

**INDIANA Department of Transportation
Construction Change Order and Time Extension Summary**

Contract Information

District:CRAWFORDSVILLE
DISTRICT

Contract No.: T -31629

AE:Seef, Erik

Letting Date:05/06/2009

PE/S:Del Real, Ramon

Status:Pending

Change Order Information

Date Generated: 01/06/2010

Change Order No.: 004

Date Approved: 00/00/0000

EWA: N or Force Acct: N

Reason Code: CHANGED COND, Construction Related

Description: Grant a time extension for sign removal

Original Contract Amount \$ 319,893.30

Current Change Order Amount \$ 0.00

Percent: 0.000 %

Total Previous Approved Changes \$ 18,491.56

Percent: 5.781 %

Total Change To-Date \$ 18,491.56

Percent: 5.781 %

Modified Contract Amount \$ 338,384.86

Time Extension Information

Date Initiated 00/00/0000

Date Completed 00/00/0000

Original Contract Time

SS Completion Date 08/15/2009 or SS Calendar/Work Days 0

SP Date 00/00/0000 or SP Days

(SS = Standard Specification, SP = Special Provision)

Time Element Description: All the construction signs were not taken down within the allowed 5 calendar days due to a misunderstanding within the contractor's personnel. The LPA and INDOT agreed to grant a time extension and not assess and Liquidated Damages.

Current Time Extension

SS Days 0 SP Days 0

SP Days Value \$ 0.00

Previous Time Approved

SS Days by AE: _____ DCE: _____ SCE: _____ DDCM: _____

SS Days _____

SP Days Value \$ _____

Revised Contract Time

SS Completion Date 00/00/0000 or SS Calendar/Work Days 3

SS Date 00/00/0000

or SP Days 0

**INDIANA Department of Transportation
Construction Change Order and Time Extension Summary**

Review and Approval Information

Required Approval Authority AE: _____ DCE: _____ SCE: _____ * DDCM: _____ *
(\$ per Change Order) (- LE \$ 250K-) (- LE \$ 750K -) (-- LE \$ 2 M --) (-- GT \$ 2 M --)
(Days per Contract) (50 SS days) (100 SS days) (200 SS Days) (GT 200 SS days)

Verbal Approval Required? Y / N If Y, by _____ Date Issued _____

Total Change To-Date>5%? Y / N If Y , Copy to Program Budget Manager _____

Scope/Design Recommendation Y / N If Y, Referred to Project Manager(PM) _____
Required? _____

Date to PM _____ Date Returned _____

Approval Authority Concurs with PM? Y / N If Y, Concurrence by _____ Date _____

If N,Resolution: Approved _____ Disapproved _____

Resolved by _____ Date _____

LPA Signatures Required? Y / N If Y, Date to LPA _____ Date Returned _____

FHWA Signatures Required? Y / N If Y, Date to FHWA _____ Date Returned _____

* Field Engineer Recommendation (Required for SCE or DDCM Approval)

Field Engineer _____ Date _____

Comments: _____

Contract No:T -31629
Change Order No:004

INDIANA
Department of Transportation

Date:01/27/2010
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Contract: T -31629
Project: State:0800011
Change Order Nbr: 004
Change Order Description: Grant a time extension for sign removal
Reason Code: CHANGED COND, Construction Related

CLN	PCN	PLN	Item Code	Unit	Unit Price	CO Qty	Comment	Amount Change
Total Value for Change Order 004 = \$ 0.00								

Contract Completion Date Time Adjustment

Original Completion dt: 08/15/2009 Adj compl dt 09/28/2009 Adj No. of Days 3

Explanation: All the construction signs were not taken down within the allowed 5 calendar days due to a misunderstanding within the contractor's personnel. The LPA and INDOT agreed to grant a time extension and not assess and Liquidated Damages.

Whereas, the Standard Specifications for this contract provides for such work to be performed, the following change is recommended.
General or Standard Change Order Explanation

This change order is for the purpose of granting a time extension for the removal of all the construction signs.

Change Order Explanation for Specific Line Item

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It is the intent of the parties that this change order is full and complete compensation for the work describe above.
Notification and consent to this change order is hereby acknowledged.

Contractor: JAMES H. DREW

Signed By: 

Date: 1-29-10

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NOTE: Other required State and FHWA signatures will be obtained electronically through the SiteManager system.

