

DRAFT

Change Order

No. Five (5)

Date of Issuance: October 20, 2009 Effective Date: November 9, 2009

Project: 2008-2009 Water and Sewer Replacement Projects	Owner: City of Billings	Owner's Contract No.: WO 08-01
Contract: 2008-2009 Water and Sewer Replacement Projects Schedule 1		Date of Contract: April 29, 2009
Contractor: COP Construction, LLC		Engineer's Project No.: 0686.170

The Contract Documents are modified as follows upon execution of this Change Order:

Description: This change order adds the Claim discussed in detail in the letter from Casey Hanson at Morrison Maierle, Inc. to Randy Straus at the City of Billings and Anthony Gentile at COP Construction, LLC dated October 19, 2009.

Attachments: October 19, 2009 claim decision letter from Casey Hanson at Morrison Maierle, Inc. to Randy Straus at the City of Billings and Anthony Gentile at COP Construction, LLC.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
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Original Contract Price: \$ <u>715,188.00</u>	Original Contract Times: <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days Substantial completion (days or date): <u>60 Days</u> Ready for final payment (days or date): _____
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[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>4</u> : \$ <u>60,011.08</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>4</u> : Substantial completion (days): <u>31 Days</u> Ready for final payment (days): _____
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Contract Price prior to this Change Order: \$ <u>775,199.08</u>	Contract Times prior to this Change Order: Substantial completion (days or date): <u>91 Days</u> Ready for final payment (days or date): _____
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[Increase] [Decrease] of this Change Order: \$ <u>104,803.26</u>	[Increase] [Decrease] of this Change Order: Substantial completion (days or date): <u>97 Days</u> Ready for final payment (days or date): _____
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Contract Price incorporating this Change Order: \$ <u>880,002.34</u>	Contract Times with all approved Change Orders and Work Directives: Substantial completion (days or date): <u>180 Days</u> Ready for final payment (days or date): <u>188</u> <i>KBS</i>
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RECOMMENDED: By: _____ Engineer (Authorized Signature)	ACCEPTED: By: _____ Owner (Authorized Signature)	ACCEPTED: By: _____ Contractor (Authorized Signature)
Date: _____	Date: _____	Date: _____

October 19, 2009

✓ Mr. Randy Straus, P.E.
City of Billings Public Works
2224 Montana Avenue
Billings, MT 59101

Mr. Anthony Gentile
COP Construction LLC
P.O. Box 20913
Billings, MT 59101

RE: 2008-2009 City of Billings Water and Sewer Replacement Project – Schedule 1 Claim

Dear Randy and Anthony,

Morrison Maierle, Inc. (MMI) is in receipt of the following correspondence regarding claims COP Construction LLC (COP) has made on the above referenced project:

- July 16, 2009 letter giving notice of a claim for sloughing soil in the alley between 28th Street South and 29th Street South between Minnesota Avenue and 1st Avenue South (28th/29th alley).
- July 23, 2009 letter giving notice that the concrete dock in the same area referenced in the July 16, 2009 area will need to be removed and replaced.
- July 27, 2009 letter giving notice that COP discovered a concrete basement extending into the 28th/29th alley behind the Granny's attic building that was hit by COP and approximately three feet away from the new sewer line location.
- July 29, 2009 letter transmitting force account sheets prepared by COP listing costs for work related to the above referenced claim(s) between July 13, 2009 and July 24, 2009.
- August 4, 2009 letter transmitting force account sheets prepared by COP listing costs for work related to the Qwest phone lines in 27th Street South that were not located during design or initial construction phase locates. The enclosed force account sheets include work between July 27, 2009 and July 30, 2009.
- September 16, 2009 letter transmitting COP change order costs to replace the concrete docks referenced in the July 23, 2009 letter.
- September 18, 2009 letter summarizing the costs from the July 29, 2009, August 4, 2009, and September 16, 2009 letters as well as miscellaneous paving and surface material work between August 4, 2009 and September 3, 2009.
- October 19, 2009 letter stating this Claim includes all claims related to this issue.
- October 19, 2009 letter detailing the breakdown of subcontractor costs for additional paving items.

It appears that COP is claiming Differing Subsurface or Physical Conditions as defined in Section 4.03 of the General Conditions. COP appears to be claiming the sources of these differing conditions include:

- 1) Excess debris in the trench, including a 3' diameter by 15' steel tank,
- 2) A service reconnect that needed to be chased back to a building to find a suitable connection point,
- 3) Existing clay pipes that run parallel to the sewer trench of this project between 28th Street South and 29th Street South,
- 4) Phone lines crossing the sewer trench in 27th Street South at a long running skew that were not shown on the plans or initially located in the field,
- 5) Unmarked city power lines on the west side of 27th Street South,
- 6) An unmarked and previously unlocated concrete basement structure extending into the alley between 28th Street South and 29th Street South,
- 7) Excess washed/crushed rock backfill around MH 09-8.

MMI has been notified of the above conditions in the field as they happened and MMI resident project representatives (RPR's) and/or engineers have had ample opportunity to review the field conditions present at the time they were reported. Based on these observations and a review of the Contract Documents, MMI concurs with COP's assessments that each of the seven (7) conditions above qualify as Differing Subsurface or Physical Conditions as defined in Section 4.03 of the General Conditions.

Once it was established that each source of the differing conditions claim was legitimate under the General Conditions, MMI closely reviewed the costs claimed for each respective item. As the Claim progressed, costs were submitted as they were incurred. A summary of all of the Claim costs were presented in the September 18, 2009 letter. These claims were reviewed against the following information:

- MMI RPR and project documentation
- Certified Payroll wage rates
- COP submitted Blue Book Rates (Submitted in May 18, 2009 letter from COP to MMI)
- Where possible, MMI compared production rates on work closely adjacent to claim areas to determine production rates in the Claim and non-Claim areas. This analysis shows that in areas where COP was concurrently performing Claim and original Contract Work that their split of hours and resulting charges claimed are reasonable.

In the course of reviewing these costs alongside MMI's project documentation, some discrepancies were noted. MMI concurs with the Claim costs submitted with the exception of the following items:

- 1) The Skid Steer Loader was on-site, but not in use for the July 14, 2009 Extra Work Report. Therefore the hourly rate for this piece of equipment should be the "Standby rate," which Section 11.01 A.5.c.2 of the General Conditions defines as "For equipment on standby, the hourly rate shall be 50% of the monthly rental rate divided by 176 hours per month, and the hourly operating cost shall not apply." The standby rate for a Case 1845C is \$8.94/hour ($(\$33.28 - \$15.40 \text{ Operating})/2$). The difference between the requested rate of \$33.28/hour and \$8.94/hour is \$24.34/hour. When multiplied by 7 hours, the total adjustment is a deduct of \$170.38.
- 2) The Skid Steer Loader, Komatsu 308 excavator, and Cat 330 excavator were on-site, but not in use for the July 21, 2009 Extra Work Report. As discussed in 1) above, standby



rates would apply, which for the Komatsu 308 are \$31.32, the Cat 330 are \$33.11, and the Case 1845C are \$8.94.

Komatsu Difference = $(\$126.90/\text{hour} - \$31.32/\text{hour}) * 5 \text{ hours} = \477.88
Cat Difference = $(\$142.31/\text{hour} - \$33.11/\text{hour}) * 5 \text{ hours} = \$ 546.00$
Skid Steer Difference = $(\$33.28/\text{hour} - \$8.94/\text{hour}) * 5 \text{ hours} = \121.70

Total Adjustment for this item is a deduct of \$1,145.58

- 3) Our records show the project manager and superintendent time on the July 23, 2009 Extra Work Report were each adjusted to 3.0 hours based on a verbal discussion between our RPR and COP personnel in the field. A project manager reduction of \$91 and a superintendant reduction of \$75 make the total adjustment of this item a deduct of \$166.
- 4) The Skid Steer Loader, Komatsu 308 excavator, and Cat 330 excavator were on-site, but not in use for the July 24, 2009 Extra Work Report. As discussed in 1) above, standby rates would apply, which for the Komatsu 308 are \$31.32, the Cat 330 are \$33.11, and the Case 1845C are \$8.94.

Komatsu Difference = $(\$126.90/\text{hour} - \$31.32/\text{hour}) * 4 \text{ hours} = \382.32
Cat Difference = $(\$142.31/\text{hour} - \$33.11/\text{hour}) * 4 \text{ hours} = \436.80
Skid Steer Difference = $(\$33.28/\text{hour} - \$8.94/\text{hour}) * 4 \text{ hours} = \97.36

Total Adjustment for this item is a deduct of \$916.48.

These adjustments total a deduct of \$2,398.44 from the amount requested by COP. Accordingly, MMI recommends partial approval of this claim in the amount of \$104,803.26.

COP has also requested a total of 44 calendar days plus the number of days between their September 18, 2009 letter and the approval of this Claim. The original contract time for substantial completion plus all approved change orders expired on August 30, 2009. Of the 44 requested days, 18 days are used to cover the time period between August 31 and September 17. Another 53 days cover the interim period between COP's September 18th letter and anticipated Owner approval on November 9, 2009. The remaining 26 days from above (44 days - 18 days) will be used to complete the work after Owner approval from November 10, 2009 through the revised substantial completion date of December 5, 2009. MMI recommends approval of this time extension of 44 days for the work plus 53 days for approval for a total extension of 97 days.

If you have any questions about this letter or decision, I can be reached at 406-237-1241.

Sincerely,

Casey M. Hanson, P.E.
Project Manager



Encl: July 16, 2009 COP letter
July 23, 2009 COP letter
July 27, 2009 COP letter
July 29, 2009 COP letter
August 4, 2009 COP letter
September 16, 2009 COP letter
September 18, 2009 COP letter
COP Labor Cost Breakdown
May 18, 2009 COP letter on Blue Book Rates
October 19, 2009 COP Certification of No Further Claim letter
October 19, 2009 COP letter

Cc: Jerry Paddock, P.E., MDEQ



JUL 16 2009

July 16, 2009

Casey Hanson
Morrison - Maierle, Inc.
315 North 25th Street, Suite 102
Billings, MT 59101

**RE: Change of Conditions
2008 - 2009 Water and Sewer Replacement Projects Schedule 1, W.O. 08-01
COP Project No. 09108**

Dear Casey,

As a follow up to what we discussed this morning, COP Construction feels that a change of condition exists in the alley between South 28th Street and South 29th Street. We began to excavate the east end of the alley on July 9th, behind Granny's Attic, when we discovered miscellaneous debris along the north side of our trench. For example, we removed a 3' x 15' empty tank which was located in the proposed trench line and north of the proposed trench line. Obviously, there was no way we knew or could have known of such things until excavation. This tank was partially under the existing loading dock behind Granny's Attic. Once the tank was removed, the north bank continued to cave and more debris was exposed resulting in the undermining of the loading dock. The concrete loading dock became damaged and needs to be removed and replaced with asphalt.

While we continued west through the alley, a service reconnect was located under the same loading dock mentioned above. The service was located and found encased in concrete. We chased the service back to within 2' of the building foundation and reconnected. While trying to connect the service, the existing fill material under the loading dock continued to cave, resulting in the exposure of more unidentified clay pipes.

One of the clay pipes ran across our trench and was removed. The other one is running parallel to our trench approximately 3' to the north. The line is causing us to lose the north bank 3' to 4' outside of our excavation.



Page 2
Casey Hanson
Change of Conditions
7/16/09

We have been using 4' spreader bars in our trench boxes to minimize soil removal, backfill and remediation for these alleys. We feel that because of these unknown conditions, our production loss is equal to the time and cost of 5 crew hours per day and the additional cost for asphalt remediation.

Please let me know how you would like to proceed.

Sincerely,

COP Construction LLC



Anthony Gentile
Project Manager

cc: Correspondence File #09108



JUL 23 2009

July 23, 2009

Casey Hanson
Morrison - Maierle, Inc.
315 North 25th Street, Suite 102
Billings, MT 59101

**RE: Change of Conditions – Concrete Docks
2008 - 2009 Water and Sewer Replacement Projects Schedule 1, W.O. 08-01
COP Project No. 09108**

Dear Casey,

During our meeting on Monday the 20th of July, COP Construction discussed having a Structural Engineer on site to evaluate the existing concrete loading docks in the alley between South 28th Street and South 29th Street. With the cave off conditions of the soils and the clay lines that run beneath the existing docks, COP Construction was advised by Jim Schilke, of Structural Engineering Design, PC, to remove the docks to prevent any damage to the existing buildings. Please refer to the attached letter from Jim Schilke for his comments and concerns.

COP Construction feels that the change of conditions constitutes full recovery of all cost and time associated with these change of conditions. As we discussed at our weekly scheduling meeting, a daily force account sheet will be used to document and track all time and cost for the changes. A copy of the daily force account sheet will be given to MMI for your review.

Please let me know if you have any questions or concerns.

Sincerely,

COP Construction LLC

A handwritten signature in black ink, appearing to read "Anthony Gentile". The signature is fluid and cursive, written over a white background.

Anthony Gentile
Project Manager

cc: Correspondence File #09108



**STRUCTURAL
ENGINEERING
DESIGN, PC**

115 S. 29th St. • P.O. Box 80586
Billings, MT 59108-0586

Jim Schilke, P.E. - Structural Engineer

406-651-8195
Fax: 406-651-8193

July 21, 2009

Anthony Gentile, Jr.
Cop Construction LLC
242 S. 64th St. West
Billings, MT 59106

RE: Sewer Line Trench
Billings, Montana

Dear Mr. Gentile:

As requested, yesterday I was at the project site, which is located at the alley running between S. 28th Street and S. 29th Street, and Minnesota Avenue and 1st Avenue S. Along the north side of this alley are buildings for businesses such as Ganny's Attic and the Men's Rescue Mission. These buildings have concrete loading docks off of their backs such that the docks will be right adjacent to the trench required for the new sewer line being installed. These buildings also have full depth basements such that the footings for the foundation walls are likely at least 10 feet below grade. You asked me to give my opinion as to whether it is safe to excavate the trench right next to these loading docks.

