

RESOLUTION NO. R-2025-122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING CHANGE ORDER #4 TO THE CONSTRUCTION CONTRACT WITH BAR CONSTRUCTORS, INC. FOR A DEDUCTION OF \$25,314.46 FROM THE CONTRACT PRICE AND AN ADDITION OF 249 CALENDAR DAYS TO THE CONTRACT TIME AS PART OF THE WASTEWATER TREATMENT PLANT #3 PROJECT, AS ATTACHED IN EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop City Council understands the importance of public safety provided by performing infrastructure improvements; and

WHEREAS, the City of Bastrop City Council understands the importance of focusing on infrastructure improvements in the area of wastewater treatment and conveyance; and

WHEREAS, the City of Bastrop has utilized KSA Engineers, Inc. for the provision of engineering services for the design, bidding, and construction of the Wastewater Treatment Plant #3 project; and

WHEREAS, the City of Bastrop awarded a contract to BAR Constructors, Inc. for the construction of the Wastewater Treatment Plant #3; and

WHEREAS, the project has been significantly delayed due to multiple issues with the design and construction of the Wastewater Treatment Plant #3; and

WHEREAS, BAR Constructors, Inc. has submitted cost proposals and time extension requests to supplement the original construction contract; and

WHEREAS, the City's engineering consultant, Carollo Engineers, has reviewed the cost proposals, time extension requests, and all associated supporting documentation submitted by BAR Constructors, Inc.; and

WHEREAS, Change Order #4 has been prepared by Carollo Engineers to establish the final contract price and contract days to which BAR Constructors, Inc. is entitled, and is herein attached as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1. The City Manager is hereby authorized to execute Change Order #4 with BAR Constructors, Inc. for a deduction of \$25,314.46 from the contract price and an additional 249 calendar days to the contract time as part of the Wastewater Treatment Plant #3 Project.

Section 2. This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND APPROVED by the City Council of the City of Bastrop, Texas
on the 12th day of August 2025.


APPROVED:

by: 
Ishmael Harris, Mayor

ATTEST:


Michael Muscarello, City Secretary

APPROVED AS TO FORM:


City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.





CHANGE ORDER NO. 4

Issue Date: 8/13/2025
Owner: City of Bastrop
Contractor: BAR Constructors
Engineer: KSA Engineers
Project Manager: Andres Rosales (City of Bastrop)

Effective Date: 8/13/2025
Owner's Contract No.: NA
Contractor's Project No.: 285
Engineer's Project No.: BAS006A

Project: Bastrop WWTP No. 3
Contract Name: Bastrop WWTP No. 3

Change Order Execution	
<p>The Contract is modified as follows upon execution of this Change Order No. 4:</p> <p>Description: Cost and time impacts on Change Order No. 4.</p> <p>CP-29 Functional Testing Time Extension Request: (19 calendar days).</p> <p>CP-30R2 HVAC Issues at Administration Building & Electrical Building Shunt Install: (\$101,241.62 and 181 calendar days).</p> <p>Inclement Weather Time Extension Request: (49 calendar days).</p> <p>Pay Application No. 42- Reconciliation of Balance to Finish Line Items: Line Item 22.21 18" Forcemain (\$60,000) and Line Item 26.00 Allowances (\$66,556.08) for a total contract reduction of these items of (-\$126,556.08).</p> <p style="text-align: right;">Summary: (-25,314.46) and 249 calendar days.</p>	
<p>Attachments: 1. Contractor Proposal CP-29; 2. CP-30R2; 3. Cp-30R2 (Time Extension); 4. Inclement Weather Time Extension; 5. Pay Application No. 42- Balance to Finish Line Items.</p> <p>See attachments for all backup documents for each of the Contractor Proposals listed herein.</p>	
<p style="text-align: center;">CHANGE IN CONTRACT PRICE</p> <p>Original Contract Price:</p> <p>\$ <u>26,369,000.00</u></p>	<p style="text-align: center;">CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i></p> <p>Original Contract Times: <u>NTP 03/01/2021 Date</u></p> <p>Substantial Completion: <u>480</u></p> <p>Ready for Final Payment: <u>540</u> (Final Completion) <u>Calendar Days</u></p>
<p><input checked="" type="checkbox"/> Increase <input type="checkbox"/> Decrease from previously approved Change Orders: No. 1 to No. 3</p> <p>\$ <u>373,559.59</u></p>	<p><input checked="" type="checkbox"/> Increase <input type="checkbox"/> Decrease from previously approved Change Orders: No. 1 to No. 3: 135 Calendar Days</p> <p>Substantial Completion: <u>135</u></p> <p>Ready for Final Payment: <u>135</u> (Final Completion) <u>Calendar Days</u></p>

