

TUSCALOOSA COUNTY COMMISSION
MEETING
FEBRUARY 1, 2017

TUSCALOOSA COUNTY §
STATE OF ALABAMA §

This being the date and hour to which the Tuscaloosa County Commission adjourned, the County Commission met pursuant to such adjournment with Probate Judge W. Hardy McCollum presiding as Chairman. The following members were present:

Stan Acker
Jerry Tingle
Mark C. Nelson
Reginald Murray

Commissioner Jerry Tingle moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to go into executive session at the conclusion of the regular meeting to discuss current economic development items with Dean McClure of the IDA and to discuss potential board appointments.

Commissioner Stan Acker's motion to approve a Subdivision Regulation Waiver Request to Neel Schaffer to allow the City of Tuscaloosa's sidewalk guidelines to govern the sidewalk construction in Sweetwater Subdivision was seconded by Commissioner Mark C. Nelson. After discussion, Commissioner Mark C. Nelson made a motion to amend to add that the County is not responsible for maintenance of the sidewalks. Commissioner Stan Acker accepted the amendment and the Commission unanimously approved the motion as amended.

Commissioner Jerry Tingle moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to authorize Change Order No. 2 on the Holt Community Senior Center in the amount of \$37,786.06 for sewer line relocation.

Exhibit 2-2, Pages

Commissioner Reginald Murray moved, seconded by Commissioner Jerry Tingle, the County Commission voted unanimously to vacate a portion of Hemphill Road.

Exhibit 2-3, Pages

Upon request by Chief Byron Waid, Commissioner Jerry Tingle moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to award the bid for three (3) extrication equipment units to North American Fire Equipment Company at a bid price of \$24,369.00 per unit.

Commissioner Jerry Tingle's motion to authorize Change Order No. 1 for sewer line relocation on the Brookwood Parkway Extension not to exceed the amount of \$109,080.58 was seconded by Commissioner Reginald Murray. After discussion, Commissioner Reginald Murray made a motion to amend to seek additional contribution from the City of Brookwood and Southwest Water. Commissioner Jerry Tingle accepted the amendment and the Commission unanimously approved the motion as amended.

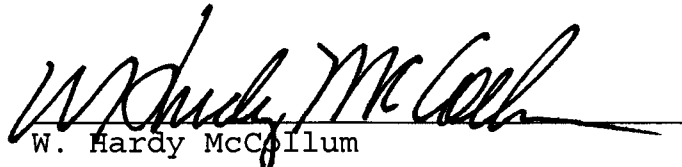
Exhibit 2-4, Pages

The Commission retired into Executive Session.

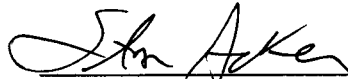
Following Executive Session, Chairman W. Hardy McCollum called the Commission back to order.

Commissioner Reginald Murray's motion to ratify all previous agreements with the Industrial Development Authority regarding Mercedes-Benz industrial expansion was seconded by Commissioner Stan Acker and passed on a three-to-one vote with Commissioner Jerry Tingle casting the nay vote.

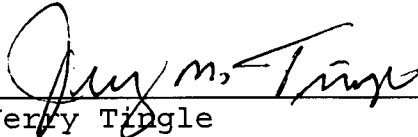
There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, February 15, 2017.



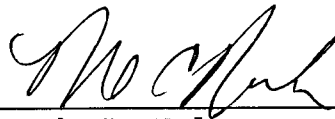
W. Hardy McCollum
Judge of Probate and Chairman
Tuscaloosa County Commission



Stan Acker
Commissioner - District I



Jerry Tingle
Commissioner - District II



Mark C. Nelson
Commissioner - District III



Reginald Murray
Commissioner - District IV



engineers
planners
surveyors
environmental
scientists
landscape
architects
structural
design

January 25, 2017

Mrs. Katherine Holloway
2810 35th Street
Tuscaloosa, Alabama 35401-1891

Re: Sweet Water Phase I

Dear Mrs. Holloway,

We are writing you this letter at the request of our client. As you know we are in the process of installing the sidewalk at Sweet Water. The Federal Highway Administration is suggesting the PROWAG guidelines be used. As we discussed, the county has adopted ADA but not PROWAG. By this letter we would like to formally request to be allowed to follow the PROWAG guidelines. If you have any questions please feel free to give me a call at 205-361-2052.