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Department of Transportation

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APPROVED FOR LOCAL PUBLIC AGENCY

(SIGNATURE)

(TITLE)

(DATE)

(SIGNATURE)

(TITLE)

(DATE)

SUBMITTED FOR CONSIDERATION

PE/S _____

APPROVED FOR INDIANA DEPARTMENT OF TRANSPORTATION

Approval Level	Name of Approver	Date	Status
Project Engineer/Supervisor	Del Real, Ramon	00/00/0000	Action Pending



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

C.O.#4

Crawfordsville District
41 West 300 North
Crawfordsville, Indiana 47933 (765) 362-3700 FAX: (765) 364-9226

Mitchell E. Daniels, Jr., Governor
Michael Reed, Commissioner

November 23, 2009

Mr. Jon Richards
James H. Drew Corporation
Project Manager
jrichards@jameshdrew.com
317-876-3739 ext. #312 office

Contract: T-31619
Project: 0800011
Des #: 0800011
Description: Pedestrian system improvements on pedestrian path in city of West Lafayette

Mr. Richards:

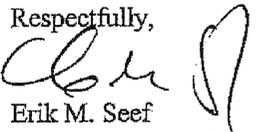
This letter is in response to the 11-18-09 email (attached) sent to Mr. Ramon Del Real requesting three days of liquidated damages be waived. This request is based on numerous other projects within close proximity to contract T-31629 and lack of availability of the project engineer.

A point of clarification on the Highway Safety Service letter dated 11-6-09. The initial notification was sent on Friday October 2nd, not Tuesday October 2nd as the email letter states. The five day time period began the following business day, October 5th and ended on October 9th.

It seems that this issue could have been avoided with better communication during the sign removal process, and better tracking of temporary traffic control devices related to individual projects. Mr. Del Real contacted the prime contractor on October 8th, informing Mr. Richards that no signs had been removed to date. If Mr. Del Real's presence was required, a communication of some type to request this would have been appropriate prior to the removal work. The project engineer is responsible to verify that the signs have been removed, not to locate them for your company. In addition, better tracking of temporary traffic control device locations related to projects should be in place.

The three days of liquidated damages will be waived, but the project engineer will note that subcontractor communication needs to be improved on the CR2.

Respectfully,



Erik M. Seef
INDOT Area Engineer

cc: Mr. Ramon Delreal, Project Engineer
Mr. David Buck, West Lafayette Engineer
Mr. Joe Novak, District Construction Director
Mr. Mike Wink, Project Manager
District File

www.in.gov/dot/

An Equal Opportunity Employer

Seef, Erik

From: Jon Richards [jrichards@JamesHDrew.com]
Sent: Wednesday, November 18, 2009 10:06 AM
To: Ramon Delreal
Cc: Seef, Erik
Subject: FW:
Attachments: JAMES Drew letter T-31629.doc

Ramon,

Please see attached letter from Highway Safety Services regarding the \$ 3,000 liquidated damages. Please review and let me know if you agree.

Thanks,

Jon

From: Mike Madrid [mailto:mike.madrid@hss-mmco.com]
Sent: Wednesday, November 18, 2009 10:03 AM
To: Jon Richards
Subject:



Mike Madrid, President
Lafayette, IN. 47903
Office 765-474-1000
Cell 765-426-8628
Fax 765-446-1502



HIGHWAY SAFETY SERVICES

PO Box 4697 Lafayette, In. 47903
Mike Madrid, Owner

November 6, 2009

Jon Richards
James H. Drew Corp.
8701 Zionsville Rd
Indianapolis, IN.

RE: T-31629

Dear Jon,

On Tuesday October 2, 2009 we were notified to remove signs from the above contract. We removed the signs on Friday October 9, 2009. This was the final allowable day. We were then notified by the engineer that we had missed some signs. This notification came on the 13th. Currently we have 6 other contracts in progress in close proximity to the two locations of this contract. Our crew believed we had only left signs belonging to the other contracts. This was an honest oversight. Since the engineer was not on site and was not able to check the signs on the last day but only checked on Tuesday the 13th. It has been our experience that the engineer is supposed to be on site when we are working. He was not there. We feel that any damages are unwarranted. In addition the damages amount to almost one half our total contract. We are a small DBE company and this is a true hardship. We did ask for the damages to be rescinded but the reply was that the paperwork was already in process. If this is just paperwork it can be corrected. Please ask INDOT and Ramon Del Real to reconsider the damages. We did remove the signs immediately upon notice.

Sincerely,

Mike Madrid, President

Change Order #4, James H. Drew, Safe Routes to School Project

APPROVED:

DATE: _____

CITY OF WEST LAFAYETTE
BOARD OF PUBLIC WORKS AND SAFETY

John R. Dennis, Mayor

Sana G. Booker, Member

Bradley W. Marley, Member

Jonathan C. Speaker, Member

Elizabeth M. Stull, Member

Attest:

Clerk-Treasurer Judith C. Rhodes

Change Order MPO Certification

Project: *Safe Routes To School - Infrastructure Project*

Federal Funds: *SRTS & Local HSIP*

Contract Number: *T-31629*

Change Order Number: *# 4*

Federal Funds Approved: \$0.00



Sallie Dell Fahey
Executive Director

2/4/10

Date