The sewer pipe being installed in this alley I understand requires a trench about 16 feet deep. There also is at least one manhole to be located adjacent to the loading docks which requires about an 18 foot deep trench. The soil in this area appears to be a clay. The trench width will be 4 to 5 feet. The north edge of the trench will be within about 2 to 3 feet from the south edge of the loading docks. There also is an underground clay tile storm drain pipe that drains roof drain water - and this pipe appears to run right under the south edge of the loading docks. Where the trench had been excavated just east of the beginning of the loading docks in question, the ground did slough due to the loose soil around the storm drain pipe. If this sloughing would occur as the trench continues to the west, it is quite apparent that the loading docks will lose their sub-grade support.

It is my opinion that it is not safe to continue the sewer line trenching along the loading docks due to the high likelihood of trench collapse that will undermine the docks and possibly cause

Anthony Gentile, Jr.

Page 2

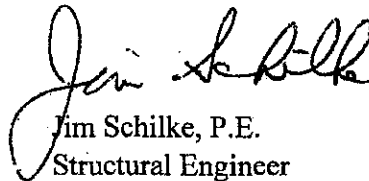
July 21, 2009

their total failure. The docks do appear to be connected with concrete or at least a mortar coat to the brick of the building walls. Due to the old age of these buildings, if the loading docks collapse there is a significant chance that they will tear the building brick away which could lead to at least a partial collapse of the building wall.

As we discussed at the site, I recommend that the loading docks be removed by saw cutting the concrete floor slab along and as close to the buildings as possible. These slabs appear to be 4 inches thick. After this is done, the south support walls and any footings along with most of the slab should be easily removed. The small width of slab still attached to the building may have to be jack hammered off to be removed and to prevent damage to the building brick. As we also discussed, the loading docks will need to be replaced in-kind after the sewer line is installed and fully backfilled.

Sincerely,

STRUCTURAL ENGINEERING DESIGN, PC



Jim Schilke, P.E.
Structural Engineer



July 27, 2009

Casey Hanson
Morrison - Maierle, Inc.
315 North 25th Street, Suite 102
Billings, MT 59101

**RE: Existing Concrete Boiler Room between South 28th and South 29th Street
2008 - 2009 Water and Sewer Replacement Projects Schedule 1, W.O. 08-01
COP Project No. 09108**

Dear Casey,

While excavating in the alley between South 28th Street and South 29th Street and approximately 20' west of new manhole 09-12, COP Construction hit and broke a portion of an existing concrete wall and roof slab at 11:30 a.m. The existing concrete wall and concrete roof slab are part of an abandoned boiler room below Granny's Attic. The concrete wall is approximately 3' from the proposed center line of pipe.

COP Construction immediately notified MMI and met on site. As we discussed, Jim Schilke of Structural Engineering, PC, visited the site that afternoon and attached is his letter with comments and concerns.

COP Construction did not proceed any further with excavation and currently that portion of the job is shutdown.

Please let me know how you would like to proceed.

Sincerely,

COP Construction LLC

A handwritten signature in black ink, appearing to read "Anthony Gentile", is written over a horizontal line.

Anthony Gentile
Project Manager

cc: Correspondence File #09108



July 27, 2009

Anthony Gentile, Jr.
Cop Construction LLC
242 S. 64th St. West
Billings, MT 59106

RE: Sewer Line Trench - Alley between Minnesota Ave. and 1st Ave. South
Billings, Montana

Dear Mr. Gentile:

Similar to my previous recent inspection and letter (dated July 21, 2009), I was called out to the site on July 24th to review a buried concrete vault in the area of the concrete loading docks covered in the previous letter. The vault projects out about 9 feet from the building and is an extension of the building basement. It appears to be about 25 feet long and 10 feet deep. The vault is comprised of concrete walls with a concrete roof slab that is supported by what appears to be composite steel-concrete beams. The slab and beams attach to the building foundation which is comprised of sandstone blocks. The purpose of the inspection and this letter is to give my opinion as to whether it is safe to excavate the sewer trench next to this vault.

The sewer pipe being installed will be placed within a few feet and along the length of the concrete vault. The sewer pipe is about 16 feet below grade, whereas the bottom of the vault wall and/or any footing is about 10 to 11 feet below grade. The excavation of the sewer trench, since it is right adjacent to the vault, will likely cause a collapse of the subgrade below the vault, thereby causing the vault to collapse. This vault collapse could cause its concrete roof slab to pull outward on the foundation of the building. The sandstone foundation appears somewhat deteriorated such that loose sand is evident along the base of the foundation wall. The outward pull on a collapsed vault likely would cause the sandstone foundation to pull outward such that it is possible that it too could collapse.

It is my opinion that it is not safe to continue the sewer line trenching along the concrete vault due to the high likelihood of trench collapse that will undermine the vault and possibly cause its total failure. The vault appears to be connected with concrete to the sandstone of the building

Anthony Gentile, Jr.

Page 2

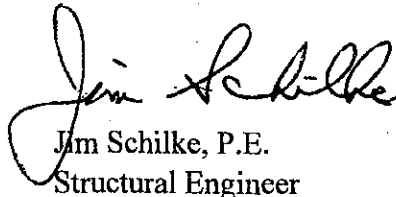
July 27, 2009

foundation wall. The collapse of the vault could cause a corresponding collapse of the building foundation.

As we discussed at the site and similar to what I recommended previously for the loading docks, I recommend that the vault be removed by saw cutting the concrete roof slab and end walls along and as close to the building as possible. The concrete and steel beams supporting the slab may need jack hammering and/or torching to be removed. Also, each end wall may need jack hammering if they are too thick to be saw cut. After this is done, the south support wall, the east and west end walls, and any footing along with most of the slab/beams should be easily removed. The small width of slab (and possibly end walls) still attached to the building may have to be jack hammered off to be removed and to prevent damage to the building sandstone. The vault should be replaced in-kind after the sewer line is installed and fully backfilled using care to properly attach it back to the building foundation.

Sincerely,

STRUCTURAL ENGINEERING DESIGN, PC



Jim Schilke, P.E.
Structural Engineer



July 29, 2009

Casey Hanson
Morrison - Maierle, Inc.
315 North 25th Street, Suite 102
Billings, MT 59101

**RE: Change of Conditions Force Account Sheets
2008-2009 Water and Sewer Replacement Projects Schedule 1, W.O. 08-01
COP Project No. 09108**

Dear Casey,

Attached are the daily force account sheets for the change of conditions COP Construction has encountered for the above referenced project. Below is the summary for the additional work completed between July 13th and July 24th:

➤ Change of Conditions	Labor	\$14,439.64
	Equipment	<u>\$19,288.58</u>
	Subtotal	\$33,728.22
	Subcontractors	\$ 577.50
	Materials	\$ 607.20
	3% for Taxes, Bond and Insurance	<u>\$ 1,047.38</u>
	TOTAL	<u>\$35,960.30</u>

The lump sum total for all of these items is **\$35,960.30**. We are also requesting an additional 5 working days of contract time due to the change of conditions. If you have any questions please give me a call.

Sincerely,

COP Construction LLC

A handwritten signature in black ink, appearing to read "Anthony Gentile", is written over a horizontal line.

Anthony Gentile
Project Manager

cc: Correspondence File #09108

HEAVY, HIGHWAY, MUNICIPAL-UTILITIES SINCE 1947

An Equal Employment Opportunity Employer



COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/13/2009 & 7/14/09

Description of work and Location

While installing new MH 09-08 and reconnecting the existing 8" sewer main, the existing soil conditions required addition shoring and safety issues. The existing soil conditions required Northwestern Energy to support two out of the three existing power poles. The existing material was an imported road mix with no compaction.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Superintendent	3.0	\$ 75.00	\$ 225.00
	Operator	6.0	\$ 48.47	\$ 290.82
	Operator	6.0	\$ 48.47	\$ 290.82
	Operator	6.0	\$ 48.47	\$ 290.82
	Laborer	6.0	\$ 37.74	\$ 226.44
	Project Manager	3.0	\$ 91.00	\$ 273.00
	Laborer Foreman	6.0	\$ 40.33	\$ 241.98
				\$ -
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	6.0	\$ 36.25	\$ 217.50
	4X4X10" Suction Hose	6.0	\$ 1.26	\$ 7.56
	308 Excavator	6.0	\$ 126.90	\$ 761.40
	330 Excavator	6.0	\$ 142.31	\$ 853.86
	Bedding Conveyor	6.0	\$ 17.05	\$ 102.30
	8 X 16' Trench Box	6.0	\$ 9.66	\$ 57.96
	20' Conex	6.0	\$ 1.82	\$ 10.92
	Tool Van	6.0	\$ 5.58	\$ 33.48
	Front End Loader	6.0	\$ 67.73	\$ 406.38
				\$ -
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -

 Signature For Whom Work Was Done

[Handwritten Signature] 7-27-09
 Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/14/2009

Description of work and Location

While excavating our trench west of South 28th Street, we encountered a empty tank approximately 36" x 10'. While removing the tank, the soil beneath an existing loading dock began to cave off. We also were required to reconnect a sewer service beneath the dock. The service was encased with concrete. We chased the service as far as we could and reconnected approximately 2' from foundation of Granny's Attic. We will have to replace the existing dock with asphalt.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	4.0	\$ 91.00	\$ 364.00
	Superintendent	4.0	\$ 75.00	\$ 300.00
	Operator	7.0	\$ 48.47	\$ 339.29
	Operator	7.0	\$ 48.47	\$ 339.29
	Operator	7.0	\$ 48.47	\$ 339.29
	Laborer	7.0	\$ 37.74	\$ 264.18
	Laborer Foreman	7.0	\$ 40.33	\$ 282.31
				\$ -
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	7.0	\$ 36.25	\$ 253.75
	4X4X10" Suction Hose	7.0	\$ 1.26	\$ 8.82
	308 Excavator	7.0	\$ 126.90	\$ 888.30
	330 Excavator	7.0	\$ 142.31	\$ 996.17
	Bedding Conveyor	7.0	\$ 17.05	\$ 119.35
	8 X 16' Trench Box	7.0	\$ 9.66	\$ 67.62
	20' Conex	7.0	\$ 1.82	\$ 12.74
	Tool Van	7.0	\$ 5.58	\$ 39.06
	Skid Steer Loader	7.0	\$ 33.28	\$ 232.96
	70KW Generator	7.0	\$ 13.22	\$ 92.54
	Front End Loader	7.0	\$ 67.73	\$ 474.11
				\$ -
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -

Signature For Whom Work Was Done

[Signature]
Signature Of COP Representative 7-27-09

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/16/2009

Description of work and Location

While excavating through the alley between South 28th and South 29th street, existing clay pipes were found on the north of our trench. Two lines were found and were causing us to lose the entire bank back to the foundation of Granny's Attic. These lines seem not to be in service.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	2.0	\$ 91.00	\$ 182.00
	Superintendent	2.0	\$ 75.00	\$ 150.00
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Laborer	4.0	\$ 37.74	\$ 150.96
	Laborer Foreman	4.0	\$ 40.33	\$ 161.32
				\$ -
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	4.0	\$ 36.25	\$ 145.00
	4X4X10" Suction Hose	4.0	\$ 1.26	\$ 5.04
	308 Excavator	4.0	\$ 126.90	\$ 507.60
	330 Excavator	4.0	\$ 142.31	\$ 569.24
	Bedding Conveyor	4.0	\$ 17.05	\$ 68.20
	8 X 16' Trench Box	4.0	\$ 9.66	\$ 38.64
	20' Conex	4.0	\$ 1.82	\$ 7.28
	Tool Van	4.0	\$ 5.58	\$ 22.32
	Skid Steer Loader	4.0	\$ 33.28	\$ 133.12
	70KW Generator	4.0	\$ 13.22	\$ 52.88
	Front End Loader	4.0	\$ 67.73	\$ 270.92
				\$ -
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -

Signature For Whom Work Was Done


 Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/17/2009

Description of work and Location

While excavating through the alley between South 28th and South 29th street, existing clay pipes were found on the north of our trench. Two lines were found and were causing us to lose the entire bank back to the foundation of Granny's Attic. These lines seem not to be in service. There is a transformer along the wall of Granny's Attic. This transformer had to be restrained and addition shoring was required due to the excessive cave off conditions. Northwestern Energy and MDU were both on site for assistance.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	4.0	\$ 91.00	\$ 364.00
	Superintendent	4.0	\$ 75.00	\$ 300.00
	Operator	6.0	\$ 48.47	\$ 290.82
	Operator	6.0	\$ 48.47	\$ 290.82
	Operator	6.0	\$ 48.47	\$ 290.82
	Laborer	6.0	\$ 37.74	\$ 226.44
	Laborer Foreman	6.0	\$ 40.33	\$ 241.98
				\$ -
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	6.0	\$ 36.25	\$ 217.50
	4X4X10" Suction Hose	6.0	\$ 1.26	\$ 7.56
	308 Excavator	6.0	\$ 126.90	\$ 761.40
	330 Excavator	6.0	\$ 142.31	\$ 853.86
	Bedding Conveyor	6.0	\$ 17.05	\$ 102.30
	8 X 16' Trench Box	6.0	\$ 9.66	\$ 57.96
	20' Conex	6.0	\$ 1.82	\$ 10.92
	Tool Van	6.0	\$ 5.58	\$ 33.48
	Skid Steer Loader	6.0	\$ 33.28	\$ 199.68
	70KW Generator	6.0	\$ 13.22	\$ 79.32
	Front End Loader	6.0	\$ 67.73	\$ 406.38
				\$ -
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -

Signature For Whom Work Was Done _____


 Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/20/2009

Description of work and Location

We located sewer services STA 6+70 and STA 6+79 for reconnection. Once the lines were located, tees were installed on the main line. We excavated out for our next set and pulled the box forward. The services were encased with concrete. We broke back the services to clean pipe only to find that they were plugged with concrete near the foundation of building.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	1.0	\$ 91.00	\$ 91.00
	Superintendent	1.0	\$ 75.00	\$ 75.00
	Operator	2.0	\$ 48.47	\$ 96.94
	Operator	2.0	\$ 48.47	\$ 96.94
	Operator	2.0	\$ 48.47	\$ 96.94
	Laborer	2.0	\$ 37.74	\$ 75.48
	Laborer Foreman	2.0	\$ 40.33	\$ 80.66
				\$ -
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	2.0	\$ 36.25	\$ 72.50
	4X4X10" Suction Hose	2.0	\$ 1.26	\$ 2.52
	308 Excavator	2.0	\$ 126.90	\$ 253.80
	330 Excavator	2.0	\$ 142.31	\$ 284.62
	Bedding Conveyor	2.0	\$ 17.05	\$ 34.10
	8 X 16' Trench Box	2.0	\$ 9.66	\$ 19.32
	20' Conex	2.0	\$ 1.82	\$ 3.64
	Tool Van	2.0	\$ 5.58	\$ 11.16
	Skid Steer Loader	2.0	\$ 33.28	\$ 66.56
	70KW Generator	2.0	\$ 13.22	\$ 26.44
	Front End Loader	2.0	\$ 67.73	\$ 135.46
				\$ -
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -

Signature For Whom Work Was Done _____


 Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/21/2009

Description of work and Location

With the cave off issues and existing clay lines that run under the existing docks, it was decided that these docks needed to be removed. A structural engineer was on site and his concerns were forwarded on to MMI

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	4.0	\$ 91.00	\$ 364.00
	Superintendent	4.0	\$ 75.00	\$ 300.00
Bruce Rost	Project Manager	2.0	\$ 91.00	\$ 182.00
	Operator	5.0	\$ 48.47	\$ 242.35
	Operator	5.0	\$ 48.47	\$ 242.35
	Operator	5.0	\$ 48.47	\$ 242.35
	Laborer	5.0	\$ 37.74	\$ 188.70
	Laborer Foreman	5.0	\$ 40.33	\$ 201.65
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	5.0	\$ 36.25	\$ 181.25
	4X4X10" Suction Hose	5.0	\$ 1.26	\$ 6.30
	308 Excavator	5.0	\$ 126.90	\$ 634.50
	330 Excavator	5.0	\$ 142.31	\$ 711.55
	Bedding Conveyor	5.0	\$ 17.05	\$ 85.25
	8 X 16' Trench Box	5.0	\$ 9.66	\$ 48.30
	20' Conex	5.0	\$ 1.82	\$ 9.10
	Tool Van	5.0	\$ 5.58	\$ 27.90
	Skid Steer Loader	5.0	\$ 33.28	\$ 166.40
	70KW Generator	5.0	\$ 13.22	\$ 66.10
	Front End Loader	5.0	\$ 67.73	\$ 338.65
				\$ -
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
Structural Engineer	3.50	Hrs	\$ 84.00	\$ 294.00
				\$ -
				\$ -

Signature For Whom Work Was Done _____


 Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/23/2009

Description of work and Location

Power lines and phone lines not called out on the drawings around South 27th Street. Additional time for dealing with the unknown power and phone lines. Northwestern Energy and Qwest were on site trying to find out what lines were still active and which ones we could cut out. These lines are not on the contract drawings. Also hauled off concrete from alley that contained rebar. No concrete was shown on drawings under existing asphalt.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	4.0	\$ 91.00	\$ 364.00
	Superintendent	4.0	\$ 75.00	\$ 300.00
	Operator	5.0	\$ 48.47	\$ 242.35
	Operator	5.0	\$ 48.47	\$ 242.35
	Operator	5.0	\$ 48.47	\$ 242.35
	Laborer	5.0	\$ 37.74	\$ 188.70
	Laborer Foreman	5.0	\$ 40.33	\$ 201.65
				\$ -
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	5.0	\$ 36.25	\$ 181.25
	4X4X10" Suction Hose	5.0	\$ 1.26	\$ 6.30
	308 Excavator	5.0	\$ 126.90	\$ 634.50
	330 Excavator	5.0	\$ 142.31	\$ 711.55
	Bedding Conveyor	5.0	\$ 17.05	\$ 85.25
	8 X 16' Trench Box	5.0	\$ 9.66	\$ 48.30
	20' Conex	5.0	\$ 1.82	\$ 9.10
	Tool Van	5.0	\$ 5.58	\$ 27.90
	Skid Steer Loader	5.0	\$ 33.28	\$ 166.40
	70KW Generator	5.0	\$ 13.22	\$ 66.10
	Front End Loader	5.0	\$ 67.73	\$ 338.65
				\$ -
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
Neibaur Trucking	3.00	hrs	\$ 94.50	\$ 283.50
Land Fill Fee	42.24	Tons	\$ 14.38	\$ 607.20
				\$ -

Signature For Whom Work Was Done


 Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/24/2009

Description of work and Location

Power lines and phone lines that were not called out on the drawings around South 27th Street. Additional time for dealing with the unknown power and phone lines. Northwestern Energy and Qwest were on site trying to find out what lines were still active and which ones we could cut out. These lines are not on the contract drawings.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	2.0	\$ 91.00	\$ 182.00
	Superintendent	2.0	\$ 75.00	\$ 150.00
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Laborer	4.0	\$ 37.74	\$ 150.96
	Laborer Foreman	4.0	\$ 40.33	\$ 161.32
				\$ -
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	4.0	\$ 36.25	\$ 145.00
	4X4X10" Suction Hose	4.0	\$ 1.26	\$ 5.04
	308 Excavator	4.0	\$ 126.90	\$ 507.60
	330 Excavator	4.0	\$ 142.31	\$ 569.24
	Bedding Conveyor	4.0	\$ 17.05	\$ 68.20
	8 X 16' Trench Box	4.0	\$ 9.66	\$ 38.64
	20' Conex	4.0	\$ 1.82	\$ 7.28
	Tool Van	4.0	\$ 5.58	\$ 22.32
	Skid Steer Loader	4.0	\$ 33.28	\$ 133.12
	70KW Generator	4.0	\$ 13.22	\$ 52.88
	Front End Loader	4.0	\$ 67.73	\$ 270.92
				\$ -
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -

Signature For Whom Work Was Done



Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/24/2009

Description of work and Location

While excavating for the new 12" sewer main approximately 20' to the west of new MH 09-12, we hit and broke a portion of an existing concrete structure. This foundation was approximately 9' off the the exterior building wall. MMI and the City were on site to evaluate the existing concrete structure. We shutdown our main line operation and started to set up our temporary reconnects to the existing sewer main.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	4.0	\$ 91.00	\$ 364.00
	Superintendent	4.0	\$ 75.00	\$ 300.00
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Laborer	4.0	\$ 37.74	\$ 150.96
	Laborer Foreman	4.0	\$ 40.33	\$ 161.32
				\$ -
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	4.0	\$ 36.25	\$ 145.00
	4X4X10" Suction Hose	4.0	\$ 1.26	\$ 5.04
	308 Excavator	4.0	\$ 126.90	\$ 507.60
	330 Excavator	4.0	\$ 142.31	\$ 569.24
	Bedding Conveyor	4.0	\$ 17.05	\$ 68.20
	8 X 16' Trench Box	4.0	\$ 9.66	\$ 38.64
	20' Conex	4.0	\$ 1.82	\$ 7.28
	Tool Van	4.0	\$ 5.58	\$ 22.32
	Skid Steer Loader	4.0	\$ 33.28	\$ 133.12
	70KW Generator	4.0	\$ 13.22	\$ 52.88
	Front End Loader	4.0	\$ 67.73	\$ 270.92
				\$ -
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -

Signature For Whom Work Was Done _____


 Signature Of COP Representative



August 4, 2009

Casey Hanson
Morrison - Maierle, Inc.
315 North 25th Street, Suite 102
Billings, MT 59101

RE: Change of Conditions Force Account Sheets
2008-2009 Water and Sewer Replacement Projects Schedule 1, W.O. 08-01
COP Project No. 09108

Dear Casey,

Attached are the daily force account sheets for the change of conditions COP Construction has encountered for the above referenced project. Below is the summary for the additional work completed between July 27th and July 30th:

➤ **Change of Conditions**

Labor	\$ 4,169.24
Equipment	\$ <u>5,311.28</u>
Subtotal	\$ 9,480.52
Subcontractors	\$ 3,307.50
Materials	\$ 564.42
3% for Taxes, Bond and Insurance	\$ <u>400.57</u>
TOTAL	<u>\$13,753.01</u>

The lump sum total for all of these items is: **\$13,753.01**. We are also requesting an additional 5 working days of contract time due to the change of conditions. If you have any questions please give me a call.

Sincerely,

COP Construction LLC

A handwritten signature in black ink, appearing to read "Anthony Gentile", written over a white background.

Anthony Gentile
Project Manager

Attachments

cc: Correspondence File #09108



COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108

Name/Location: South 27th Street

Date: 7/27/2009

Description of work and Location

Working around the phone line that runs through our trench from the South East to the North East. This line was not called out on the drawings. Trucking is required due to not being able to backcast for backfill.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Superintendent	3.0	\$ 75.00	\$ 225.00
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Laborer	4.0	\$ 37.74	\$ 150.96
	Project Manager	1.0	\$ 91.00	\$ 91.00
	Laborer Foreman	4.0	\$ 40.33	\$ 161.32
				\$ -
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	4.0	\$ 36.25	\$ 145.00
	4X4X10" Suction Hose	4.0	\$ 1.26	\$ 5.04
	308 Excavator	4.0	\$ 126.90	\$ 507.60
	330 Excavator	4.0	\$ 142.31	\$ 569.24
	Bedding Conveyor	4.0	\$ 17.05	\$ 68.20
	8 X 16' Trench Box	4.0	\$ 9.66	\$ 38.64
	20' Conex	4.0	\$ 1.82	\$ 7.28
	Tool Van	4.0	\$ 5.58	\$ 22.32
	Front End Loader	4.0	\$ 67.73	\$ 270.92
				\$ -
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
Neibauer Trucking	9.00	hr	\$ 94.50	\$ 850.50
				\$ -
				\$ -

Signature For Whom Work Was Done _____

Signature Of COP Representative _____

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108

Name/Location: South 27th Street

Date: 7/28/2009

Description of work and Location

Working around the phone line that runs through our trench from the South East to the North East. This line was not called out on the drawings. Trucking is required due to not being able to backcast for backfill.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	1.0	\$ 91.00	\$ 91.00
	Superintendent	3.0	\$ 75.00	\$ 225.00
	Operator	3.0	\$ 48.47	\$ 145.41
	Operator	3.0	\$ 48.47	\$ 145.41
	Operator	3.0	\$ 48.47	\$ 145.41
	Laborer	3.0	\$ 37.74	\$ 113.22
	Laborer Foreman	3.0	\$ 40.33	\$ 120.99
				\$ -
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	3.0	\$ 36.25	\$ 108.75
	4X4X10" Suction Hose	3.0	\$ 1.26	\$ 3.78
	308 Excavator	3.0	\$ 126.90	\$ 380.70
	330 Excavator	3.0	\$ 142.31	\$ 426.93
	Bedding Conveyor	3.0	\$ 17.05	\$ 51.15
	8 X 16' Trench Box	3.0	\$ 9.66	\$ 28.98
	20' Conex	3.0	\$ 1.82	\$ 5.46
	Tool Van	3.0	\$ 5.58	\$ 16.74
	Front End Loader	3.0	\$ 67.73	\$ 203.19
				\$ -
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
Neibauer Trucking	9.00	hr	\$ 94.50	\$ 850.50
Landfill Charges	39.25	Ton	\$ 14.38	\$ 564.42
				\$ -

Signature For Whom Work Was Done

Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: South 27th Street
 Date: 7/29/2009

Description of work and Location

Working around the phone line that runs through our trench from the South East to the North East. This line was not called out on the drawings. Trucking is required due to not being able to backcast for backfill.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	1.0	\$ 91.00	\$ 91.00
	Superintendent	3.0	\$ 75.00	\$ 225.00
	Operator	3.0	\$ 48.47	\$ 145.41
	Operator	3.0	\$ 48.47	\$ 145.41
	Operator	3.0	\$ 48.47	\$ 145.41
	Laborer	3.0	\$ 37.74	\$ 113.22
	Laborer Foreman	3.0	\$ 40.33	\$ 120.99
				\$ -
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	3.0	\$ 36.25	\$ 108.75
	4X4X10" Suction Hose	3.0	\$ 1.26	\$ 3.78
	308 Excavator	3.0	\$ 126.90	\$ 380.70
	330 Excavator	3.0	\$ 142.31	\$ 426.93
	Bedding Conveyor	3.0	\$ 17.05	\$ 51.15
	8 X 16' Trench Box	3.0	\$ 9.66	\$ 28.98
	20' Conex	3.0	\$ 1.82	\$ 5.46
	Tool Van	3.0	\$ 5.58	\$ 16.74
	Front End Loader	3.0	\$ 67.73	\$ 203.19
				\$ -
				\$ -
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
Neibauer Trucking	8.00	hr	\$ 94.50	\$ 756.00
				\$ -
				\$ -

Signature For Whom Work Was Done

Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: South 27th Street
 Date: 7/30/2009

Description of work and Location

Working around the phone line that runs through our trench from the South East to the North East. This line was not called out on the drawings. Trucking is required due to not being able to backcast for backfill.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	1.0	\$ 91.00	\$ 91.00
	Superintendent	3.0	\$ 75.00	\$ 225.00
	Operator	3.0	\$ 48.47	\$ 145.41
	Operator	3.0	\$ 48.47	\$ 145.41
	Operator	3.0	\$ 48.47	\$ 145.41
	Laborer	3.0	\$ 37.74	\$ 113.22
	Laborer Foreman	3.0	\$ 40.33	\$ 120.99
				\$ -
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	3.0	\$ 36.25	\$ 108.75
	4X4X10" Suction Hose	3.0	\$ 1.26	\$ 3.78
	308 Excavator	3.0	\$ 126.90	\$ 380.70
	330 Excavator	3.0	\$ 142.31	\$ 426.93
	Bedding Conveyor	3.0	\$ 17.05	\$ 51.15
	8 X 16' Trench Box	3.0	\$ 9.66	\$ 28.98
	20' Conex	3.0	\$ 1.82	\$ 5.46
	Tool Van	3.0	\$ 5.58	\$ 16.74
	Front End Loader	3.0	\$ 67.73	\$ 203.19
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
Neibauer Trucking	9.00	Hr	\$ 94.50	\$ 850.50
				\$ -
				\$ -

 Signature For Whom Work Was Done

 Signature Of COP Representative



AUG 10 2009

August 10, 2009

Casey Hanson
Morrison-Maierle, Inc.
315 North 25th Street, Suite 102
Billings, MT 59101

**RE: 2008-2009 Water and Sewer Replacement Projects Schedule 1, W.O. 08-01
COP Project No. 09108
Change of Conditions Force Account Sheets**

Dear Casey,

Attached is the daily force account sheet for the change of conditions COP Construction has encountered for the above referenced project. Below is the summary for the additional work completed on August 4, 2009:

➤ **Change of Conditions**

Labor	\$ 262.94
Equipment	<u>\$ 135.46</u>
Subtotal	\$ 398.40
Subcontractors	\$ 472.50
Materials	\$ 760.99
3% for Taxes, Bond and Insurance	<u>\$ 48.96</u>
Total	\$1,680.85

The lump sum total for all of these items is: **\$1,680.85**. If you have any questions please give me a call.