Sincerely,

Michael J. McGuire
Senior Project Manager

EX-2-1

CONTRACT CHANGE ORDER

CHANGE ORDER NO. 02

PROJECT: Holt Community Senior Activity Center

GRANT NO.: CY-CE-PF-12-024

DATE: January 30, 2017

CONTRACTOR: Scott Bond Construction, Inc.

TERMS: You are hereby authorized, subject to the provisions of your contract for this project to make the following changes thereto in accordance with proposal dated: January 27, 2017

Furnish the necessary labor, materials and equipment to (description of work to be done or changes to be made)

1. Reroute existing sanitary sewer from adjacent property to the East.

Total addition to contract price for this change: **\$37,786.06**

ORIGINAL CONTRACT PRICE:	<u>\$743,846.00</u>
Net total of previous change orders:	<u>\$18,905.60</u>
Total previous revised contract price:	<u>\$762,751.60</u>
This change order No. <u>02</u> Add	<u>\$37,786.06</u>
REVISED CONTRACT PRICE THIS DATE:	<u>\$800,537.12</u>

Extension of time resulting from this Change Order (Insert "none" or number of days) 51 Days

The Contractor and Owner(s) hereby agree to the terms of this Change Order as contained herein.

RECOMMENDED:

Marcum Architects, LLC
ARCHITECT

BY [Signature]

CONTRACTING PARTIES:

Scott Bond Construction, Inc.
CONTRACTOR

BY [Signature]

Tuscaloosa County Commission
OWNER

BY _____

EX 2-2

Change Order 2 - Fixed Contract Amount

This Agreement, Made as of January 27th, In the Year of 2017,

Between the Owner: **Tuscaloosa County Commission**
714 Greensboro Avenue,
Tuscaloosa, Alabama 35401

And the Contractor: **Bond Construction LLC**
1101 30th Avenue
Northport, Alabama 35476
49913
205 349 1560

For the Change Order: **Change Order 2**

For the Project: **Holt Senior Center**

The Owner authorizes the Contractor to make the following changes to the above project:

Description:

Reroute Existing Sewer From Adjacent Property.

Name	Description	Classification	Qty	Unit	Total
Div. 02 - Site Work					
02530 - Sanitary Sewer					
	<i>Relocate Sanitary Sewer</i>	Subcontractor		Each	\$32,082.13
	<i>Remove/ Replace Temp Fencing</i>	Subcontractor		Each	\$450.00
	<i>Overhead/ Profit/ Fee</i>	Subcontractor		Each	\$4,879.81
	<i>Bond/ Builders Risk Insurance</i>	Subcontractor		Each	\$374.12
TOTALS					\$37,786.06

ATTACHMENTS:

This Change Order is based on changes by Burk-Kleinpeter, Inc on revised drawing C205 dated 1/11/17. The associated time extension is due to the stoppage of work that occurred because of the existing sewers location though the building pad of the Senior Center Project. The project has been in a delay since 12/19/16. Please note the extension of contract time indicates a release for this scope on 1/23/17. This will be amended to reflect actual dates once we are released to perform this scope of work.

Contract Sum

Original Contract Amount	\$743,846.00
Revised Contract Amount Prior to this Change Order	\$762,751.60
Cost for this Change Order	<u>\$37,786.06</u>
The New Contract Total including this Change Order	\$800,537.66

Contract Time

Change in Contract Time for this Change Order	<u>51 days</u>
Date of Substantial Commencement for this Change Order shall be:	<u>2/21/17</u>
Adjusted Date of Substantial Completion, including this Change Order shall be:	<u>8/21/17</u>

ACCEPTANCE

This agreement is not valid until signed by Owner and Contractor.