Change Order Execution										
Contract Price prior to this Change Order: \$ <u>26,742,559.59</u>	Contract Times prior to this Change Order: Substantial Completion: <u>615</u> Ready for Final Payment: <u>675</u> (Final Completion) <u>Calendar Days</u>									
<input type="checkbox"/> Increase <input checked="" type="checkbox"/> Decrease of this Change Order: \$ <u>(25,314.46)</u>	<input checked="" type="checkbox"/> Increase <input type="checkbox"/> Decrease of this Change Order: 249 Calendar Days Substantial Completion: <u>249</u> Ready for Final Payment: <u>249</u> (Final Completion) <u>Calendar Days</u>									
Contract Price Incorporating this Change Order: \$ <u>26,717,245.13</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>864 (07/13/2023)</u> Ready for Final Payment: <u>924 (09/11/2023)</u> (Final Completion) <u>Calendar Days (Date)</u>									
<p>In signing a Change Order, the Owner and Contractor acknowledge and agree that:</p> <ol style="list-style-type: none"> 1. The Change Order constitutes full mutual accord and satisfaction for the change to the Work. The stipulated compensation (Contract Price and Contract Times) set forth in this Change Order constitutes a full, complete, and final payment for all costs the Contractor has or will incur for the work described in this Change Order, includes not only all direct costs of Contractor such as labor, material, job overhead, and profit markup, but also includes any costs for modifications or changes in sequence of work to be performed, delays rescheduling, disruptions, extended direct overhead or general overhead, acceleration, material, or other escalation which includes wages and other impact costs. 2. This Change Order will become a supplement to the Contract and all Contract provisions will apply hereto. 3. It is understood that this Change Order shall be effective on the date the Owner authorizes the Change Order by their signature. 4. No subsequent claim or amendment of the Contract Documents will arise out of or as a result of the Change Order. 										
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;"> RECOMMENDED: By: <u><i>Andrea Rosales</i></u> <div style="text-align: center; font-size: small;">City Project Manger (Authorized Signature)</div> </td> <td style="width: 33%; vertical-align: top;"> AUTHORIZED: By: <u><i>Stefan Gonzalez</i></u> <div style="text-align: center; font-size: small;">Owner (Authorized Signature)</div> </td> <td style="width: 33%; vertical-align: top;"> ACCEPTED: By: _____ <div style="text-align: center; font-size: small;">Contractor (Authorized Signature)</div> </td> </tr> <tr> <td style="vertical-align: top;"> Title: <u>Assistant City Manager</u> </td> <td style="vertical-align: top;"> Title: <u>City Manager</u> </td> <td style="vertical-align: top;"> Title: _____ </td> </tr> <tr> <td style="vertical-align: top;"> Date: <u>8/13/2025</u> </td> <td style="vertical-align: top;"> Date: <u>8/13/2025</u> </td> <td style="vertical-align: top;"> Date: _____ </td> </tr> </table>		RECOMMENDED: By: <u><i>Andrea Rosales</i></u> <div style="text-align: center; font-size: small;">City Project Manger (Authorized Signature)</div>	AUTHORIZED: By: <u><i>Stefan Gonzalez</i></u> <div style="text-align: center; font-size: small;">Owner (Authorized Signature)</div>	ACCEPTED: By: _____ <div style="text-align: center; font-size: small;">Contractor (Authorized Signature)</div>	Title: <u>Assistant City Manager</u>	Title: <u>City Manager</u>	Title: _____	Date: <u>8/13/2025</u>	Date: <u>8/13/2025</u>	Date: _____
RECOMMENDED: By: <u><i>Andrea Rosales</i></u> <div style="text-align: center; font-size: small;">City Project Manger (Authorized Signature)</div>	AUTHORIZED: By: <u><i>Stefan Gonzalez</i></u> <div style="text-align: center; font-size: small;">Owner (Authorized Signature)</div>	ACCEPTED: By: _____ <div style="text-align: center; font-size: small;">Contractor (Authorized Signature)</div>								
Title: <u>Assistant City Manager</u>	Title: <u>City Manager</u>	Title: _____								
Date: <u>8/13/2025</u>	Date: <u>8/13/2025</u>	Date: _____								

END OF DOCUMENT

Copy to: City of Bastrop- Owner
 BAR Constructors- Contractor