Sincerely,

COP Construction LLC

Anthony Gentile
Project Manager

Attachment

cc: Correspondence File #09108



COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Haul off Concrete from Alley
 Date: 8/4/2009

Description of work and Location

While excavating in the alleys, COP removed concrete below the existing asphalt. The concrete contained rebar and had to be hauled to the landfill.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Superintendent	1.0	\$ 75.00	\$ 75.00
	Operator	2.0	\$ 48.47	\$ 96.94
	Project Manager	1.0	\$ 91.00	\$ 91.00
				\$ -
				\$ -
				\$ -
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
	Front End Loader	2.0	\$ 67.73	\$ 135.46
				\$ -
				\$ -
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
Neibauer Trucking	5.00	hr	\$ 94.50	\$ 472.50
Landfill Fees	52.92	Ton	\$ 14.38	\$ 760.99
				\$ -

 Signature For Whom Work Was Done

 8/10/09
 Signature Of COP Representative



September 16, 2009

Casey Hanson
Morrison - Maierle, Inc.
315 North 25th Street, Suite 102
Billings, MT 59101

**RE: Claim for Change of Conditions – Loading Dock and Vault Repair
2008 – 2009 Water and Sewer Replacement Project Schedule 1, W.O. 08-01
COP Project No. 09108**

Dear Casey,

Attached is the cost breakdown for installing a new concrete loading dock, repairing the existing concrete vault (Boiler Room), and stamped structural drawings. This work is in the alley between South 28th Street and South 29th Street.

The total lump sum amount for this work is **\$41,357.00**. We are requesting that 20 working days be added to the contract. The alley asphalt restoration can not be completed until the loading dock and vault are complete. Please let me know how you would like to proceed.

Sincerely,

COP Construction LLC

A handwritten signature in black ink, appearing to read "Anthony Gentile", is written over a horizontal line.

Anthony Gentile
Project Manager

Attachment

cc: Correspondence File #09108



Truck Dock Change Order
Billings Rehab

Demo/Structural Exc

21 CY

					Rate	Total	
Foreman				10	HR	\$40.33	\$403.30
Labor				10	HR	\$32.64	\$326.40
Hoe Operator				10	HR	\$48.47	\$484.70
330 Exc				10	HR	\$142.31	\$1,423.10
950 Loader				10	HR	\$66.05	\$660.50
Loader Operator				10	HR	\$48.47	\$484.70
Jobsite Pickup				10	HR	\$18.96	\$189.60
Trucking				5	HR	\$95.00	\$475.00
Sawcutting				1	LS	\$250.00	\$250.00
Dump Fee				2	Lds	\$160.00	\$320.00

Total \$5,017.30

Pour Grade Footing (No Forms)

2.5 CY

Carp Foreman				10	HR	\$49.94	\$499.40
Labor				10	HR	\$32.64	\$326.40
Carpenter				10	HR	\$47.31	\$473.10
Jobsite Pickup				10	HR	\$18.96	\$189.60
Generator				10	HR	\$13.22	\$132.20
Place Sts				2.5	CY	\$2.00	\$5.00
Concrete				2.5	CY	\$85.00	\$212.50
Short Load Fee				1	ls	\$100.00	\$100.00

Total \$1,938.20

Form/Strip Walls

408 SF

Carp Foreman				25	HR	\$49.94	\$1,248.50
Labor				25	HR	\$32.64	\$816.00
Carpenter				25	HR	\$47.31	\$1,182.75
Jobsite Pickup				25	HR	\$18.96	\$474.00
Generator				25	HR	\$13.22	\$330.50
Form Sts				408	SF	\$3.00	\$1,224.00

Total \$5,275.75

Place Walls

5 CY

Carp Foreman				3	HR	\$49.94	\$149.82
Labor				3	HR	\$32.64	\$97.92
Carpenter				3	HR	\$47.31	\$141.93
Jobsite Pickup				3	HR	\$18.96	\$56.88
Generator				3	HR	\$13.22	\$39.66
Place Sts				5	CY	\$2.00	\$10.00
Concrete				5	CY	\$85.00	\$425.00

Total \$921.21

Form/Strip Top SOG 21 SF

Carp Foreman				4	HR	\$49.94	\$199.76
Labor				4	HR	\$32.64	\$130.56
Carpenter				4	HR	\$47.31	\$189.24
Jobsite Pickup				4	HR	\$18.96	\$75.84
Generator				4	HR	\$13.22	\$52.88
Form Sts				21	SF	\$3.00	\$63.00

Total \$711.28

Place Top SOG 3 CY

Carp Foreman				4	HR	\$49.94	\$199.76
Labor				4	HR	\$32.64	\$130.56
Carpenter				4	HR	\$47.31	\$189.24
Jobsite Pickup				4	HR	\$18.96	\$75.84
Generator				4	HR	\$13.22	\$52.88
Place Sts				3	CY	\$2.00	\$6.00
Concrete				3	CY	\$85.00	\$255.00

Total \$909.28

Install 4x4x1/4 Angle 31 LF

4x4x1/4 Galv Angle w/ Studs				31	LF	\$20.00	\$620.00
Carp Foreman				2	HR	\$49.94	\$99.88
Labor				2	HR	\$32.64	\$65.28
Carpenter				2	HR	\$47.31	\$94.62
Welder				4	HR	\$73.50	\$294.00
Jobsite Pickup				2	HR	\$18.96	\$37.92
STS				31	LF	\$0.25	\$7.75

Total \$1,219.45

Buy & Tie Rebar 1518 Lbs

Buy Rebar				1518	Lbs	\$0.50	\$759.00
Carp Foreman				5	HR	\$49.94	\$249.70
Labor				5	HR	\$32.64	\$163.20
Carpenter				5	HR	\$47.31	\$236.55
Jobsite Pickup				5	HR	\$18.96	\$94.80
Rebar Sts				1518	Lbs	\$0.01	\$15.18

\$1,518.43

Place In-Fill Concrete 2 CY

Carp Foreman				1	HR	\$49.94	\$49.94
Labor				1	HR	\$32.64	\$32.64
Carpenter				1	HR	\$47.31	\$47.31
Jobsite Pickup				1	HR	\$18.96	\$18.96
Generator				1	HR	\$13.22	\$13.22
Place Sts				2	CY	\$2.00	\$4.00
Concrete				2	CY	\$85.00	\$170.00
Short Load Fee				1	LS	\$100.00	\$100.00

\$436.07

Place 1 1/2" Structural Fill

33 CY

Buy 1 1/2" Base				66	TN	\$7.00	\$462.00
Loader Operator				4	HR	\$48.47	\$193.88
Labor				4	HR	\$32.64	\$130.56
Labor Foreman				8	HR	\$40.33	\$322.64
Jobsite Pickup				4	HR	\$18.96	\$75.84
950 Loader				4	HR	\$66.05	\$264.20
Trench Roller				4	HR	\$10.00	\$40.00
Backfill Sts				66	TN	\$0.25	\$16.50

Total

\$1,505.62

Form/Strip and Place Steps

Buy 3/4" Bedding				6	TN	\$7.35	\$44.10
Concrete				3	Yds	\$85.00	\$255.00
Carp Foreman				10	HR	\$49.94	\$499.40
Labor				10	HR	\$32.64	\$326.40
Carpenter				10	HR	\$47.31	\$473.10
Loader				10	HR	\$66.05	\$660.50
Loader Operator				10	HR	\$37.74	\$377.40
Jobsite Pickup				10	HR	\$18.96	\$189.60
Short Load Fee				1	LS	\$100.00	\$100.00

Total

\$2,925.50

Demo/Sawcut Vault

Carp Foreman				2	HR	\$49.94	\$99.88
Labor				2	HR	\$32.64	\$65.28
Jobsite Pickup				2	HR	\$18.96	\$37.92
STS				1	LS	\$25.00	\$25.00

\$228.08

Form Vault Repair

25 SF

Carp Foreman				10	HR	\$49.94	\$499.40
Labor				10	HR	\$32.64	\$326.40
Carpenter				10	HR	\$47.31	\$473.10

Jobsite Pickup				10	HR	\$18.96	\$189.60
Generator				10	HR	\$13.22	\$132.20
STS				1	LS	\$200.00	\$200.00

Total \$1,820.70

Place/Finish/Cleanup of Vault 1 CY

Carp Foreman				4	HR	\$49.94	\$199.76
Labor				4	HR	\$32.64	\$130.56
Carpenter				4	HR	\$47.31	\$189.24
Jobsite Pickup				4	HR	\$18.96	\$75.84
Generator				4	HR	\$13.22	\$52.88
Place Sts				1	CY	\$2.00	\$2.00
Concrete				1	CY	\$85.00	\$85.00

Total \$735.28

Buy & Tie Rebar/Drill and Epoxy Rebar(Vault) 200 LB

Buy Rebar				200	Lbs	\$0.50	\$100.00
Carp Foreman				8	HR	\$49.94	\$399.52
Labor				8	HR	\$32.64	\$261.12
Carpenter				8	HR	\$47.31	\$378.48
Jobsite Pickup				8	HR	\$18.96	\$151.68
Rebar Sts				200	Lbs	\$1.00	\$200.00

Total \$1,490.80

Engineering Cost

Engineering				30	HR	\$84.00	\$2,520.00
-------------	--	--	--	----	----	---------	------------

Total \$2,520.00

Project Manager				40	HR	\$91.00	\$3,640.00
Superintendent				80	HR	\$75.00	\$6,000.00
Safety Officer				20	HR	\$67.00	\$1,340.00

