



ORIGINAL

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SUNNYSIDE, WASHINGTON, APPROVING  
CHANGE ORDER NO. 2 WITH P.O.W. CONTRACTING, INC.  
FOR THE EAST DECATUR AVENUE  
WATER QUALITY ENHANCEMENT PROJECT**

**WHEREAS**, the City of Sunnyside contracted with P.O.W. Contracting to complete a the Water Quality Enhancement Project along Decatur Ave.; and

**WHEREAS**, the discovery of contaminated soils during the installation of a storm water vault has resulted in additional costs in the amount of \$10,361.03; and

**WHEREAS**, the City Council finds and determines that approval of Change Order No. 2, is in the best interest of the residence of the City of Sunnyside and will promote the general health, safety, and welfare.

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON**, as follows:

**SECTION 1.** That Change Order No. 2, attached hereto as Exhibit "A" and incorporated herein by this reference, in the amount of \$10,361.03, including applicable taxes, submitted by P.O.W. Contracting, Inc., for the additional costs as a result of contaminated soils on East Decatur Avenue Water Quality Enhancement Project, is hereby accepted; and the City Manager is hereby authorized to execute and administer such agreement for and on behalf of the City of Sunnyside.

**SECTION 2.** This Resolution shall be effective upon passage, approval and signatures hereon in accordance with law.

**PASSED** this 22<sup>nd</sup> day of June, 2015.

\_\_\_\_\_  
THERESA HANCOCK, DEPUTY MAYOR

**ATTEST:**

  
\_\_\_\_\_  
DELILAH SAENZ, CMC, CITY CLERK

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
KERR LAW GROUP, PLLC  
Attorneys for the City of Sunnyside



EXHIBIT "A"

Jeffrey T. Louman, PE  
Theodore W. Pooler, PE  
Michael T. Battle, PE  
Eric T. Herzog, PLS

Terry D. Alapeteri, PE  
Gene W. Soules, PE  
Timothy D. Fries, PLS  
Justin L. Bellamy, PE

Stephanie J. Ray, PE  
Dustin L. Posten, PE  
Stephen S. Hazzard, PE  
Michael R. Heit, PE

Civil Engineering ♦ Land Surveying ♦ Planning

June 8, 2015

City of Sunnyside  
818 E. Edison Ave.  
Sunnyside, WA 98944

Attn: Mr. Donald Day

Re: City of Sunnyside  
EAST DECATUR AVENUE WATER QUALITY  
ENHANCEMENT PROJECT  
ECOLOGY No.: G1400591  
HLA Project No.: 13130  
Change Order No. 2

Dear Mr. Day:

Attached, please find three copies of Change Order No. 2 for the above referenced project.

During excavation for installation of the pretreatment vault, contaminated soils were discovered. The Washington State Department of Ecology was contacted and has requested to have the soil tested for contaminate types in order to dispose of any contaminated excavated material appropriately. The Contractor was directed to secure the site and standby until the material was sampled. When the material had been sampled, the Contractor was directed to haul all remaining contaminated material to the City of Sunnyside's secure site and complete the original project work. After the material testing is completed, the City of Sunnyside will dispose of the contaminated material.

When all three copies of the Change Order have been signed, retain one copy for your records, and return the remaining two copies to us for distribution.

Please call me at (509) 966-7000, should you have any questions.

Very truly yours,

Steven C. Sziebert

SCS/crf

Enclosures

copy: Correspondence File

EXHIBIT "A"

June 4, 2015

CHANGE ORDER NO. 2

OWNER: City of Sunnyside  
 PROJECT NAME: EAST DECATUR AVENUE WATER QUALITY  
 ENHANCEMENT PROJECT  
 HLA PROJECT NO.: 13130C  
 CONTRACTOR: P.O.W. Contracting, Inc.

THE FOLLOWING CHANGES ARE HEREBY MADE TO THE CONTRACT DOCUMENT:

|  |              |
|--|--------------|
| Original Contract Price:                                     | \$306,472.50 |
| Current Contract Price Adjusted by Previous Change Order(s): | \$321,472.50 |
| Change in Contract Price Due to This Change Order:           | \$10,361.03  |
| Adjusted Contract Price Due to This Change Order:            | \$331,833.53 |

|   |                          |
|---|--------------------------|
| Original Contract Completion Date:                                  | April 24, 2015           |
| Current Contract Completion Date Adjusted by Previous Change Order: | April 24, 2015           |
| Change in Contract Completion Date Due to This Change Order:        | Nine (9) Additional Days |
| Revised Contract Completion Date:                                   | May 8, 2015              |

CONTRACTOR: *Lauron Jones* Date: 6/8/15  
 P.O.W. Contracting, Inc.

ENGINEER: *Stephen B. Haggard* Date: 6/8/15  
 Huitregtse, Louman Associates, Inc.

OWNER: \_\_\_\_\_ Date: \_\_\_\_\_  
 City of Sunnyside

EXHIBIT "A"

June 4, 2015

City of Sunnyside  
 EAST DECATUR AVENUE WATER QUALITY ENHANCEMENT PROJECT  
 HLA Project No.: 13130C  
CHANGE ORDER NO. 2

| ITEM NO.                    | DESCRIPTION                                | UNIT | QUANTITY | UNIT PRICE   | AMOUNT      |
|-----------------------------|--|------|----------|--------------|-------------|
| C2-1                        | Impacts for Discovery of Contaminated Soil | FA   | 1        | \$ 10,361.03 | \$10,361.03 |
| CHANGE ORDER NO. 2 SUBTOTAL |  |      |          |              | \$10,361.03 |
| CHANGE ORDER NO. 2 TOTAL    |  |      |          |              | \$10,361.03 |

Reason for Change:

During excavation for installation of the pretreatment vault, contaminated soils were discovered. The Washington State Department of Ecology was contacted and has requested to have the soil tested for contaminate types in order to dispose of any contaminated excavated material appropriately. The Contractor was directed to secure the site and standby until the material was sampled. When the material had been sampled, the Contractor was directed to haul all remaining contaminated material to the City of Sunnyside's secure site and complete the original project work. After the material testing is completed, the City of Sunnyside will dispose of the contaminated material.