

**CITY OF BILOXI  
AGENDA ITEM  
FACT SHEET**

Item No.: 5 F

Council Meeting Date: September 19, 2023

ITEM TITLE: RESOLUTION  
 INTRODUCED BY: Mayor Andrew "FoFo" Gilich  
 CONTACT PERSON: E. Michael Leonard, CAO  
 Christy LeBatard, Director of Engineering

**SUMMARY EXPLANATION:**

Resolution accepting and approving Change Order No. Two (2) to Construction Agreement with Argus Building Company for Capital Project No. 1082: Popp's Ferry Recreational Complex Restrooms

Resolution  Ordinance \_\_\_\_\_ Public Hearing \_\_\_\_\_ Routine Agenda \_\_\_\_\_

Exhibits for Review

Contract  Minutes \_\_\_\_\_ Plans/Maps \_\_\_\_\_ Deed \_\_\_\_\_ Lease \_\_\_\_\_

Other (Specify): Exhibit A: Change Order No. Two (2)

Submittal Authorization: Council President \_\_\_\_\_ Mayor

STAFF RECOMMENDATION: Staff recommends approval

COUNCIL ACTION: Motion By: \_\_\_\_\_ Second By: \_\_\_\_\_

Vote:	<u>Councilmember</u>	<u>Yes</u>	<u>No</u>	<u>Other</u>	<u>Councilmember</u>	<u>Yes</u>	<u>No</u>	<u>Other</u>
	Lawrence	___	___	___	Tisdale	___	___	___
	Gines	___	___	___	Glavan	___	___	___
	Newman	___	___	___	Barrett	___	___	___
	Deming	___	___	___				

ACTION TAKEN:

Resolution No.

RESOLUTION ACCEPTING AND APPROVING CHANGE ORDER NO. TWO (2) TO CONSTRUCTION AGREEMENT WITH ARGUS BUILDING COMPANY FOR CAPITAL PROJECT NO. 1082: POPPS FERRY RECREATIONAL COMPLEX RESTROOMS

WHEREAS, by Resolution No. 388-23, the governing authorities of the City of Biloxi (the "City") approved entry into that certain Construction Agreement (the "Agreement") with Argus Building Company ("Argus") for Capital Project No. 1082: Poppo Ferry Recreational Complex Restrooms ("Project 1082");

WHEREAS, Argus has submitted Change Order No. Two (2), which revises the scope of work by adding an open air pavillion;

WHEREAS, Change Order No. Two (2), attached hereto as Exhibit "A," increases Argus's compensation under the Agreement by Sixty-One Thousand Five Hundred Forty and 54/100 Dollars (\$61,540.54), resulting in a total contract value of Two Hundred Seventeen Thousand Two Hundred Thirty-Eight and 56/100 Dollars (\$217,238.56);

WHEREAS, Change Order No. Two (2) extends the contract performance time by thirty-two (32) days, for a revised completion date of October 31, 2023;

WHEREAS, the Capital Project Budget for Project 1082 contains sufficient funding for this Change Order No. Two (2); and

WHEREAS, it is the recommendation of Christy LeBatard, Director of Engineering, that the City accept and approve Change Order No. Two (2) to the Agreement with Argus for Project 1082.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT:

SECTION ONE: The findings, conclusions, and statements of fact contained in

the foregoing preamble are hereby adopted, ratified, and incorporated herein.

SECTION TWO: The Mayor is, on behalf of the City of Biloxi, hereby authorized to accept and execute Change Order No. Two (2), attached hereto as Exhibit "A," to the Construction Agreement with Argus Building Company for Capital Project No. 1082: Poppo Ferry Recreational Complex Restrooms.

SECTION THREE: This resolution shall take effect and be in force from and after adoption.

**CONSTRUCTION CHANGE ORDER**

DATE: September 12, 2023

REQUEST # Two (2)

CONTRACT DATE: August 1 – September 29, 2023

**POPPS FERRY RECREATIONAL AREA RESTROOM FACILITY  
PROJECT NO. 1082**



CONTRACTOR: **Argus Building Company**

Change Order Two is to add open air pavilion. The open-air pavilion was initially intended as a separate phase, but there were enough contingency funds to construct the pavilion now.

Therefore, it is recommended that the contract be amended as follows:

Pay Item Number	Description	Original Quantity		Revised Quantity		Unit Price	Amount Increase/Decrease
CO-2	Add Open Air Pavilion Per Approved Plans	0	LS	1	LS	\$61,540.54	\$61,540.54
<b>Grand Total This Change Order Request</b>							<b>\$61,540.54</b>

This Change Order does not request addition time be added to the contract.

**TOTAL ESTIMATED TIME OF PROJECT:**

Contract Notice to Proceed Date:	August 1, 2023
Original Allotted Contract Time:	60 days
Original Contract Completion Date:	September 29, 2023
<b>Additional Contract Time This Change Order</b>	<b>32 days</b>
<b>Revised Contract Completion Date:</b>	<b>October 31, 2023</b>

**TOTAL ESTIMATED COST OF PROJECT**

Original Contract Price:	\$ 142,900.00
Previously Approved Change Orders:	\$ 12,798.02
This Change Order Request:	\$ 61,540.54
<b>Revised Total:</b>	<b>\$ 217,238.56</b>

APPROVED:

W. Walsh 9-12-23  
Contractor Date

Christy LeBatard 09/13/2023  
Christy LeBatard, P.E. Date  
City Engineer

\_\_\_\_\_  
Andrew Gillich Date  
Mayor

# ARGUS BUILDING COMPANY

Project Name: Popp's Ferry Rec Complex Restroom Proj

Change Order Request #: 02

Description: Add Pavilion and 4 weeks of additional ti

Date: 9/11/2023

Description		Qty	Unit	Amount		Total
<b>Labor</b>	Argus Supervision	120	Hrs	\$ 51.85	includes burden	\$ 6,222.00
	Concrete Labor including sidewalks	1	LS	\$ 5,500.00	from Lopez Construction	\$ 5,500.00
	Framing Labor	1	LS	\$ 10,200.00	from Lopez Construction	\$ 10,200.00
	Louver Labor	4	EA	\$ 125.00	from Gonsoulin	\$ 500.00
	Subtotal					\$ 22,422.00
<b>Materials</b>	Concrete Materials including sidewalks	22	CUYD	\$ 145.00	from Delta Industries	\$ 3,190.00
	Framing Materials	1	LS	\$ 7,987.54	from Bailey Lumber	\$ 7,987.54
	Louver Materials	4	EA	\$ 195.00	from Advantage Mech. Supply	\$ 780.00
		Subtotal				
<b>Subcontracts</b>	Standing Seam Metal Roof	1	LS	\$ 5,800.00	from Gonsoulin	\$ 5,800.00
	Painting	1	LS	\$ 1,850.00	from Cutting Edge	\$ 1,850.00
	Electrical	1	LS	\$ 5,509.00	from AG Electric	\$ 5,509.00
		Subtotal				
<b>Other</b>	Extended General Conditions	1	LS	\$ 1,800.00	temp toilets, dumpsters, etc.	\$ 1,800.00
	Subtotal					\$ 1,800.00

**Labor** \$ 22,422.00  
**Materials** \$ 11,957.54  
**Subcontracts** \$ 13,159.00  
**Other** \$ 1,800.00  
**Subtotal** \$ 49,338.54

G/L Insurance 1% \$ 493.39  
Overhead 10% \$ 4,933.85  
Profit 5% \$ 2,466.93  
MS Sales Tax 3.5% \$ 2,153.92  
P&P Bond 3.5% \$ 2,153.92  
**Grand Total** \$ 61,540.54