



**AGENDA  
CITY OF LAUREL  
CITY COUNCIL WORKSHOP  
TUESDAY, JULY 09, 2019  
6:30 PM  
COUNCIL CHAMBERS**

**Public Input:** *Citizens may address the Council regarding any item of City business that is not on tonight's agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the Council will not take action on any item not on the agenda. If a citizen would like to speak or comment regarding an item that is on tonight's agenda, we ask that you wait until the agenda item is presented to the Council by the Mayor and the public is asked to comment by the Mayor. Once again, each speaker is limited to three minutes.*

*Be advised, if a discussion item has an upcoming public hearing, we would request members of the public to reserve your comments until the public hearing. At the public hearing, the City Council will establish an official record that will include all of your comments, testimony and written evidence. The City Council will base its decision on the record created during the public hearing. Any comments provided tonight will not be included in the record or considered by the City Council.*

### **General Items**

#### **Executive Review**

1. Ordinance - An Ordinance Amending Title 2, Chapters 2.10.030 And 2.10.040 Of The Laurel Municipal Code For The Purpose Of Changing The Regular Meeting Day Of The City Council.
2. Resolution - Resolution Approving Change Order No. 3 To The Contract For The City Of Laurel's WWTP Sludge Dewatering Facilities And Authorizing The Mayor To Sign All Change Order Documents On The City's Behalf.
3. Resolution - Resolution Approving Change Order No. 4 To The Contract For The City Of Laurel's WWTP Sludge Dewatering Facilities And Authorizing The Mayor To Sign All Change Order Documents On The City's Behalf.

#### **Council Issues**

4. Website Update

#### **Other Items**

#### **Review of Draft Council Agendas**

5. Review Draft Council Agenda July 16, 2019.

#### **Attendance at Upcoming Council Meeting**

#### **Announcements**

6. Recognition of Employees

#### **Employee Recognition:**

Sheryl Phillips	22 years	Court
Fan Schweigert	21 years	City Shop
Nathan Herman	19 years	WTP
H.P Nuernberger	17 years	WTP
Calvin Lovshin	7 years	Custodian
Norm Stamper	3 years	WWTP
Kevin Hoffman	3 years	City Shop
Brittney Moorman	2 years	City Clerk

**Volunteer Recognition:**

Melissa Brennan	1 year	Police Reserves
Elliott Grayson	2 years	Ambulance
John Woody	11 years	Fire

**The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 2, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.**

**DATES TO REMEMBER**

**Item Attachment Documents:**

1. Ordinance - An Ordinance Amending Title 2, Chapters 2.10.030 And 2.10.040 Of The Laurel Municipal Code For The Purpose Of Changing The Regular Meeting Day Of The City Council.



This Ordinance shall become effective thirty (30) days after final passage by the City Council and approved by the Mayor.

Introduced and passed on first reading at a regular meeting of the City Council on \_\_\_\_\_, 2019, by Council Member \_\_\_\_\_.

PASSED and ADOPTED by the Laurel City Council on second reading this \_\_\_ day of \_\_\_\_\_, upon motion of Council Member \_\_\_\_\_.

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Ordinance No. O196\_\_ Amending LMC, Title 2, Chapters, ~~2.08, 2.12, and 2.60~~2.10.030 and 2.10.040

APPROVED BY THE MAYOR this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF LAUREL

\_\_\_\_\_  
Thomas C. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Bethany Langve, Clerk-Treasurer

Approved as to form:

\_\_\_\_\_  
Sam S. Painter, Civil City Attorney

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**Item Attachment Documents:**

2. Resolution - Resolution Approving Change Order No. 3 To The Contract For The City Of Laurel's WWTP Sludge Dewatering Facilities And Authorizing The Mayor To Sign All Change Order Documents On The City's Behalf.

**RESOLUTION NO. R19-\_\_**

**RESOLUTION APPROVING CHANGE ORDER NO. 3 TO THE CONTRACT FOR THE CITY OF LAUREL'S WWTP SLUDGE DEWATERING FACILITIES AND AUTHORIZING THE MAYOR TO SIGN ALL CHANGE ORDER DOCUMENTS ON THE CITY'S BEHALF.**

WHEREAS, the City of Laurel planned and publicly advertised the project known as the WWTP Sludge Dewatering Facilities Project, and the City awarded the project to Strategic Construction Solutions; and

WHEREAS, City equipment failed during the project which required contractor to perform additional work, including additional equipment as explained in the attached Change Order Documents, and such unanticipated work and additional equipment resulted in an increase to the cost and number of days required for contractor's completion of the contract; and

WHEREAS, the City's Engineers, KLJ, prepared the attached Change Order No. 3 and has determined the additional work and equipment requires an extension of the contract term and cost which are both necessary, reasonable, and in the City's best interest.

