CITY OF GAUTIER  
MEMORANDUM**

**To:** Samantha Abell, City Manager  
**From:** April Havens, Grants & Projects Manager  
**Through:** Chandra Nicholson, Economic Development and Planning Director  
**Date:** December 28, 2015  
**Subject:** Supplemental Agreement #1 for Extension of Contract Time for the Gautier Streetscape Phase III Project STP-0494-00(008) LPA/106378-701000

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**REQUEST:**

The Economic Development and Planning Department requests City Council approval of Supplemental Agreement #1 for the Streetscape Phase III Project to extend the contract time.

**BACKGROUND:**

Gulf Breeze Landscaping, LLC entered into a contract with the City of Gautier on March 5, 2015 for the construction of this federal aid project. The original completion date was September 27, 2015 based on 112 productive days.

**DISCUSSION:**

Due to poor soil conditions and/or weather delays, it was determined the contractor was due a time extension equivalent to 8.5 productive days. This supplemental agreement adds 8.5 productive days and extends the completion date to October 13, 2015. This Supplemental Agreement has no cost increase; therefore the contract price will remain the same as originally executed.

**RECOMMENDATION:**

The Economic Development & Planning Department recommends approval of Supplemental Agreement #1 contingent on MDOT approval.

The City Council may:

1. Approve the Supplemental Agreement No. 1 as presented, contingent on MDOT approval; or
2. Approval the Supplemental Agreement No. 1 with changes, contingent on MDOT approval; or
3. Not approve Supplemental Agreement No. 1.

**ATTACHMENT(S):**

Supplemental Agreement No. 1

**City of Gautier**  
**Project No. STP-0494-00(008)LPA/106378-701000**  
**SUPPLEMENTAL AGREEMENT NO. 1**

**WHEREAS, WE, Gulf Breeze Landscaping, LLC, Contractor, and US Specialty Insurance Company, Surety, entered into a contract with the City of Gautier, LPA, on the 5th day of March, 2015, for the construction of Federal Aid Project No. STP-0494-00(008)LPA/106378-701000\_\_\_\_, Jackson county; and**

**WHEREAS:** During the course of construction of this project, the Contractor experienced a lack of production which was outside of his control, which includes poor soil conditions and/or weather delays; AND

**WHEREAS:** in Special Provision 907-108-30LPA, the contract provides that the contract time may be extended when the available productive days do not meet the "anticipated productive days" which was calculated at 112 productive days ; AND

**WHEREAS:** The original completion date was September 27, 2015 based on 112 productive days; AND

**WHEREAS:** The Contractor was assessed 103.5 productive days during the contract time; AND

**WHEREAS:** The Contractor is due a time extension equivalent to 8.5 productive days for the above reasons;

**NOW, THEREFORE,** it is mutually agreed that the addition of 8.5 productive days will result in a revised completion date of October 13, 2015.

This agreement in no way modifies or changes the original contract of which it becomes a part, except as specifically stated herein.

**NOW, THEREFORE, WE, Gulf Breeze Landscaping, LLC, Contractor, and US Specialty Insurance Company, Surety hereby agree to said Supplemental Agreement consisting of the above mentioned items and agree that this supplemental agreement is hereby made a part of the original contract to be performed under specifications thereof, and that the original contract is in full force and effect, except insofar as it might be modified by this Supplemental Agreement.**

City of Gautier  
Project No. STP-0494-00(008)LPA/106378-701000  
SUPPLEMENTAL AGREEMENT NO. 1

Dated, this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Surety Contractor

By: \_\_\_\_\_ Date \_\_\_\_\_ Date

**RECOMMENDED FOR APPROVAL:**

\_\_\_\_\_  
LPA Project Engineer Date

\_\_\_\_\_  
MDOT District Engineer Date

**APPROVED:**

\_\_\_\_\_  
LPA OFFICIAL Date

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**City of Gautier**  
**Project No. STP-0494-00(008)LPA/106378-701000**  
**SUPPLEMENTAL AGREEMENT NO. 1**

SUPPLEMENTAL SHEET

PROJECT NO.: STP-0494-00(008)LPA/106378-701000

COUNTY: Jackson

Time Extension Calculations:

112 Total Available Productive Days from Table during Original Contract Time (April 6, 2015 – September 27, 2015).

103.5 Total Available Productive Days Assessed during Original Contract Time (April 6, 2015 – September 27, 2015)

8.5 Shortage of Available Productive Days

Calendar Days to be added to the Contract based on the ratio of productive days.

September 28 – September 30 = 3 days / 30 days in September x 20 Available Productive Days= 2.00 Productive Days

October 1 – October 13 = 13 days / 31 days in October x 16 Available Productive Days= 6.71 Productive Days

2.00 Productive Days in September + 6.71 Productive Days in October = 8.71 Productive Days

Revised Completion Date: October 13, 2015