Signature indicates agreement herewith, including any adjustment in the Contract Total and Contract Time.

Owner

Dated

Contractor

Dated

EX 2-2

Tree Farm, LLC

13415 Highway 11 South
 Fosters, Alabama 35463
 (205)361-0105
 (205)792-2903
 AL LICENSE # 50210

ESTIMATE

HOLT SENIOR CENTER CHANGE ORDER NEW SEWER PROPOSAL

ITEM	DESCRIPTION	QUANT.	UNITS	UNIT PRICE	EXT. PRICE
1	CLEAR AND GRUB ROW				\$2,000.00
2	BENCH/GRADE EXISTING R.O.W. BEFORE SEWER INSTALL				\$2,300.00
3	FINISH GRADE R.O.W. AND REGRADE BLDG PAD AFTER SEWER INSTALL				\$1,800.00
4	NEW PROPOSED SEWER MATERIALS AND STREET CUT REPAIR				\$10,949.50
5	Labor				\$5,680.00
6	Equipment (3 Pcs)	3 Pieces	Ea		\$5,730.50
7	Mobilization	3 roundtrips	Ea	\$250.00	\$750.00
8	EXISTING SEWER REPAIR @ STORM LINE "D"				\$350.00
9	EXISTING SEWER REPAIR/LOWER AT STORM LINE "C"				\$650.00
10	ENGINEERED TRAFFIC CONTROL PLAN				\$1,500.00
11	TEMPORARY MULCHING AND GRASS				\$800.00
12	TYPE "A" SILT FENCE	175	LF	\$4.50	\$787.50
13	Remove replace playground fence.				\$650.00
14	Remove replace playground edging/ mulch				\$350.00
15	ORIGINAL SEWER PRICE FROM BUILDING TO MANHOLE, CREDIT FROM ORIGINAL BID				-\$6,400.00
				SUB-TOTAL	\$27,897.50
	Overhead/ Profit/ Fee	15%			\$4,184.63
				TOTAL	\$32,082.13

THIS BID IS FOR CORE DRILLING THE NEW SEWER LINE INTO THE EXISTING PRECAST SEWER MANHOLE ON 40TH AVE. ADDITIONAL COSTS WILL OCCUR IF THE MANHOLE IS FOUND TO BE CONSTRUCTED OF BRICK. ALSO, NO ENGINEERED TRAFFIC CONTROL PLAN/IMPLEMENTATION WAS IN ORIGINAL BID AS IT WAS NOT REQUIRED OF THE CITY UNTIL JAN. 2017.

EX-2-2

THIS INSTRUMENT PREPARED BY:
Robert M. Spence
ROSEN HARWOOD, P.A.
2200 Jack Warner Parkway, Ste. 200
Tuscaloosa, AL 35401

THIS INSTRUMENT WAS PREPARED
WITHOUT THE BENEFIT OF TITLE
EXAMINATION, SURVEY, OR ON SITE
INSPECTION.

Source of Title:

STATE OF ALABAMA)
)
TUSCALOOSA COUNTY)

DECLARATION OF VACATION OF PUBLIC RIGHT-OF-WAY
FOR A PORTION OF HEMPHILL (BIG LAKE) ROAD BY ABUTTING LANDOWNER

KNOW ALL MEN BY THESE PRESENTS, that Ann Hemphill, as Trustee of the Robert Franklin Hemphill and Ann Burbach Hemphill Revocable Trust, is the owner of all the land abutting a right-of-way, which is hereinafter more particularly described, and which right-of-way said owner desires to vacate as provided in Section 23-4-20 of the Code of Alabama, 1975. The vacation of said right-of-way as hereinafter described will not deprive other property owners of reasonable means of ingress and egress to and from their property nor will it adversely affect the interest of the general public in any way.