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby approves the attached Change Order No. 3 and authorizes the Mayor to execute it and all necessary documents on the City's behalf.

BE IT FUTHER RESOLVED the City Council authorizes both the increased cost and term of the contract as detailed and provided in the attached Change Order No.3.

Introduced at a regular meeting of the City Council on \_\_\_\_\_, 2019, by Council Member \_\_\_\_\_.

PASSED and APPROVED by the City Council of the City of Laurel this \_\_\_ day of \_\_\_\_\_, 2019

APPROVED by the Mayor this \_\_\_ day of \_\_\_\_\_ 2019.

CITY OF LAUREL

\_\_\_\_\_  
Thomas C. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Bethany Langve, Clerk-Treasurer, Clerk-Treasurer

Approved as to form:

\_\_\_\_\_  
Sam Painter, Civil City Attorney



# Change Order

No. 3

Date of Issuance: June 21, 2019 Effective Date: \_\_\_\_\_

Project: WWTP Sludge Dewatering Facilities	Owner: City of Laurel	Owner's Contract No.: N/A
Contract: Base Bid Lump Sum Price	Date of Contract: 11/16/2018	
Contractor: Strategic Construction Solutions		Engineer's Project No.: 1804-00120

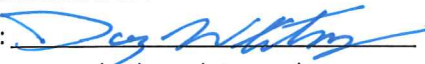
**The Contract Documents are modified as follows upon execution of this Change Order:**

Description:  
This Change Order is for approved additional pumping needed to remove sludge from Digester A. Description of Work included can be found in Work Change Directive 2 and corresponding attachments. As part of this Change Order an additional 21 days will be added to the allocated time for dewatering and overall Contract Time.

**Attachments (list documents supporting change):**

Engineer's letter of recommendation dated June 21, 2019, and Work Change Directive No 2.  
 Contractor's revised claim PCO #002.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price:  <u>\$ 1,575,000.00</u>	Original Contract Times: <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days Substantial (Dewatering) completion (days): <u>150 (45)</u> Ready for final payment (days): <u>30 (N/A)</u>
Increase from previously approved Change Orders No. <u>0</u> to No. <u>2</u> :  <u>\$ 37,931.15</u>	Increase from previously approved Change Orders No. <u>0</u> to No. <u>2</u> :  Substantial (Dewatering) completion (days): <u>32 (41)</u> Ready for final payment (days): <u>0 (N/A)</u>
Contract Price prior to this Change Order:  <u>\$ 1,612,931.15</u>	Contract Times prior to this Change Order: Substantial (Dewatering) completion (days): <u>182 (86)</u> Ready for final payment (days): <u>30 (N/A)</u>
Increase of this Change Order:  <u>\$ 30,344.76</u>	Increase of this Change Order: Substantial (Dewatering) completion (days): <u>21 (21)</u> Ready for final payment (days): <u>0 (N/A)</u>
Contract Price incorporating this Change Order:  <u>\$ 1,643,275.91</u>	Contract Times with all approved Change Orders: Substantial (Dewatering) completion (days): <u>203 (107)</u> Ready for final payment (days): <u>30 (N/A)</u>

RECOMMENDED:  
 By:   
 Engineer (Authorized Signature)  
 Date: 6/25/19

ACCEPTED:  
 By: \_\_\_\_\_  
 Owner (Authorized Signature)  
 Date: \_\_\_\_\_

ACCEPTED:  
 By:   
 Contractor (Authorized Signature)  
 Date: 6-25-2019



2611 Gabel Road  
Billings, MT 59102-7329  
406 245 5499  
KLJENG.COM

June 21, 2019

Tim Reiter  
Utility Plants Superintendent  
City of Laurel  
PO Box 10  
Laurel, MT 59044

Re: WWTP Sludge Dewatering Facilities – Change Order No. 3, Engineer’s Recommendation-Revised

Dear Tim:

As per section 10.05 A. of the Montana Public Works Standard Specifications (MPWSS) General Conditions, this letter is to serve as the Engineer’s recommendation for the proposed Change Order (CO) 3. The original claim was received by the Engineer (KLJ) from the Contractor (SCS) on April 26, 2019. This revised recommendation is a follow up to the negotiated resolution during our June 14, 2019 meeting.