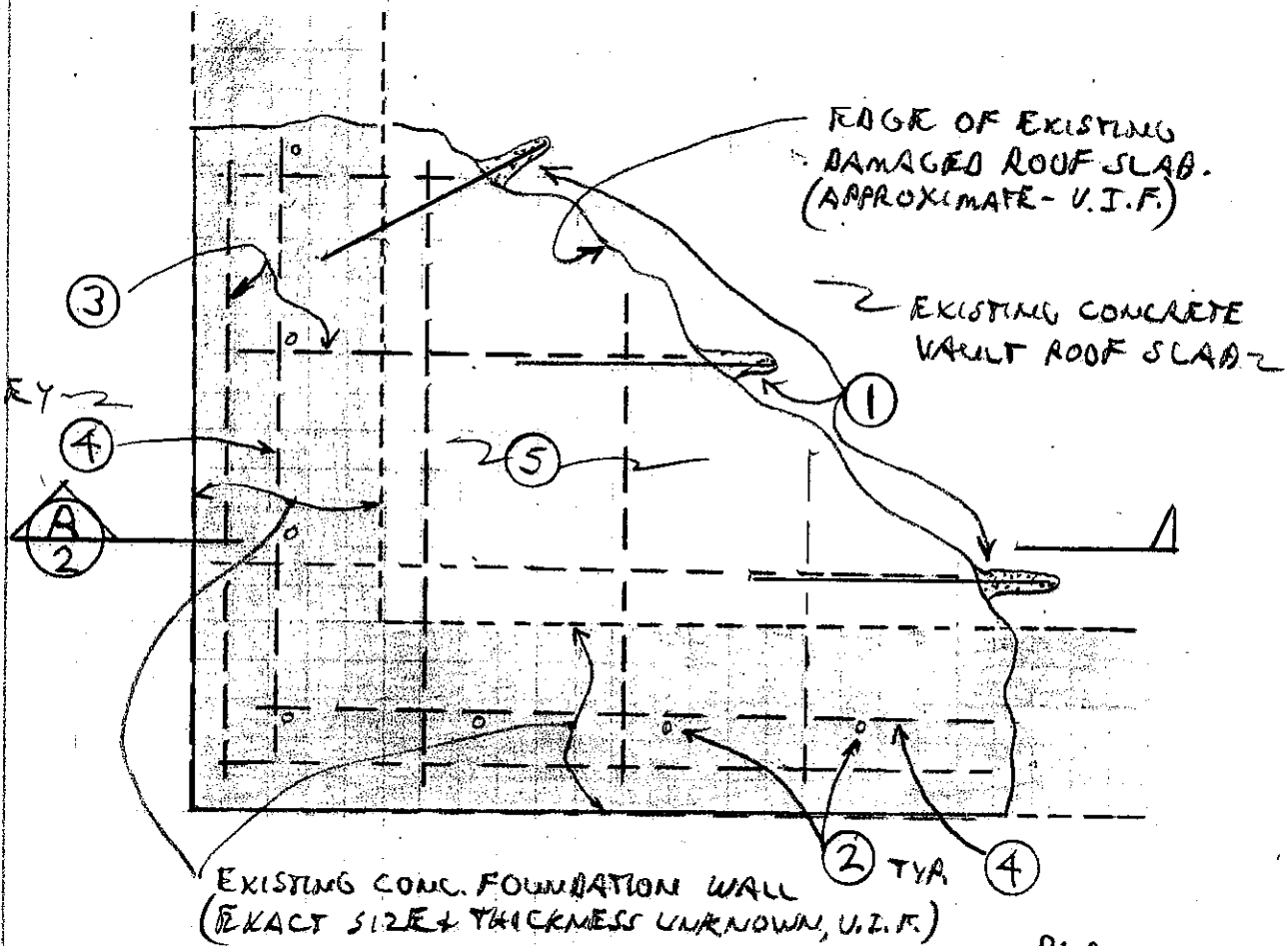
Total \$10,980.00

Total \$40,152.95
 3% Taxes, Bond and Insurance \$1,204.59

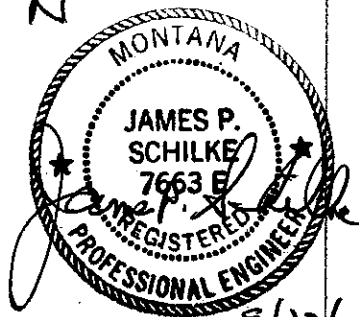
Grand Total \$41,357.54

BASEMENT VAULT REPAIR
 BACK OF GRANNY'S ATTIC BLDG. -
 2804 MINNESOTA AVE., BILLINGS, MT

SHT. 1 OF 3



PLAN
 DAMAGED CORNER OF VAULT
 N.T.S.



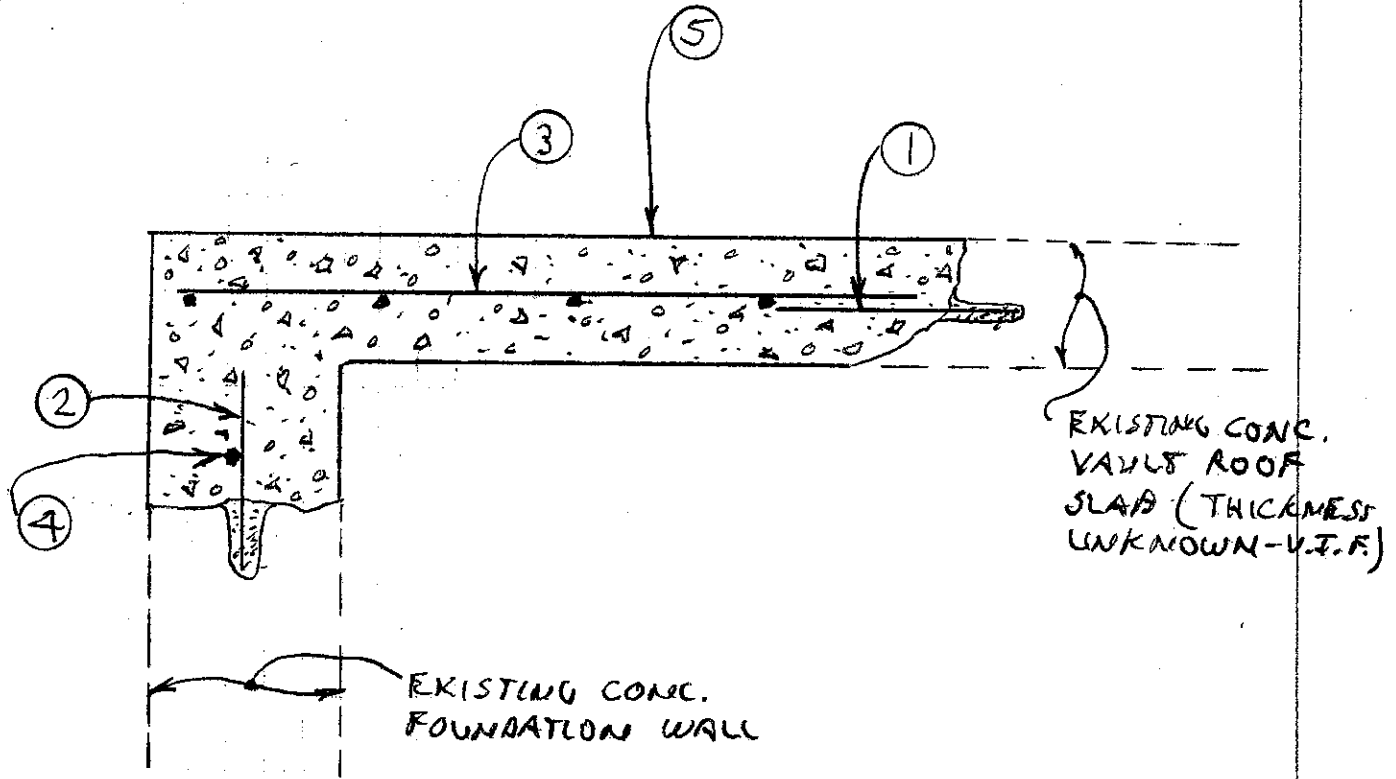
8/22/09

CONSTRUCTION NOTES:

- ① #4 x 1'-4" @ 12" O.C. EMBED 4 1/2" INTO EXIST. CONCRETE SLAB W/ HILT HIT BY 150 ADHESIVE
- ② #4 x 1'-0" @ 12" O.C. EMBED 4 1/2" INTO EXIST. CONCRETE FOUNDATION WALL W/ HILT HIT BY 150 ADHESIVE.
- ③ #4 @ 12" O.C. EA. WAY - CENTER IN NEW ROOF SLAB
- ④ #4 - 3" CLR FROM TOP OF EXISTING CONC. WALL
- ⑤ NEW CONCRETE ROOF REPAIR SLAB

2804 MINNESOTA AVE.
BASEMENT VAULT REPAIR

2/3



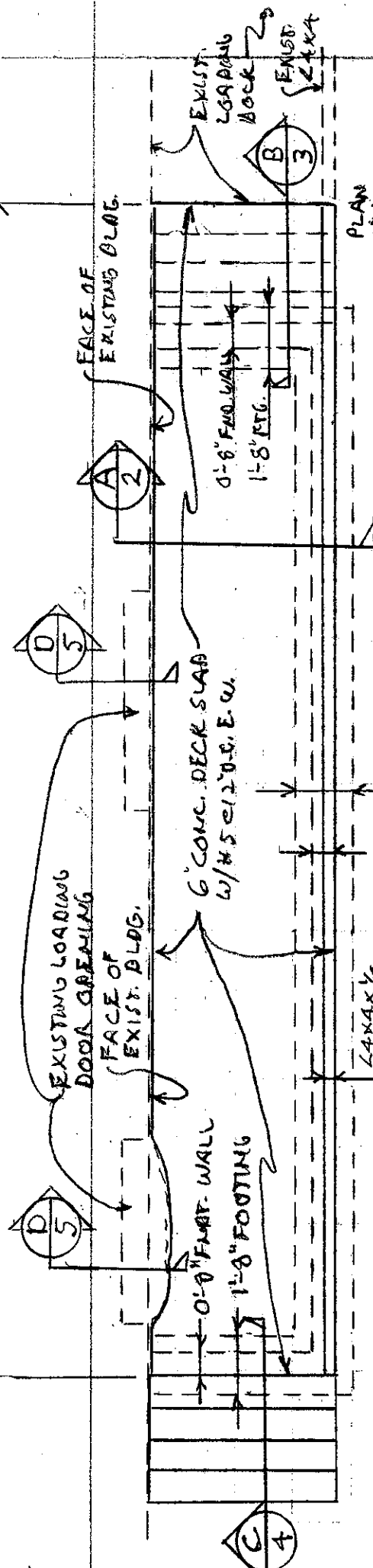
(A) SECTION
2 N.T.S.

BASEMENT VAULT REPAIR BEHIND "GRANNY'S ATTIC" BUILDING
(2804 MINNESOTA AVENUE, BILLINGS, MONTANA)

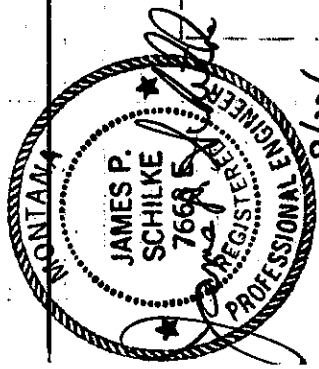
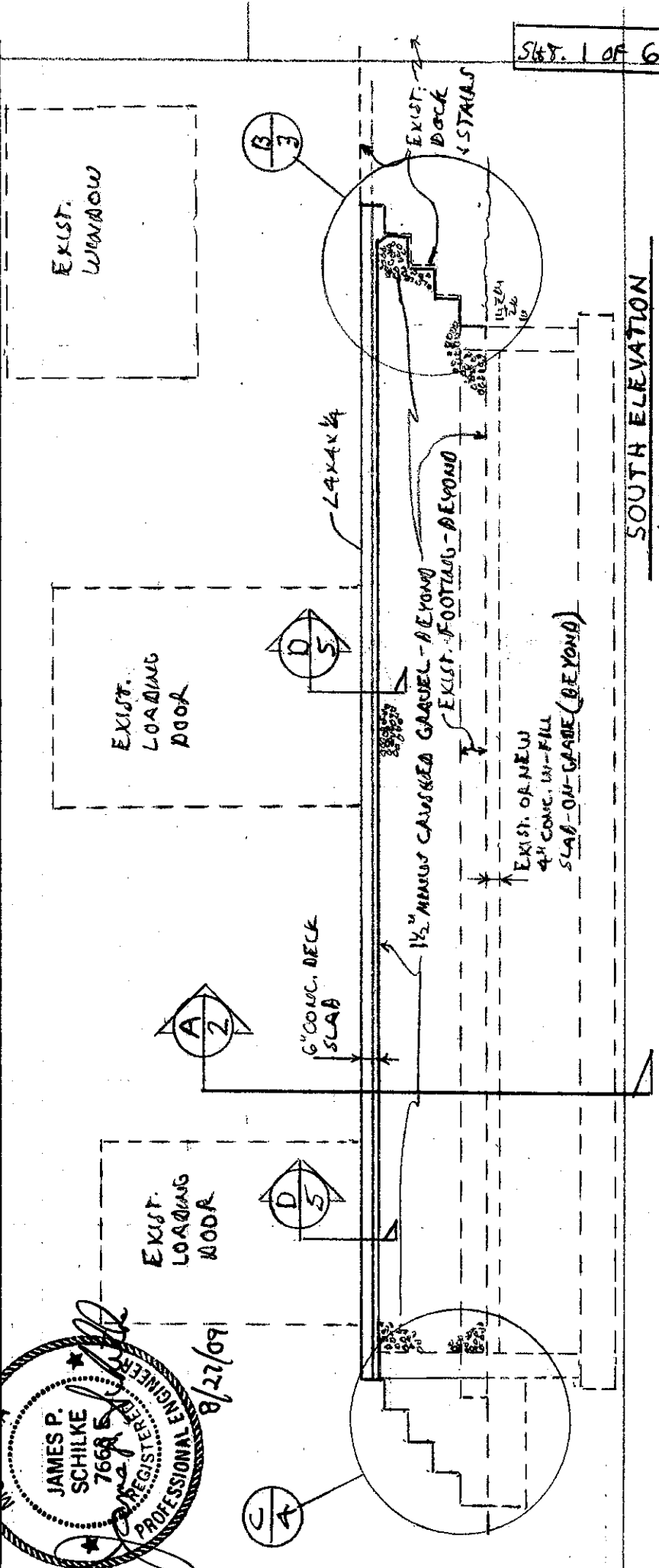
GENERAL STRUCTURAL NOTES

1. CONCRETE: 3500 PSI 28 DAY COMPRESSIVE STRENGTH, 1" MINUS AGGREGATE, MAXIMUM W/C RATIO = 0.50, MAXIMUM SLUMP = 4", AIR ENTRAINMENT = 4% - 6%. SHALL MEET ASTM C150, TYPE II CEMENT.
2. REINFORCING STEEL: ASTM A615, GRADE 60.
3. WHERE NEW REPAIR CONCRETE BUTTS AGAINST EXISTING CONCRETE, A CONCRETE BONDING AGENT SHALL BE USED. USE SIKA ARMATEC 110 EPOCEM OR SIMILAR. CLEAN EXISTING CONCRETE SURFACES AND APPLY AGENT PER MANUFACTURER'S WRITTEN INSTRUCTIONS.
4. CURING OF THE VAULT REPAIR CONCRETE SHALL BE WITH ADEQUATE COVERAGE OF A CURING COMPOUND, OR PLASTIC COVERING, OR WET COVERING. CURING SHALL BE FOR A PERIOD OF AT LEAST 7 DAYS, AND RAPID DRYING OF THE CONCRETE SURFACES AT THE END OF THE CURING PERIOD SHALL BE AVOIDED.

