

**RESOLUTION NO. 4173**

**A RESOLUTION APPROVING A CHANGE ORDER TO THE AGREEMENT WITH OVIVO, USA, FOR THE PURCHASE OF DIGESTER COVERS AT THE CITY WASTEWATER TREATMENT PLANT.**


**WHEREAS**, the City of Miles City and Ovivo, USA have entered into an agreement for certain improvements at the City's Wastewater Treatment Plant;

**AND WHEREAS**, the parties desire to approve a change order to said project to add digester covers to digesters 1 and 2;

**NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:**

1. The "CHANGE ORDER" between the City and Ovivo, USA, attached hereto as Exhibit "A", and made a part hereof, is hereby approved and adopted by this Council.
2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said document on behalf of the City of Miles City, and bind the City of Miles City thereto.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A REGULAR MEETING THIS 24<sup>TH</sup> DAY OF JULY, 2018.**

  
John Hollowell, Mayor

ATTEST:

  
Lorrie Pearce, City Clerk

**CHANGE ORDER**

PROJECT TITLE: Miles City Wastewater Improvement Phase II - 2016 Equipment Procurement Schedule 1  
 PROJECT NO.: 14804 CHANGE ORDER NO.: 1  
 OWNER: City of Miles City DATE OF CHANGE ORDER: July 10, 2018  
 CONTRACTOR: Ovivo, USA  
 CONTRACT DATE: May 16, 2016

Change orders must be accompanied by an itemized cost breakdown, i.e.: unit prices, negotiated lump sum prices, negotiated cost plus basis. Note all cost plus pricing to be supported by documentation which supports the cost of that item.

ITEM NO.	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	AMOUNT	BASIS OF UNIT PRICE
1	Ceramic Membrane Upgrade	1	LS	\$0	\$0	As Quoted
2	Upgrade Fine Screen to 1 mm	1	LS	\$0	\$0	As Quoted
3	Covers for Digester 1 and Digester 2	1	LS	\$453,455.00	\$453,455.00	As Quoted

**JUSTIFICATION OF CHANGE ORDER:**  
 See Attached Justification of Change Order

**SUMMARY OF COST AND TIME:**

**COST BREAKDOWN:**

Original Contract Price: \$835,000.00  
 Previous Change Order Amount: \$0  
 Current Contract Price: \$835,000.00  
 Amount of This Change Order: \$453,455.00  
 New Contract Price: \$1,288,455.00

**TIME BREAKDOWN:**

Start of Construction: N/A  
 Calendar Days by Contract: N/A  
 Contract Completion Date: N/A  
 No. of Days Granted This Change Order: N/A  
 New Contract Completion Date: N/A

The completion date as set forth in the contract documents shall be  unchanged  increased  decreased by N/A calendar days. The date for completion of all work will be N/A.



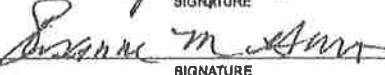


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**CHANGE ORDER**

**FULL AND FINAL RESOLUTION:**

Execution of this Change Order by the Contractor shall constitute full and final resolution of all claims, impacts, delays, or costs associated with the change, and the Contractor waives any and all claims for money, impacts, delays, costs, or any other effect of the change(s) covered by this Change Order.

<b>RECOMMENDED BY (Engineer):</b>	 SIGNATURE	Brad Koenig, PE PRINT OR TYPE NAME	8/14/18 DATE
<b>ACCEPTED BY (Contractor):</b>	 SIGNATURE	WAYNE HOLLIMAN PRINT OR TYPE NAME	8-23-18 DATE
<b>APPROVED BY (Owner):</b>	 SIGNATURE	John Hollowell PRINT OR TYPE NAME	8-22-18 DATE
		Susanne Galb. PRINT OR TYPE NAME	



### Justification of Change Order

The City of Miles City experienced fouling due to debris (leaves and cottonwood seeds) entering the currently open digesters. Some stringy material (likely hair) also entered the digester through the fine screen recently installed. Ovivo performed an inspection of the system to during June of 2018. The following recommendations were made by Ovivo to improve functionality and efficiency of the digestion system and are included as part of this change order. 1) Replace existing membranes with ceramic membranes. Ovivo agreed to supply these at no cost, with installation performed by the City. 2) Modify the fine screen opening size from 2mm to 1 mm. This can be done on site as a collaborative effort between Ovivo and the Owner at no cost. 3) Install covers to both exclude debris and retain heat. Heat retention will increase the flux rate and improve the process. These items will be supplied and installed by their equipment partner, Hallsten Corporation, to work in conjunction with Ovivo's digestion process. All warranty work shall be the responsibility of the Hallsten Corporation, and Ovivo is not responsible for future warranty issues related to these covers.