The original claim submitted by the Contractor requested an additional \$32,495.76 and 12 days be added to the Contract due to additional Work and materials needed to dewater Digester A once the Owner’s pumps stopped working.

On April 4<sup>th</sup>, the Owner issued Work Change Directive 2 instructing the Contractor to provide manpower and equipment to transfer the sludge from Digester A into Digester B. Payment to be made on actual time and materials plus the Contractor’s Fee (CF) for the effort needed to transfer the sludge until the sludge level reached the top of the cone in Digester A.

On May 29, 2019, the Engineer’s recommendation included a Contract Price increase of \$23,750.62 and the Contract Time be increased by 21 days. This recommendation excluded small tools, Midway 10K forklift, and SCS trucks 325 and 362. The Contractor disagreed with the Engineer’s recommendation.

On June 14, 2019, a meeting was conducted at City Hall between the Owner, Contractor and the Engineer. The disputed items were discussed, and all parties agreed to include the forklift and trucks in the Change Order. This revised Engineer’s recommendation includes a Contract Price increase of \$30,344.76 and a Contract Time increase of 21 days.

The additional Contract Price includes Contractor’s labor cost, Contractor’s equipment cost (minus small tools), bonds, Contractors Fee as stated in MPWSS’s General Conditions Section 12.01.C, and Gross Receipts Tax (1%).

Please review our revised Engineer’s Recommendation for Change Order No.3 for an increase in Contract Price of \$30,344.76 and an increase in Contract Time of 21 days. The recommended increase of Contract Time is for the entire project as well as the dewatering portion of the project with no changes to the Contract Time for Final Payment. Changes to the WWTP Dewatering Facilities Project would be as follows:



Original Contract Price	\$1,575,000.00
Increase in Contract Price from CO 1	\$26,173.04
Increase in Contract Price from CO 2	\$11,758.11
Potential Increase in Contract Price from CO3	\$30,344.76
<b>Final Contract Price</b>	<b>\$1,643,275.91</b>

	Substantial	Dewatering
Original Contract Time	150 Days	45 Days
Increase in Contract Time from CO1	0 Days	9 Days
Increase in Contract Time from CO2	32 Days	32 Days
Potential Increase in Contract Time from CO3	21 Days	21 Days
<b>Final Contract Time</b>	<b>203 Days</b>	<b>107 Days</b>

Feel free to contact us if you have any additional questions or would like to request any additional material be provided.

Sincerely,

KLJ

Douglas C. Whitney, PE  
Project Engineer

Enclosure(s): Proposed Change Order 3 with attachments  
Project #: 1804-00120  
cc: Terry Sutherland, File

# Work Change Directive

No. 2

Date of Issuance: 4/4/19

Effective Date: 4/4/19

Project: WWTP Sludge Dewatering Facility	Owner: Laurel, MT	Owner's Contract No.: N/A
Contract: WWTP Sludge Dewatering Facilities		Date of Contract: 11/16/18 (Effective Date)
Contractor: Strategic Construction Solutions		Engineer's Project No.: 1804-00120

**Contractor is directed to proceed promptly with the following change(s):**

Item No. 1	The City's transfer pump cannot pump the sludge from digester A into B. Provide manpower and equipment to transfer the sludge from digester A into the drying beds. Payment will be on actual time and materials plus Contractor's Fee as allowed by the Contract Documents, for the effort to remove the sludge to the top of the cone. Additional contract Time will be added to the digester dewatering and cleaning portion of the Agreement.
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**Attachments (list documents supporting change):**

None

**Purpose for Work Change Directive:**

Authorization for Work described herein to proceed on the basis of Cost of the Work due to:

- Non-agreement on pricing of proposed change.
- Necessity to expedite Work described herein prior to agreeing to changes on Contract Price and Contract Time.