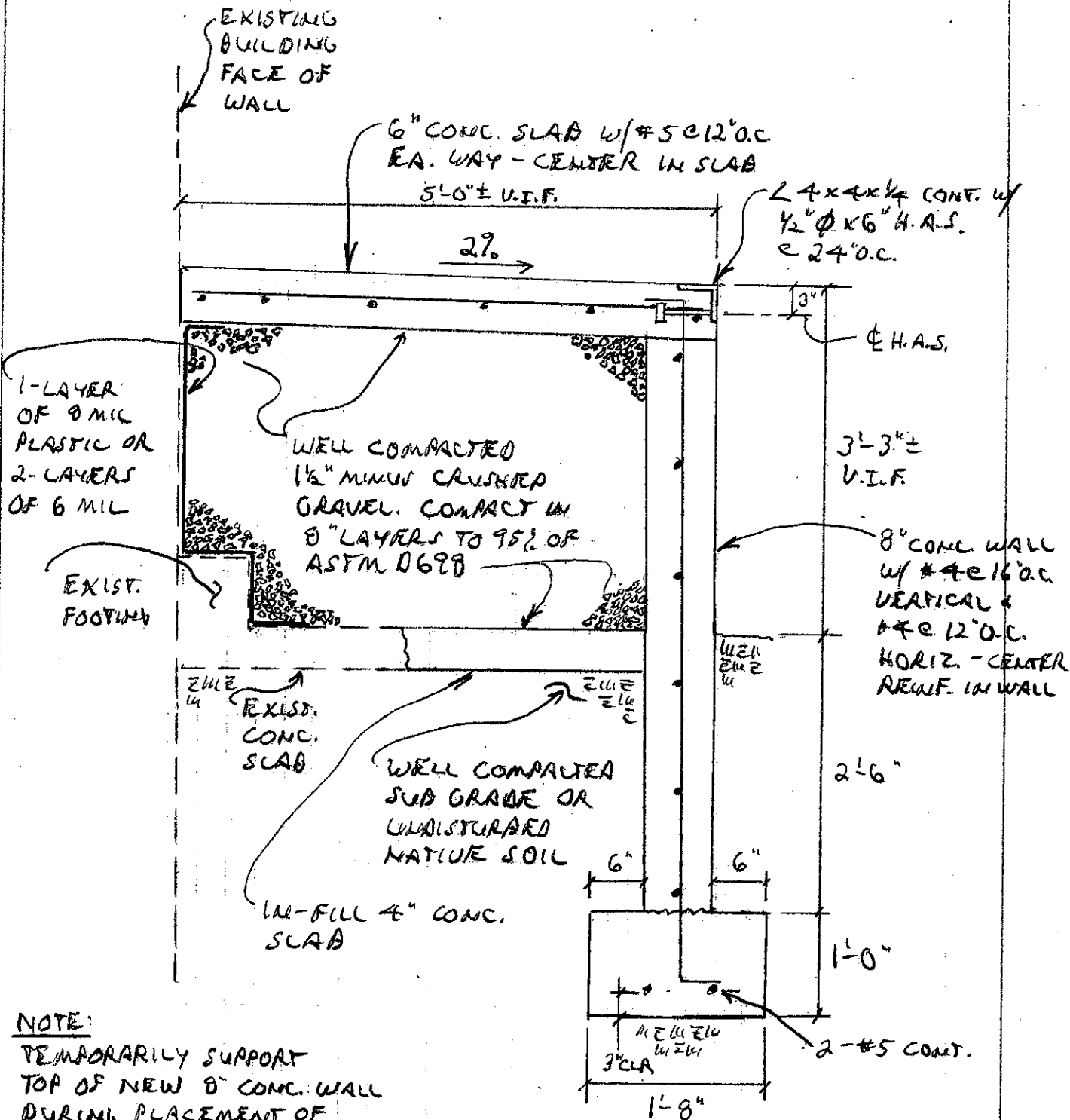
32'-2" ± V.I.F.



FOUNDATION PLAN
NEW LOADING DOCK
BEHIND "GRANNYS ATFC", BILLINGS, MT



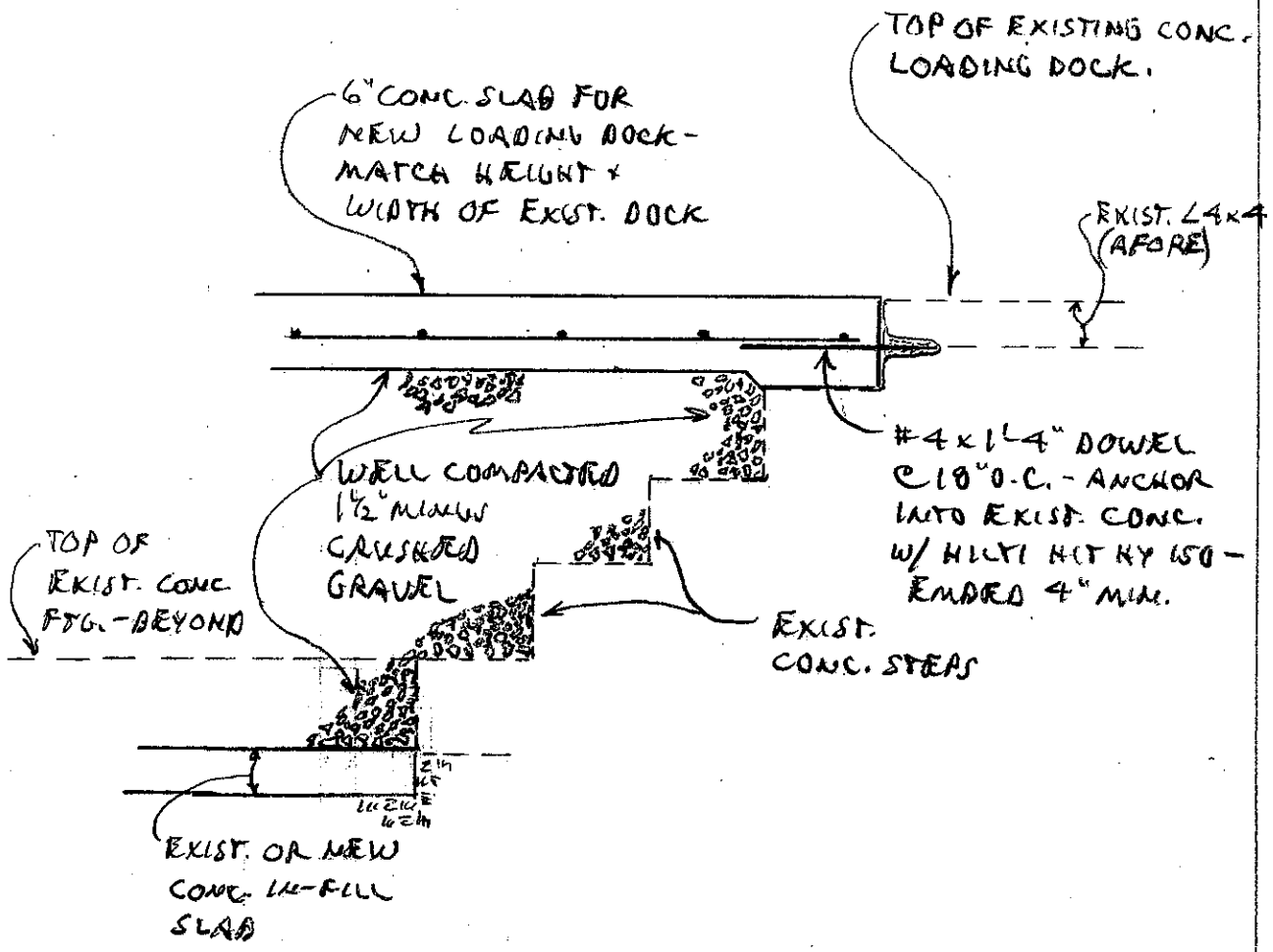
8/27/09



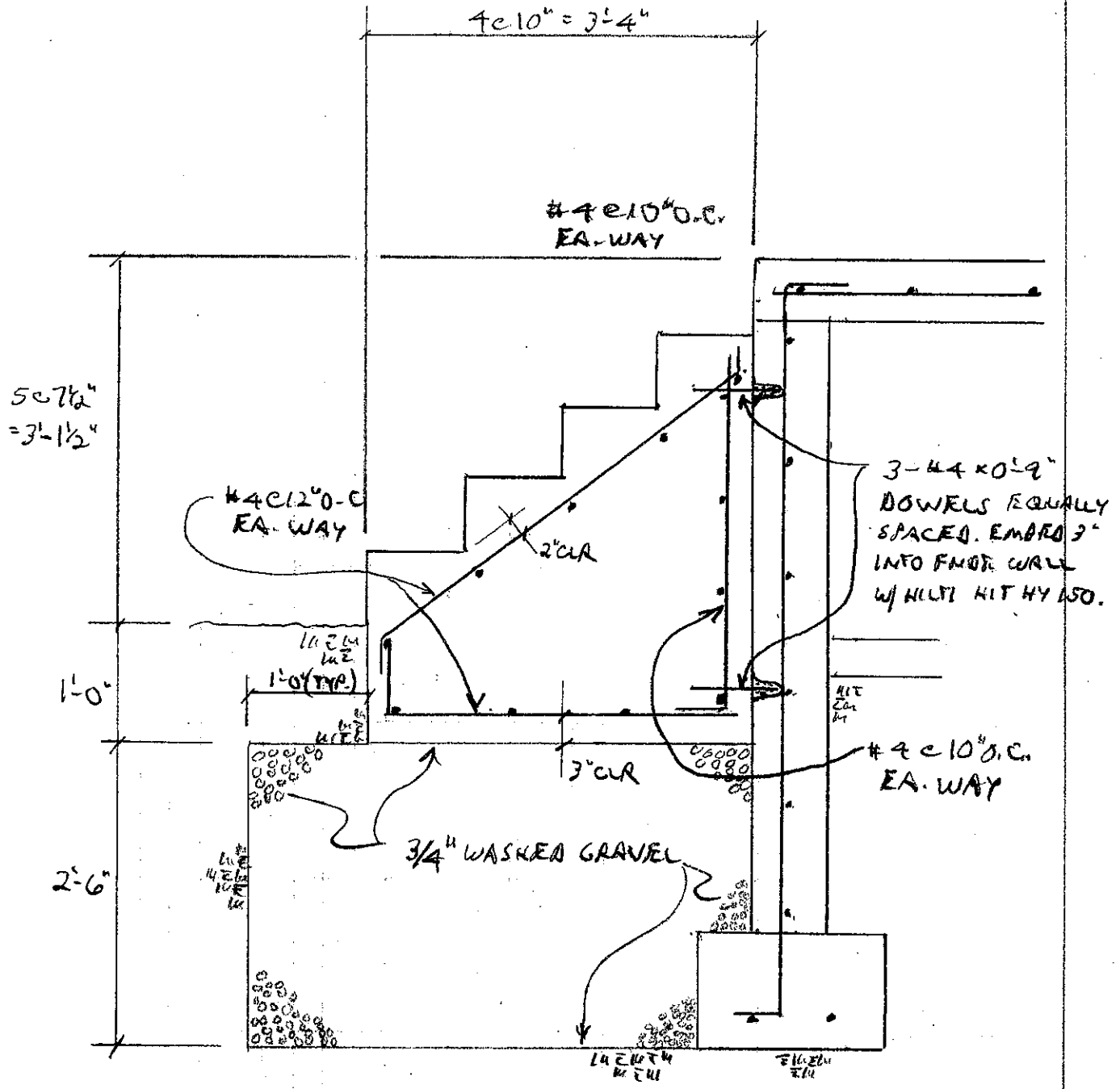
NOTE:

TEMPORARILY SUPPORT TOP OF NEW 8" CONC. WALL DURING PLACEMENT OF 1 1/2" MINUS GRAVEL TO PREVENT WALL FROM PUSHING OUTWARD.

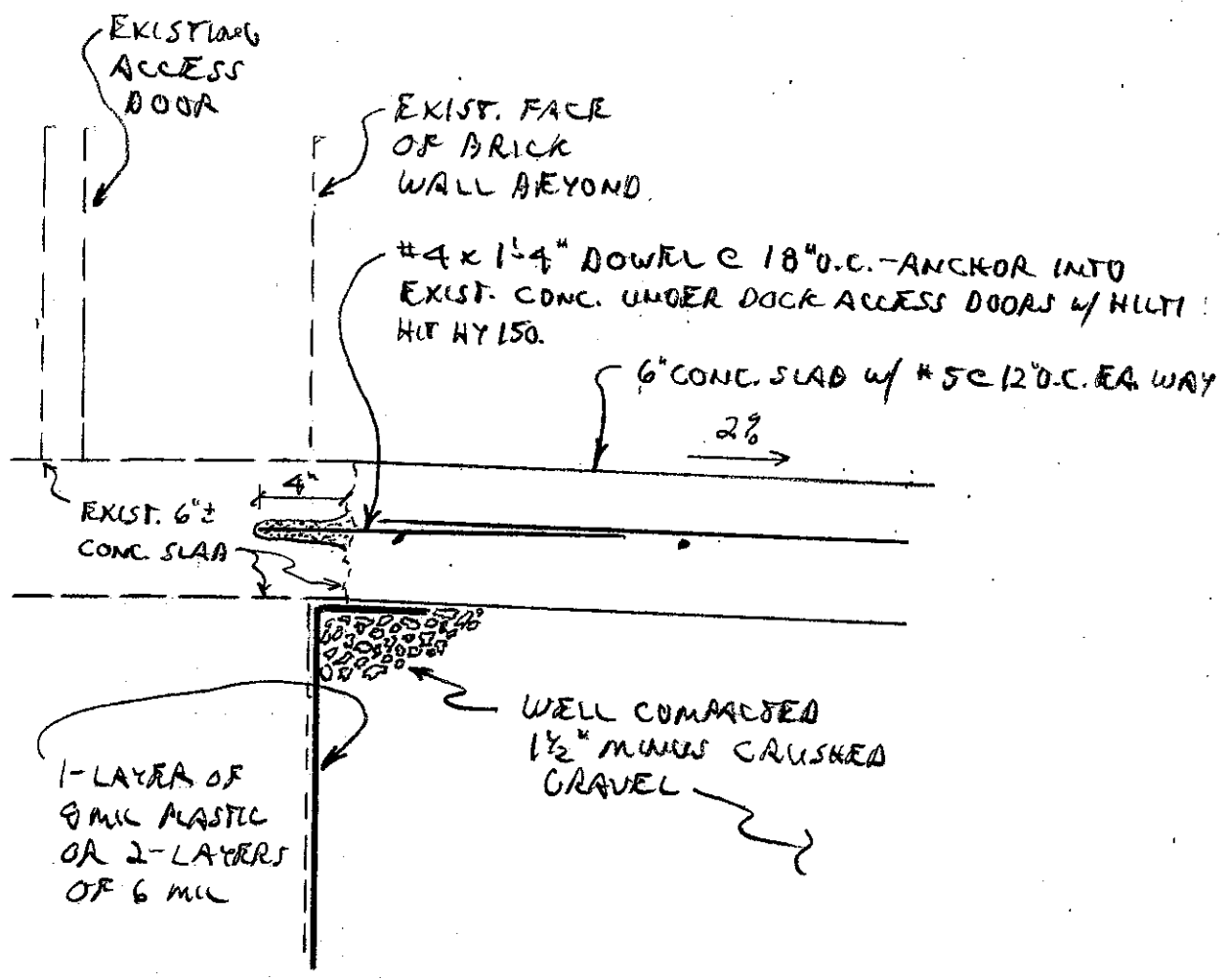
(A) SECTION
2 3/4" = 1'-0"