NOW, THEREFORE, pursuant to the provisions of Section 23-4-20 of the Code of Alabama, 1975, the undersigned owners do hereby declare a portion of the following described right-of-way located in Tuscaloosa County, Alabama, to be vacated:

A strip of land, being of variable width, on each side of and parallel to the centerline of the roadway known as Hemphill Road (aka: Big Lake Road). Said roadway being located in the East one-half of Section 23, Township 24 North, Range 4 East and the Southwest Quarter of Section 24, Township 24 North, Range 4 East, lying West of the Black Warrior River, Tuscaloosa County, Alabama and being more particularly described as follows: Begin at a point in the centerline of said Hemphill Road (aka: Big Lake Road), said point being 120 feet, more or less, East of the West boundary of the East one-half of said Section 23; thence easterly and along the meandering centerline of said Hemphill Road (aka: Big Lake Road) to the intersection of the centerline of said Hemphill Road (aka: Big Lake Road) and the North boundary of the Southwest quarter of said Section 24 and the Terminus point for this roadway vacation. Tuscaloosa County reserves the right to construct and maintain a 60-foot radius cul-de-sac on the East side of the West boundary of the East one-half of said Section 23.

The said right-of-way to be vacated is not within the corporate limits of any municipality, but located in Tuscaloosa County and assent to the vacation of said right-of-way has been obtained from the Tuscaloosa County Commission by resolution, a copy of which, certified by the County Clerk, is attached hereto, filed and recorded with this written Declaration of Vacation, and made a part hereof.

EX 2-3

IN WITNESS WHEREOF, W. Hardy McCollum, Chairman of the Tuscaloosa County Commission has executed this Declaration of Vacation of Public Right-Of-Way this ____ day of March, 2017.

TUSCALOOSA COUNTY COMMISSION

By: 
W. Hardy McCollum, Chairman

ATTEST:


Melvin Vines, Administrator

EX 2-3

EXHIBIT "A"

HEMPHILL ROAD RIGHT-OF-WAY VACATION

A strip of land, being of variable width, on each side of and parallel to the centerline of the roadway known as Hemphill Road (aka: Big Lake Road). Said roadway being located in the East one-half of Section 23, Township 24 North, Range 4 East and the Southwest quarter of Section 24, Township 24 North, Range 4 East, lying West of the Black Warrior River, Tuscaloosa County, Alabama and being more particularly described as follows: Began at a point in the centerline of said Hemphill Road (aka: Big Lake Road), said point being 120 feet, more or less, East of the West boundary of the East one-half of said Section 23; thence easterly and along the meandering centerline of said Hemphill Road (aka: Big Lake Road) to the intersection of the centerline of said Hemphill Road (aka: Big Lake Road) and the North boundary of the Southwest quarter of said Section 24 and the Terminus point for this roadway vacation. Tuscaloosa County reserves the right to construct and maintain a 60 foot radius cul-de-sac on the East side of the West boundary of the East one-half of said Section 23.

It is the intent of this document to vacate all claims on each side of and parallel to the centerline of the roadway known as Hemphill Road (aka: Big Lake Road) through the above-described Sections and as shown on the attached Exhibit "B".

E 2-3

**THIS INSTRUMENT PREPARED WITHOUT BENEFIT
OF TITLE EXAMINATION OR SURVEY BY:**

**Robert M. Spence
ROSEN HARWOOD, PA
2200 Jack Warner Parkway, Suite 200
Tuscaloosa, AL 35401**

SOURCE OF TITLE: Deed Book 2006 at Page 25626

**TUSCALOOSA COUNTY COMMISSION
TUSCALOOSA COUNTY, ALABAMA**

**RESOLUTION CONSENTING TO THE VACATION OF A PUBLIC STREET IN
TUSCALOOSA COUNTY**

WHEREAS, Ann Hemphill, hereinafter called the Owner, alleges that she owns all of the land abutting a certain public street in Tuscaloosa County hereinafter described; and,

WHEREAS, said street lies within an unincorporated area of Tuscaloosa County, Alabama, and the assent of the Tuscaloosa County Commission, the governing body of the said County, to the vacation of said public street has been requested and is desired by the Owner; and,

WHEREAS, a duly advertised public hearing to address the proposed vacation of a section of the Hemphill Road (also known as Big Lake Road), a public street in Tuscaloosa County was held on February 1, 2017, and the abutting landowners, prior to said hearing received notice of the same; and,

WHEREAS, it appears to the Tuscaloosa County Commission that the vacation of said public street as herein described will not deprive other property owners of their right, as they may have, to convenient and reasonable means of ingress to and from their property, nor will it adversely affect the interest of the public in any way.

NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION as follows:

That the assent of said County Commission be, and the same is hereby, given to the vacation of the following described public street in Tuscaloosa County, Alabama, to-wit:

A strip of land, being of variable width, on each side of and parallel to the centerline of the roadway known as Hemphill Road (aka: Big Lake Road). Said roadway being located in the East one-half of Section 23, Township 24 North, Range 4 East and the Southwest quarter of Section 24, Township 24 North, Range 4 East, lying West of the Black Warrior River, Tuscaloosa

EX 2-3

County, Alabama and being more particularly described as follows: Began at a point in the centerline of said Hemphill Road (aka: Big Lake Road), said point being 120 feet, more or less, East of the West boundary of the East one-half of said Section 23; thence easterly and along the meandering centerline of said Hemphill Road (aka: Big Lake Road) to the intersection of the centerline of said Hemphill Road (aka: Big Lake Road) and the North boundary of the Southwest quarter of said Section 24 and the Terminus point for this roadway vacation. Tuscaloosa County reserves the right to construct and maintain a 60-foot radius cul-de-sac on the East side of the West boundary of the East one-half of said Section 23.

See Exhibit "A" attached hereto depicting the area of vacation.

BE IT FURTHER RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION that the Chairman of the County Commission be, and he hereby is, authorized to present a copy of this resolution duly certified as correct by the Tuscaloosa County Administrator, the officer in charge of the records of said County to said above party in order that same may be attached to and filed and recorded with the legal declaration of vacation of said above and foregoing described public street.

BE IT FURTHER RESOLVED that this vacation is subject to any and all public utilities which might be located in said right-of-way.

This the 1st day of February, 2017.

ATTEST:


W. Hardy McCollum, Chairman
Tuscaloosa County Commission


Melvin Vines, County Administrator

EX 23

TUSCALOOSA COUNTY
PUBLIC WORKS

CHANGE
ORDER
REQUEST

OWNER: TUSCALOOSA COUNTY

ARCHITECT/ENGINEER: BURK-KLEINPETER, INC.

CONTRACTOR: W.S. Newell & Sons, Inc.

PROJECT: Brookwood Parkway Extension

CHANGE ORDER REQUEST NO. 1 DATE: 01/23/2017

1. DESCRIPTION OF CHANGE:

Items 110 through 117 need to be added to the contract for the relocation of the existing sewer main which is in conflict with the proposed horizontal and vertical alignment.

The following item needs to be removed from the contract:
Item 55. 6" PVC Underdrain Pipe

2. CHANGE ORDER COSTS: \$109,080.58

Proposal Attached See below Cost Estimated/Proposal Required

Cost Proposal Summary – Change Order Request No. 1					
Item	Quantity	Material Unit Price	Labor (Hours)	Labor Unit Price	Sub-Total Cost
110. Mobilization	1 LS	\$3,535.35	Included	Included	\$3,535.35
111. Geometric Control	1 LS	\$2,525.25	Included	Included	\$2,525.25
112. Clearing & Grubbing	1 LS	\$10,606.06	Included	Included	\$10,606.06
113. 6" SDR 17 Poly Force Main Sewer	2626 LF	\$17.51	Included	Included	\$45,981.26
114. A/V Assemblies	5 Each	\$4,061.39	Included	Included	\$20,306.95
115. 10" Steel Casing	280 LF	\$86.27	Included	Included	\$24,155.60
116. Connection to Existing Line	6 Each	\$10,316.67	Included	Included	\$61,900.02
117. 6" Concrete Encasement	105 LF	\$47.10	Included	Included	\$4,945.50
55. 6" PVC Sanitary Sewer Force Main Pipe	-2221 LF	\$29.21	Included	Included	-\$64,875.41
TOTAL:					\$109,080.58