**Estimated change in Contract Price and Contract Times:**

Contract Price \$26,000.00 (increase/decrease)    Contract Time 9 Days (increase/decrease)

Recommended for Approval by Engineer:	Date: <u>4/4/19</u>
Authorized for Owner by:	Date: <u>4/4/2019</u>
Received for Contractor by:	Date: <u>4-4-2019</u>
Received by Funding Agency (if applicable):    N/A	Date:

SCS  
 4700 E Southern Ave  
 Mesa, Arizona 85206  
 Phone: (480) 586-2400

Project: SCS18002715 - SCS - Laurel WWTP Sludge Dewatering  
 Facilities  
 1599 Sewer Plant Rd.  
 Laurel, Montana 59044

**DRAFT**

**Prime Contract Potential Change Order #002: Change order #2 Primary  
 Digester Sludge Removal**

TO:	KLJ 2611 Gabel Rd. Billings Montana, 59102	FROM:	Strategic Construction Solutions 4700 E. Southern Ave Mesa Arizona, 85206
PCO NUMBER/REVISION:	002 / 0	CONTRACT:	1 - SCS - Laurel WWTP Sludge Dewatering Facilities Prime Contract
REQUEST RECEIVED FROM:		CREATED BY:	William Moran (SCS)
STATUS:	Draft	CREATED DATE:	4/26/2019
REFERENCE:		PRIME CONTRACT CHANGE ORDER:	None
FIELD CHANGE:	No		
LOCATION:	Primary Tank	ACCOUNTING METHOD:	Amount Based
SCHEDULE IMPACT:		PAID IN FULL:	No
		TOTAL AMOUNT:	\$30,344.76

POTENTIAL CHANGE ORDER TITLE: Change order #2 Primary Digester Sludge Removal

CHANGE REASON: No Change Reason

POTENTIAL CHANGE ORDER DESCRIPTION: *(The Contract Is Changed As Follows)*

City's pump could not transfer the sludge out of the digester causing alternate methods of removal of the sludge out of the digester  
 Removal of small tools created a deduction of \$2,151.76.

ATTACHMENTS:

[2019-04-10.pdf](#)

#	SubJob	Cost Code	Description	Type	Amount
1	N/A	000-000.2 - Change Order 2	Don Enquist - 9 HRS	Labor	\$708.00
2	N/A	000-000.2 - Change Order 2	Zach Sutherland - 9 HRS	Labor	\$428.03
3	N/A	000-000.2 - Change Order 2	Jason Leshar - 9 HRS	Labor	\$442.00
4	N/A	000-000.2 - Change Order 2	Truck 325	Equipment	\$144.00
5	N/A	000-000.2 - Change Order 2	Truck 361	Equipment	\$144.00
6	N/A	000-000.2 - Change Order 2	10K Forklift	Equipment	\$250.00
7	N/A	000-000.2 - Change Order 2	Hydraulic Pump	Equipment	\$282.60
8	N/A	000-000.2 - Change Order 2	Hydraulic Pump Delivery	Equipment	\$405.00
9	N/A	000-000.2 - Change Order 2	Don Engquist 8	Labor	\$539.50
10	N/A	000-000.2 - Change Order 2	Jason Leshar 8	Labor	\$485.50
11	N/A	000-000.2 - Change Order 2	Zach Sutherland 8	Labor	\$402.10
12	N/A	000-000.2 - Change Order 2	Xylem Pump Rental	Equipment	\$200.00
13	N/A	000-000.2 - Change Order 2	Rain For Rent Crossover	Equipment	\$51.41
14	N/A	000-000.2 - Change Order 2	Midway 10 K Forklift	Equipment	\$250.00
15	N/A	000-000.2 - Change Order 2	Truck 325	Equipment	\$144.00