(B)
3 SECTION
3/4" = 1'-0"



(C) SECTION
4 $\frac{3}{4}'' = 1'-0''$



SECTION
 1 1/2" = 1'-0"

LOADING DOCK BEHIND "GRANNY'S ATTIC" BUILDING
(2804 MINNESOTA AVENUE, BILLINGS, MONTANA)

GENERAL STRUCTURAL NOTES

1. CONCRETE: 3500 PSI 28 DAY COMPRESSIVE STRENGTH, 1" MINUS AGGREGATE, MAXIMUM W/C RATIO = 0.50, MAXIMUM SLUMP = 4", AIR ENTRAINMENT = 4% - 6%. SHALL MEET ASTM C150, TYPE II CEMENT.
2. REINFORCING STEEL: ASTM A615, GRADE 60.
3. MISCELLANEOUS STEEL: ASTM A36.
4. THE 4 X 4 X 1/4 ANGLE TO BE PLACED ALONG THE EDGE OF THE LOADING DOCK SLAB SHALL BE GALVANIZED.
5. LAP REINFORCING BARS 40 BAR DIAMETERS.
6. STANDARD HOOKS FOR 90 DEGREE BENDS SHALL BE 12 BAR DIAMETERS.
7. CORNER BARS ARE REQUIRED TO MATCH SIZE AND SPACING OF HORIZONTAL REINFORCING AT ALL WALL AND FOOTING CORNERS.
8. PROVIDE CONCRETE TESTING AS REQUIRED BY 2006 IBC SECTION 1905.6.2 AND ACI 318 SECTION 5.6.2, INCLUDING SLUMP, AIR, AND TEMPERATURE AT TIME TEST SPECIMENS ARE TAKEN.
9. CURING OF THE LOADING DOCK EXPOSED SLAB, STAIRS, AND FOUNDATION WALL SHALL BE WITH ADEQUATE COVERAGE OF A CURING COMPOUND, OR PLASTIC COVERING, OR WET COVERING. CURING SHALL BE FOR A PERIOD OF AT LEAST 7 DAYS, AND RAPID DRYING OF THE CONCRETE SURFACES AT THE END OF THE CURING PERIOD SHALL BE AVOIDED.



September 18, 2009

Casey Hanson
Morrison-Maierle, Inc.
315 North 25th Street, Suite 102
Billings, MT 59101

**RE: Summary of Change of Conditions Claim
2008-2009 Water and Sewer Replacement Projects Schedule 1, W.O. 08-01
COP Project No. 09108**

Dear Casey,

Attached are the daily force account sheets for the change of conditions COP Construction has encountered for the above referenced project. Below is the summary for the additional work completed job to date:

7/13/09 to 7/24/09

Labor	\$14,439.64
Equipment	<u>\$19,288.58</u>
Subtotal	\$33,728.22
Subcontractors	\$ 577.50
Materials	\$ 607.20
3% for Taxes, Bond and Insurance	<u>\$ 1,047.38</u>
Total	<u>\$35,960.30</u>

7/27/09 to 7/30/09

Labor	\$ 4,169.24
Equipment	<u>\$ 5,311.28</u>
Subtotal	\$ 9,480.52
Subcontractors	\$ 3,307.50
Materials	\$ 564.42
3% for Taxes, Bond and Insurance	<u>\$ 400.57</u>
Total	<u>\$13,753.01</u>



Page 2
Casey Hanson
Summary of Change of Conditions Claim
9/18/09

8/4/09 to 9/4/09

Labor	\$ 912.29
Equipment	<u>\$ 474.11</u>
Subtotal	\$ 1,386.40
Subcontractors	\$ 1,275.75
Materials	\$ 2,139.60
3% for Taxes, Bond and Insurance	<u>\$ 144.05</u>
Total	<u>\$ 4,945.80</u>

Loading Dock/Vault Repair	1 Lump Sum	<u>\$41,357.00</u>
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Additional Materials/Paving	Labor	\$ 359.88
	Equipment	<u>\$ 270.92</u>
	Subtotal	\$ 630.80
	Subcontractor	\$ 9,585.00
	Materials (11/2" Road Material)	\$ 644.00
	3% for Taxes, Bond and Insurance	<u>\$ 325.79</u>
	Total	<u>\$11,185.59</u>

The lump sum total for all of these items is: **\$107,201.70**. The total number of calendar days we are requesting for this work is 30 days. We are also requesting that 14 calendar days be added for the time Qwest was working in South 27th Street for a total of 44 calendar days. Additional days will be requested to cover the time between today and approval for the work (Concrete Dock/Vault). If you have any questions please give me a call.

Sincerely,

COP Construction LLC



Anthony Gentile
Project Manager

cc: Correspondence File #09108

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11

Date: 7/13/2009 & 7/14/09

Description of work and Location

While installing new MH 09-08 and reconnecting the existing 8" sewer main, the existing soil conditions required addition shoring and safety issues. The existing soil conditions required Northwestern Energy to support two out of the three existing power poles. The existing material was an imported road mix with no compaction.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Superintendent	3.0	\$ 75.00	\$ 225.00
	Operator	6.0	\$ 48.47	\$ 290.82
	Operator	6.0	\$ 48.47	\$ 290.82
	Operator	6.0	\$ 48.47	\$ 290.82
	Laborer	6.0	\$ 37.74	\$ 226.44
	Project Manager	3.0	\$ 91.00	\$ 273.00
	Laborer Foreman	6.0	\$ 40.33	\$ 241.98
				\$ -
				\$ -
				\$ -
			Sub Total	\$ 1,838.88
			Total To date	\$ 1,838.88
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	6.0	\$ 36.25	\$ 217.50
	4X4X10" Suction Hose	6.0	\$ 1.26	\$ 7.56
	308 Excavator	6.0	\$ 126.90	\$ 761.40
	330 Excavator	6.0	\$ 142.31	\$ 853.86
	Bedding Conveyor	6.0	\$ 17.05	\$ 102.30
	8 X 16' Trench Box	6.0	\$ 9.66	\$ 57.96
	20' Conex	6.0	\$ 1.82	\$ 10.92
	Tool Van	6.0	\$ 5.58	\$ 33.48
	Front End Loader	6.0	\$ 67.73	\$ 406.38
				\$ -
			Sub Total	\$ 2,451.36
			Total To date	\$ 2,451.36
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -
			Sub Total	\$ -
			Total To date	\$ -
			Today Totals	\$ 4,290.24
			Total To date	\$ 4,290.24

Signature For Whom Work Was Done _____

Signature Of COP Representative _____

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11

Date: 7/14/2009

Description of work and Location

While excavating our trench west of South 28th Street, we encountered a empty tank approximately 36" x 10'. While removing the tank, the soil beneath an existing loading dock began to cave off. We also were required to reconnect a sewer service beneath the dock. The service was encased with concrete. We chased the service as far as we could and reconnected approximately 2' from foundation of Granny's Attic. We will have to replace the existing dock with asphalt.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	4.0	\$ 91.00	\$ 364.00
	Superintendent	4.0	\$ 75.00	\$ 300.00
	Operator	7.0	\$ 48.47	\$ 339.29
	Operator	7.0	\$ 48.47	\$ 339.29
	Operator	7.0	\$ 48.47	\$ 339.29
	Laborer	7.0	\$ 37.74	\$ 264.18
	Laborer Foreman	7.0	\$ 40.33	\$ 282.31
				\$ -
				\$ -
				\$ -
			Sub Total	\$ 2,228.36
			Total To date	\$ 4,067.24

Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	7.0	\$ 36.25	\$ 253.75
	4X4X10" Suction Hose	7.0	\$ 1.26	\$ 8.82
	308 Excavator	7.0	\$ 126.90	\$ 888.30
	330 Excavator	7.0	\$ 142.31	\$ 996.17
	Bedding Conveyor	7.0	\$ 17.05	\$ 119.35
	8 X 16' Trench Box	7.0	\$ 9.66	\$ 67.62
	20' Conex	7.0	\$ 1.82	\$ 12.74
	Tool Van	7.0	\$ 5.58	\$ 39.06
	Skid Steer Loader	7.0	\$ 33.28	\$ 232.96
	70KW Generator	7.0	\$ 13.22	\$ 92.54
	Front End Loader	7.0	\$ 67.73	\$ 474.11
				\$ -
			Sub Total	\$ 3,185.42
			Total To date	\$ 5,636.78

Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -
			Sub Total	\$ -
			Total To date	\$ -
			Today Totals	\$ 5,413.78
			Total To date	\$ 5,413.78

Signature For Whom Work Was Done

Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/16/2009

Description of work and Location

While excavating through the alley between South 28th and South 29th street, existing clay pipes were found on the north of our trench. Two lines were found and were causing us to lose the entire bank back to the foundation of Granny's Attic. These lines seem not to be in service.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	2.0	\$ 91.00	\$ 182.00
	Superintendent	2.0	\$ 75.00	\$ 150.00
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Laborer	4.0	\$ 37.74	\$ 150.96
	Laborer Foreman	4.0	\$ 40.33	\$ 161.32
				\$ -
				\$ -
				\$ -
			Sub Total	\$ 1,225.92
			Total to date	\$ 5,293.16
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	4.0	\$ 36.25	\$ 145.00
	4X4X10" Suction Hose	4.0	\$ 1.26	\$ 5.04
	308 Excavator	4.0	\$ 126.90	\$ 507.60
	330 Excavator	4.0	\$ 142.31	\$ 569.24
	Bedding Conveyor	4.0	\$ 17.05	\$ 68.20
	8 X 16' Trench Box	4.0	\$ 9.66	\$ 38.64
	20' Conex	4.0	\$ 1.82	\$ 7.28
	Tool Van	4.0	\$ 5.58	\$ 22.32
	Skid Steer Loader	4.0	\$ 33.28	\$ 133.12
	70KW Generator	4.0	\$ 13.22	\$ 52.88
	Front End Loader	4.0	\$ 67.73	\$ 270.92
			Sub Total	\$ 1,820.24
			Total to date	\$ 7,457.02
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -
			Sub Total	\$ -
			Total to date	\$ -
			Today Totals	\$ 3,046.16
			Total to date	\$ 8,543.18

Signature For Whom Work Was Done

Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/17/2009

Description of work and Location

While excavating through the alley between South 28th and South 29th street, existing clay pipes were found on the north of our trench. Two lines were found and were causing us to lose the entire bank back to the foundation of Granny's Attic. These lines seem not to be in service. There is a transformer along the wall of Granny's Attic. This transformer had to be restrained and addition shoring was required due to the excessive cave off conditions. Northwestern Energy and MDU were both on site for assistance.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	4.0	\$ 91.00	\$ 364.00
	Superintendent	4.0	\$ 75.00	\$ 300.00
	Operator	6.0	\$ 48.47	\$ 290.82
	Operator	6.0	\$ 48.47	\$ 290.82
	Operator	6.0	\$ 48.47	\$ 290.82
	Laborer	6.0	\$ 37.74	\$ 226.44
	Laborer Foreman	6.0	\$ 40.33	\$ 241.98
				\$ -
				\$ -
				\$ -
			Sub Total =	\$ 2,004.88
			Total To date =	\$ 7,298.04
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
	Bypass Pump	6.0	\$ 36.25	\$ 217.50
	4X4X10" Suction Hose	6.0	\$ 1.26	\$ 7.56
	308 Excavator	6.0	\$ 126.90	\$ 761.40
	330 Excavator	6.0	\$ 142.31	\$ 853.86
	Bedding Conveyor	6.0	\$ 17.05	\$ 102.30
	8 X 16' Trench Box	6.0	\$ 9.66	\$ 57.96
	20' Conex	6.0	\$ 1.82	\$ 10.92
	Tool Van	6.0	\$ 5.58	\$ 33.48
	Skid Steer Loader	6.0	\$ 33.28	\$ 199.68
	70KW Generator	6.0	\$ 13.22	\$ 79.32
	Front End Loader	6.0	\$ 67.73	\$ 406.38
			Sub Total =	\$ 2,780.36
			Total To date =	\$ 10,187.38
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -
			Sub Total =	\$ -
			Total To date =	\$ -
			Today Totals =	\$ 4,735.24
			Total To date =	\$ 14,922.62