3. INSTITUTED BY: Burk-Kleinpeter, Inc.

EX 2-4

4. **JUSTIFICATION OF NEED:** Quantities are needed for the relocation of the existing sewer force main that is in conflict with the proposed horizontal and vertical alignment of Brookwood Parkway Extension. Items 110 to 117 (listed above) need to be added to the contract. The following item needs to be removed from the contract: *Item 55. 6" PVC Sanitary Sewer Force Main Pipe.*

5. **JUSTIFICATION OF CHANGE ORDER VERSUS COMPETITIVE BIDDING:** The total amount of the change order is less than 10% of the contract price.

6. **COSTS REVIEW:** The costs for the additional work were negotiated and have been reviewed by BKI & County personnel and are adequate for the proposed work.

7. **THIS CHANGE ORDER IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS THE FOLLOWING TYPE:**

- Minor change of a total monetary value less than required for competitive bidding.
 - Changes for matters relatively minor and incidental to the original contract necessitated by unforeseeable circumstances arising during the course of work.
 - Emergencies arising during the course of work.
 - Change or alternates provided for in the original bidding where there is no difference in price of the Change Order from the original best bid on the Alternate.
 - Change of relatively minor terms not contemplated when the plans and specifications were prepared and the Project was bid and which are in the public interest and do not exceed 10% of the Contract Price.
-

8. **EXTENSION OF TIME REQUESTED:** Calendar Days: 0

RECOMMENDED:

APPROVED:

BY: _____
Tuscaloosa County's Consulting Engineer

BY: _____
Contractor

BY: _____
County Representative

BY: _____
Owner's Legal Advisor

BY: _____
Owner's Authorized Representative

EX 2-4

CONTRACT CHANGE ORDER NO. 1

Tuscaloosa County

DATE: 01/23/2017 PROJECT: Brookwood Parkway Extension

TO: W.S. Newell & Sons, Inc.
(Contractor)

TERMS: You are hereby authorized, subject to the provisions of your Contract for this Project, to make the following changes thereto in accordance with the attached Change Order Request and supporting documents and to:

FURNISH the necessary labor, materials and equipment to:

Items 110 through 117 need to be added to the contract for the relocation of the existing sewer main which is in conflict with the proposed horizontal and vertical alignment.

The following item needs to be removed from the contract: Item 55. 6" PVC Underdrain Pipe

TOTAL ADDITION OR REDUCTION TO CONTRACT PRICE:

(Note: Numbers in parentheses are deductions).

ORIGINAL CONTRACT PRICE	\$	<u>8,632,423.38</u>
LESS CONTINGENCY/ALLOWANCE	\$	<u>0</u>
NET ORIGINAL CONTRACT PRICE	\$	<u>8,632,423.38</u>
Net total of previous Change Orders	\$	<u>0</u>
Previous revised Contract Price	\$	<u>8,632,423.38</u>
This Change Order No. <u>1</u> <input checked="" type="checkbox"/> Add <input type="checkbox"/> Deduct	\$	<u>109,080.50</u>
Revised Contract Price this date	\$	<u>8,741,503.96</u>

Extension of time resulting from this Change Order 0 (Indicate number of calendar days).

This Contract Modification constitutes full and mutual accord and satisfaction for all time and all cost related to this change. By acceptance of this Contract Modification, the Contractor hereby agrees that the modification represents an equitable adjustment to the Contract, and further, agrees to waive all right to file any further claims or changes arising out of or as a result of this change, or the accumulation of executed Contract Modifications on this Contract.

The Contractor and Owner(s) hereby agree to the terms of this Change Order as contained herein.

CONSENT OF SURETY

CONTRACTING PARTIES

(Company)

(Contractor)

By: _____

By: _____
(Authorized Representative)

RECOMMENDED

TUSCALOOSA COUNTY

By: _____
Burk-Kleinpeter, Inc.
(Design Engineer or Architect)

By: _____
(County Representative)

EX 2-4