

SUPPLEMENTAL AGREEMENT NO. 1

CONTRACTOR; CS McCrossan Construction Inc.			FEDERAL PROJECT NO. ER MN07 (310)			STATE PROJECT NO. S.P. 141-998-023 <i>et al</i>		
ADDRESS: 7865 Jefferson Hwy PO Box 1240 Maple Grove MN 55311			LOCATION OF WORK Various locations throughout the City of Minneapolis.					
GROUP NO.	APPR.	AMOUNT	GROUP NO.	APPR.	AMOUNT	GROUP NO.	APPR.	AMOUNT
DATE ENCUMBERED 6/15/11				ORIGINAL ENCUMBRANCE: \$2,338,438.95			SA TOTAL \$81,075	
BY: Individual signing certifies that funds have been encumbered as required by Minn. Stat. § 16A.15				\$ ENCUMBERED TO DATE:				

This Contract is between the State of Minnesota, acting through its Commissioner of Transportation, and Contractor as follows:

- WHEREAS: This Contract provides for, among other things, milling, paving, striping and loop detector installation; and
- WHEREAS: This Contract further provides for 2232.501, Milling Bituminous Surface; and
- WHEREAS: There are potholes which exceed the 3" mill depth that need to be patched prior to placement of the leveling course; and
- WHEREAS: The Engineer has determined that the areas where pothole depths exceed 1" from the bottom of the milled surface, the contractor shall patch these locations with SPWEA540L and compact them before placing the leveling course; and
- WHEREAS: The Engineer has further determined that this constitutes a changed condition, and shall be paid for as 2231.501, Patching Bituminous Mixture (Special).
- WHEREAS: This Contract further provides for 2232.501, Milling Bituminous Surface, 2360.501 Type SP 12.5 Wearing Course Mixture SPWEB540L and 2360.501 Type SP9.5 Leveling Course Mixture SPWEA540L for mainline milling and paving ; and
- WHEREAS: There are areas directly adjacent to the mainline area which are very deteriorated and within a distance of less than 30 feet and are bound by concrete or new pavement; and
- WHEREAS: The Engineer has determined that to insure the longevity of the new pavement the paving boundaries should be extended to include the deteriorated portion directly adjacent to the project; and
- WHEREAS: The Engineer has further determined that this constitutes a changed condition since the plans were initially approved and shall be paid for at a special negotiated rate which includes compensation for extra effort, time and equipment needed to accomplish this extra work and shall be paid for under 2232.501, Milling Bituminous Surface 3" (Special), 2360.501 Type SP 12.5 Wearing Course Mixture SPWEB540L (Special) and 2360.501 Type SP9.5 Leveling Course Mixture SPWEA540L (Special); and
- WHEREAS: This Contract provides for 2563.613, Traffic Control; and

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- WHEREAS: There are locations where a traffic control officer may be needed for reasons of public safety due to high volumes of traffic or in areas where higher vehicular speeds are anticipated such as adjacent to freeway exit ramps; and
- WHEREAS: The Traffic Control pay item does not provide for a Traffic Control Officer; and
- WHEREAS: The Traffic Control Officer shall be paid for as 2563.610, Police Officer; and
- WHEREAS: This Contract does not provide for raising of public manholes which have sunken; and
- WHEREAS: Special Provision S-17 (1507) UTILITY PROPERTY SERVICE requires that the Contractor coordinate any necessary adjustments to City of Minneapolis water and sewer manholes two weeks prior to paving; and
- WHEREAS: The Engineer has determined that there are instances when the need to raise a manhole do not become evident until milling has occurred and the City of Minneapolis may not be able to respond to the request to raise the structure prior to paving; and
- WHEREAS: The Engineer has further determined that this constitutes, changed condition, and shall be paid for as one of the following, depending on what is required:

2504.602	ADJUST MANHOLE STRUCTURE (CITY FURNISHES RING)
2506.602	ADJUST & FURNISH RING CASTING (1/2" TO 1 1/2")
2506.602	ADJUST & FURNISH RING CASTING (2")
2506.602	ADJUST & FURNISH RING CASTING (2 1/2")
2506.602	ADJUST & FURNISH RING CASTING (3")
2506.602	ADJUST & FURNISH RING CASTING (3 1/2")
2506.602	ADJUST & FURNISH RING CASTING (GV STEEL ADJUSTING RING)

NOW, THEREFORE, IT IS MUTUALLY AGREED AND UNDERSTOOD THAT:

1. The City of Minneapolis shall:
 - a. Identify with paint where pothole patching is necessary immediately following milling
 - b. Identify with paint milling and paving limits to be included in the mill & overlay
 - c. Identify which sewer & water manholes shall be raised with the adjusting rings furnished by the City and which manholes the Contractor shall furnish and install adjusting rings for
2. The Contractor shall:
 - a. Copy the City of Minneapolis with requests for Traffic Control Officers, noting where and how many hours they anticipate
 - b. Advise the City of Minneapolis of any water or sewer manholes that may need adjusting 2 weeks prior to paving

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3. Payment for all of the work identified will be at the Negotiated Unit Price (see below).
4. Contract time will not be revised.
5. The Contractor will not make claim of any kind or character whatsoever for any other costs or expenses that he may have incurred or that may be hereafter incurred in performing the work and furnishing the materials required by this Agreement.

Negotiated Items

UNIT	DESCRIPTION	UNIT	UNIT PRICE	QUANTY	AMOUNT
2231.501	BITUMINOUS PATCHING MIXTURE (SPECIAL)	TON	\$ 154.00	100.00	\$ 15,400.00
2232.501	MILL BITUMINOUS SURFACE (3.0") (SPECIAL)	S Y	\$ 8.50	2,000.00	\$ 17,000.00
2360.501	TYPE SP 12.5 WEARING COURSE MIXTURE SPWEB540L (SPECIAL)	S Y	\$ 9.85	2,000.00	\$ 19,700.00
2360.501	TYPE SP 9.5 LEVELING COURSE MIXTURE SPWEA540L (SPECIAL)	S Y	\$ 4.80	2,000.00	\$ 9,600.00
2504.602	ADJUST MANHOLE STRUCTURE	EACH	\$ 50.00	40.00	\$ 2,000.00
2506.602	ADJUST & FURNISH RING CASTING (1/2" TO 1 1/2")	EACH	\$ 179.00	10.00	\$ 1,790.00
2506.602	ADJUST & FURNISH RING CASTING (2")	EACH	\$ 182.00	10.00	\$ 1,820.00
2506.602	ADJUST & FURNISH RING CASTING (2 1/2")	EACH	\$ 189.00	10.00	\$ 1,890.00
2506.602	ADJUST & FURNISH RING CASTING (3")	EACH	\$ 239.00	5.00	\$ 1,195.00
2506.602	ADJUST & FURNISH RING CASTING (3 1/2")	EACH	\$ 245.00	5.00	\$ 1,225.00
2506.602	ADJUST & FURNISH RING CASTING (GV STEEL ADJUSTING RING)	EACH	\$ 79.00	20.00	\$ 1,580.00
2563.610	POLICE OFFICER	HOUR	\$ 45.00	175.00	\$ 7,875.00

ESTIMATE OF COST

Net change this Agreement \$81,075.00

Distribution of funds: \$ 81,075 in GROUP 1, 100% participating

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<p><i>Stephanie Malinberg</i> Stephanie Malinberg P.E., Project Engineer</p> <p>Dated: <u>6-28-11</u></p> <p>By: <i>Ted McCrossan</i> Contractor, CS McCrossan Construction, Inc.</p> <p>Dated: <u>6/28/11</u></p> <p>Assistant District Engineer</p> <p>Dated: _____</p>	<p>Commissioner of Transportation:</p> <p>By: _____ Pursuant to Delegation</p> <p>Dated: _____</p>	<p>Commissioner of Administration</p> <p>By: _____ Commissioner of Administration or Pursuant to Delegation</p> <p>Dated: _____</p>
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