Signature For Whom Work Was Done _____

Signature Of COP Representative _____

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108

Name/Location: Minnesota Ave Sewer at manhole 09-11

Date: 7/20/2009

Description of work and Location

We located sewer services STA 6+70 and STA 6+79 for reconnection. Once the lines were located, tees were installed on the main line. We excavated out for our next set and pulled the box forward. The services were encased with concrete. We broke back the services to clean pipe only to find that they were plugged with concrete near the foundation of building.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	1.0	\$ 91.00	\$ 91.00
	Superintendent	1.0	\$ 75.00	\$ 75.00
	Operator	2.0	\$ 48.47	\$ 96.94
	Operator	2.0	\$ 48.47	\$ 96.94
	Operator	2.0	\$ 48.47	\$ 96.94
	Laborer	2.0	\$ 37.74	\$ 75.48
	Laborer Foreman	2.0	\$ 40.33	\$ 80.66
				\$ -
				\$ -
				\$ -
			Sub Total =	\$ 612.96
			Total To Date =	\$ 7911.00
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	2.0	\$ 36.25	\$ 72.50
	4X4X10" Suction Hose	2.0	\$ 1.26	\$ 2.52
	308 Excavator	2.0	\$ 126.90	\$ 253.80
	330 Excavator	2.0	\$ 142.31	\$ 284.62
	Bedding Conveyor	2.0	\$ 17.05	\$ 34.10
	8 X 16' Trench Box	2.0	\$ 9.66	\$ 19.32
	20' Conex	2.0	\$ 1.82	\$ 3.64
	Tool Van	2.0	\$ 5.58	\$ 11.16
	Skid Steer Loader	2.0	\$ 33.28	\$ 66.56
	70KW Generator	2.0	\$ 13.22	\$ 26.44
	Front End Loader	2.0	\$ 67.73	\$ 135.46
			Sub Total =	\$ 910.12
			Total To Date =	\$ 11097.50
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -
			Sub Total =	\$ -
			Total To Date =	\$ -
			Today Totals =	\$ 1523.08
			Total To Date =	\$ 9618.50

Signature For Whom Work Was Done

Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/21/2009

Description of work and Location

With the cave off issues and existing clay lines that run under the existing docks, it was decided that these docks needed to be removed. A structural engineer was on site and his concerns were forwarded on to MMI

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	4.0	\$ 91.00	\$ 364.00
	Superintendent	4.0	\$ 75.00	\$ 300.00
Bruce Rost	Project Manager	2.0	\$ 91.00	\$ 182.00
	Operator	5.0	\$ 48.47	\$ 242.35
	Operator	5.0	\$ 48.47	\$ 242.35
	Operator	5.0	\$ 48.47	\$ 242.35
	Laborer	5.0	\$ 37.74	\$ 188.70
	Laborer Foreman	5.0	\$ 40.33	\$ 201.65
				\$ -
				\$ -
			Sub Total =	\$ 1,963.40
			Total To date =	\$ 9,874.40
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	5.0	\$ 36.25	\$ 181.25
	4X4X10" Suction Hose	5.0	\$ 1.26	\$ 6.30
	308 Excavator	5.0	\$ 126.90	\$ 634.50
	330 Excavator	5.0	\$ 142.31	\$ 711.55
	Bedding Conveyor	5.0	\$ 17.05	\$ 85.25
	8 X 16' Trench Box	5.0	\$ 9.66	\$ 48.30
	20' Conex	5.0	\$ 1.82	\$ 9.10
	Tool Van	5.0	\$ 5.58	\$ 27.90
	Skid Steer Loader	5.0	\$ 33.28	\$ 166.40
	70KW Generator	5.0	\$ 13.22	\$ 66.10
	Front End Loader	5.0	\$ 67.73	\$ 338.65
			Sub Total =	\$ 2,275.30
			Total To date =	\$ 13,872.80
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
Structural Engineer	3.50	Hrs	\$ 84.00	\$ 294.00
				\$ -
				\$ -
			Sub Total =	\$ 294.00
			Total To date =	\$ 294.00
			Today Totals =	\$ 4,532.70

Signature For Whom Work Was Done

Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/23/2009

Description of work and Location

Power lines and phone lines not called out on the drawings around South 27th Street. Additional time for dealing with the unknown power and phone lines. Northwestern Energy and Qwest were on site trying to find out what lines were still active and which ones we could cut out. These lines are not on the contract drawings. Also hauled off concrete from alley that contained rebar. No concrete was shown on drawings under existing asphalt.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	4.0	\$ 91.00	\$ 364.00
	Superintendent	4.0	\$ 75.00	\$ 300.00
	Operator	5.0	\$ 48.47	\$ 242.35
	Operator	5.0	\$ 48.47	\$ 242.35
	Operator	5.0	\$ 48.47	\$ 242.35
	Laborer	5.0	\$ 37.74	\$ 188.70
	Laborer Foreman	5.0	\$ 40.33	\$ 201.65
				\$ -
				\$ -
				\$ -
			Sub Total=	\$ 1,781.40
			Total to date=	\$ 1,655.80
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	5.0	\$ 36.25	\$ 181.25
	4X4X10" Suction Hose	5.0	\$ 1.26	\$ 6.30
	308 Excavator	5.0	\$ 126.90	\$ 634.50
	330 Excavator	5.0	\$ 142.31	\$ 711.55
	Bedding Conveyor	5.0	\$ 17.05	\$ 85.25
	8 X 16' Trench Box	5.0	\$ 9.66	\$ 48.30
	20' Conex	5.0	\$ 1.82	\$ 9.10
	Tool Van	5.0	\$ 5.58	\$ 27.90
	Skid Steer Loader	5.0	\$ 33.28	\$ 166.40
	70KW Generator	5.0	\$ 13.22	\$ 66.10
	Front End Loader	5.0	\$ 67.73	\$ 338.65
			Sub total=	\$ 2,275.30
			Total to date=	\$ 1,648.10
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
Neibaur Trucking	3.00	hrs	\$ 94.50	\$ 283.50
Land Fill Fee	42.24	Tons	\$ 14.38	\$ 607.20
				\$ -
			Sub total=	\$ 890.70
			Total to date=	\$ 1,184.70
			Today Totals=	\$ 4,947.40
			Total to date=	\$ 2,888.60

Signature For Whom Work Was Done _____

Signature Of COP Representative _____

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/24/2009

Description of work and Location

Power lines and phone lines that were not called out on the drawings around South 27th Street. Additional time for dealing with the unknown power and phone lines. Northwestern Energy and Qwest were on site trying to find out what lines were still active and which ones we could cut out. These lines are not on the contract drawings.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	2.0	\$ 91.00	\$ 182.00
	Superintendent	2.0	\$ 75.00	\$ 150.00
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Laborer	4.0	\$ 37.74	\$ 150.96
	Laborer Foreman	4.0	\$ 40.33	\$ 161.32
				\$ -
				\$ -
				\$ -
			Sub Total =	\$ 1,225.92
			Total to date =	\$ 12,881.72
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
	Bypass Pump	4.0	\$ 36.25	\$ 145.00
	4X4X10" Suction Hose	4.0	\$ 1.26	\$ 5.04
	308 Excavator	4.0	\$ 126.90	\$ 507.60
	330 Excavator	4.0	\$ 142.31	\$ 569.24
	Bedding Conveyor	4.0	\$ 17.05	\$ 68.20
	8 X 16' Trench Box	4.0	\$ 9.66	\$ 38.64
	20' Conex	4.0	\$ 1.82	\$ 7.28
	Tool Van	4.0	\$ 5.58	\$ 22.32
	Skid Steer Loader	4.0	\$ 33.28	\$ 133.12
	70KW Generator	4.0	\$ 13.22	\$ 52.88
	Front End Loader	4.0	\$ 67.73	\$ 270.92
			Sub Total =	\$ 1,820.24
			Total to date =	\$ 17,468.34
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -
			Sub Total =	\$ -
			Total to date =	\$ 1,184.70
			Today Totals =	\$ 3,046.16
			Total to date =	\$ 20,700.16

Signature For Whom Work Was Done _____

Signature Of COP Representative _____

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: Minnesota Ave Sewer at manhole 09-11
 Date: 7/24/2009

Description of work and Location

While excavating for the new 12" sewer main approximately 20' to the west of new MH 09-12, we hit and broke a portion of an existing concrete structure. This foundation was approximately 9' off the the exterior building wall. MMI and the City were on site to evaluate the existing concrete structure. We shutdown our main line operation and started to set up our temporary reconnects to the existing sewer main.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	4.0	\$ 91.00	\$ 364.00
	Superintendent	4.0	\$ 75.00	\$ 300.00
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Laborer	4.0	\$ 37.74	\$ 150.96
	Laborer Foreman	4.0	\$ 40.33	\$ 161.32
				\$ -
				\$ -
				\$ -
			Sub Total	\$ 1,557.92
			Total To date	\$ 14,439.64
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
	Bypass Pump	4.0	\$ 36.25	\$ 145.00
	4X4X10" Suction Hose	4.0	\$ 1.26	\$ 5.04
	308 Excavator	4.0	\$ 126.90	\$ 507.60
	330 Excavator	4.0	\$ 142.31	\$ 569.24
	Bedding Conveyor	4.0	\$ 17.05	\$ 68.20
	8 X 16' Trench Box	4.0	\$ 9.66	\$ 38.64
	20' Conex	4.0	\$ 1.82	\$ 7.28
	Tool Van	4.0	\$ 5.58	\$ 22.32
	Skid Steer Loader	4.0	\$ 33.28	\$ 133.12
	70KW Generator	4.0	\$ 13.22	\$ 52.88
	Front End Loader	4.0	\$ 67.73	\$ 270.92
			Sub Total	\$ 1,820.24
			Total To date	\$ 19,288.58
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
				\$ -
				\$ -
				\$ -
			Sub Total	\$ -
			Total To date	\$ 1,820.24
			Today Totals	\$ 3,378.16
			Total To date	\$ 19,288.58

Signature For Whom Work Was Done _____

Signature Of COP Representative _____

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: South 27th Street

Date: 7/27/2009

Description of work and Location

Working around the phone line that runs through our trench from the South East to the North East. This line was not called out on the drawings. Trucking is required due to not being able to backcast for backfill.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Superintendent	3.0	\$ 75.00	\$ 225.00
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Operator	4.0	\$ 48.47	\$ 193.88
	Laborer	4.0	\$ 37.74	\$ 150.96
	Project Manager	1.0	\$ 91.00	\$ 91.00
	Laborer Foreman	4.0	\$ 40.33	\$ 161.32
				\$ -
				\$ -
				\$ -
			Sub Total =	\$ 1,209.92
			Total To date =	\$ 1,209.92
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
				\$ -
	Bypass Pump	4.0	\$ 36.25	\$ 145.00
	4X4X10" Suction Hose	4.0	\$ 1.26	\$ 5.04
	308 Excavator	4.0	\$ 126.90	\$ 507.60
	330 Excavator	4.0	\$ 142.31	\$ 569.24
	Bedding Conveyor	4.0	\$ 17.05	\$ 68.20
	8 X 16' Trench Box	4.0	\$ 9.66	\$ 38.64
	20' Conex	4.0	\$ 1.82	\$ 7.28
	Tool Van	4.0	\$ 5.58	\$ 22.32
	Front End Loader	4.0	\$ 67.73	\$ 270.92
				\$ -
			Sub Total =	\$ 1,634.24
			Total To date =	\$ 1,634.24
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
Neibauer Trucking	9.00	hr	\$ 94.50	\$ 850.50
				\$ -
				\$ -
			Sub Total =	\$ 850.50
			Total To date =	\$ 850.50
			Today Totals =	\$ 3,694.66
			Total To date =	\$ 3,694.66

Signature For Whom Work Was Done

Signature Of COP Representative

COP Construction LLC "Extra Work Report"

2008-2009 City of Billings Water & Sewer Replacement Project - Schedule 1

Job Number: 09108 Name/Location: South 27th Street
 Date: 7/28/2009

Description of work and Location

Working around the phone line that runs through our trench from the South East to the North East. This line was not called out on the drawings. Trucking is required due to not being able to backcast for backfill.

Labor Used				
Name:	Classification:	Hours Worked:	Rate Of Pay:	Total:
	Project Manager	1.0	\$ 91.00	\$ 91.00
	Superintendent	3.0	\$ 75.00	\$ 225.00
	Operator	3.0	\$ 48.47	\$ 145.41
	Operator	3.0	\$ 48.47	\$ 145.41
	Operator	3.0	\$ 48.47	\$ 145.41
	Laborer	3.0	\$ 37.74	\$ 113.22
	Laborer Foreman	3.0	\$ 40.33	\$ 120.99
				\$ -
				\$ -
				\$ -
			Sub Total =	\$ 986.44
			Total To date =	\$ 2,496.36
Equipment Used				
Equipment #:	Description:	Hours Worked:	Pay Rate:	Total:
	Bypass Pump	3.0	\$ 36.25	\$ 108.75
	4X4X10" Suction Hose	3.0	\$ 1.26	\$ 3.78
	308 Excavator	3.0	\$ 126.90	\$ 380.70
	330 Excavator	3.0	\$ 142.31	\$ 426.93
	Bedding Conveyor	3.0	\$ 17.05	\$ 51.15
	8 X 16' Trench Box	3.0	\$ 9.66	\$ 28.98
	20' Conex	3.0	\$ 1.82	\$ 5.46
	Tool Van	3.0	\$ 5.58	\$ 16.74
	Front End Loader	3.0	\$ 67.73	\$ 203.19
				\$ -
			Sub Total =	\$ 1,225.68
			Total To date =	\$ 2,359.92
Materials Used				
Material:	Amount Used:	Unit:	Rate:	Total:
Neibauer Trucking	9.00	hr	\$ 94.50	\$ 850.50
Landfill Charges	39.25	Ton	\$ 14.38	\$ 564.42
				\$ -
			Sub Total =	\$ 1,414.92
			Total To date =	\$ 2,265.42
			Today Totals =	\$ 3,627.04
			Total To date =	\$ 5,771.70

Signature For Whom Work Was Done

Signature Of COP Representative