16	N/A	000-000.2 - Change Order 2	Truck 362	Equipment	\$144.00
17	N/A	000-000.2 - Change Order 2	Don Engquist 6 Hours	Labor	\$323.70
18	N/A	000-000.2 - Change Order 2	Zach Sutherland 6Hours	Labor	\$241.62
19	N/A	000-000.2 - Change Order 2	Jason Leshar 6 Hours	Labor	\$291.30
20	N/A	000-000.2 - Change Order 2	Truck 325, 326	Equipment	\$288.00
21	N/A	000-000.2 - Change Order 2	Midway 10 K forklift	Equipment	\$250.00
22	N/A	000-000.2 - Change Order 2	Rain for rent Crossover	Equipment	\$51.41
23	N/A	000-000.2 - Change Order 2	Xylem pump	Equipment	\$282.60
24	N/A	000-000.2 - Change Order 2	Company check vale and hoses	Equipment	\$50.00
25	N/A	000-000.2 - Change Order 2	Don Engquist 8 hours	Labor	\$431.60
26	N/A	000-000.2 - Change Order 2	Jason Leshar 8 hours	Labor	\$388.40
27	N/A	000-000.2 - Change Order 2	Zach Sutherland 8 hours	Labor	\$321.68
28	N/A	000-000.2 - Change Order 2	Midway 10K forklift	Equipment	\$250.00
29	N/A	000-000.2 - Change Order 2	Truck 325 and 362	Equipment	\$288.00
30	N/A	000-000.2 - Change Order 2	Xylem Hydraulic pump	Equipment	\$282.60
31	N/A	000-000.2 - Change Order 2	R for R Crossover	Equipment	\$51.41
32	N/A	000-000.2 - Change Order 2	Bonds	Other	\$25.00
33	N/A	000-000.2 - Change Order 2	Bonds	Other	\$22.00
34	N/A	000-000.2 - Change Order 2	Don Engquist 8 hours	Labor	\$431.60
35	N/A	000-000.2 - Change Order 2	Jason Leshar 8 hours	Labor	\$388.40
36	N/A	000-000.2 - Change Order 2	Zach Sutherland 8 Hours	Labor	\$321.68
37	N/A	000-000.2 - Change Order 2	Midway 10 k forklift	Equipment	\$250.00
38	N/A	000-000.2 - Change Order 2	Xylem pump and hoses	Equipment	\$282.60
39	N/A	000-000.2 - Change Order 2	Rain 4 Rent Crossover	Equipment	\$51.41
40	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
41	N/A	000-000.2 - Change Order 2	Don Engquist 8 Hours	Labor	\$431.60
42	N/A	000-000.2 - Change Order 2	Jason Leshar 8 Hours	Labor	\$388.40
43	N/A	000-000.2 - Change Order 2	Zach Sutherland 8 Hours	Labor	\$321.68
44	N/A	000-000.2 - Change Order 2	Midway 10 k Forklift	Equipment	\$250.00
45	N/A	000-000.2 - Change Order 2	Xylem pump	Equipment	\$282.60
46	N/A	000-000.2 - Change Order 2	R For R Crossover	Equipment	\$51.41
47	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
48	N/A	000-000.2 - Change Order 2	Don Engquist 10 Hours	Labor	\$431.60
49	N/A	000-000.2 - Change Order 2	Jason Leshar 10 Hours	Labor	\$388.40
50	N/A	000-000.2 - Change Order 2	Zach Sutherland 10Hours	Labor	\$321.68
51	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
52	N/A	000-000.2 - Change Order 2	Midway 10K Forklift	Equipment	\$250.00
53	N/A	000-000.2 - Change Order 2	Xylem Pump	Equipment	\$282.60
54	N/A	000-000.2 - Change Order 2	R For R Crossover	Equipment	\$51.41
55	N/A	000-000.2 - Change Order 2	Don Engquis 10 Hours	Labor	\$539.50
56	N/A	000-000.2 - Change Order 2	Zach Sutherland 10 Hours	Labor	\$402.10
57	N/A	000-000.2 - Change Order 2	Jason Leshar 10 Hours	Labor	\$485.50
58	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
59	N/A	000-000.2 - Change Order 2	Midway 10K forklift	Equipment	\$250.00
60	N/A	000-000.2 - Change Order 2	Xylem Pump	Equipment	\$282.60
61	N/A	000-000.2 - Change Order 2	R For R Crossover	Equipment	\$51.41
62	N/A	000-000.2 - Change Order 2	Don Engquist 8 Hours	Labor	\$431.60
63	N/A	000-000.2 - Change Order 2	Zach Suntherland 8 Hours	Labor	

64	N/A	000-000.2 - Change Order 2	Jason Leshar 8 Hours	Labor	\$388.40
65	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
66	N/A	000-000.2 - Change Order 2	Xylem pump	Equipment	\$282.60
67	N/A	000-000.2 - Change Order 2	midway 10K forklift	Equipment	\$250.00
68	N/A	000-000.2 - Change Order 2	R For R / Crossover	Equipment	\$51.41
69	N/A	000-000.2 - Change Order 2	Bonds	Other	\$34.00
70	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$34.00
71	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$443.49
72	N/A	000-000.2 - Change Order 2	Don Engquist 10 Hours	Labor	\$539.50
73	N/A	000-000.2 - Change Order 2	Zach Sutherland 10 Hours	Labor	\$402.10
74	N/A	000-000.2 - Change Order 2	Jason Leshar 10 Hours	Labor	\$485.50
75	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
76	N/A	000-000.2 - Change Order 2	Midway 10K Forklift	Equipment	\$250.00
77	N/A	000-000.2 - Change Order 2	Xylem pump	Equipment	\$280.60
78	N/A	000-000.2 - Change Order 2	R For R crossover	Equipment	\$51.41
79	N/A	000-000.2 - Change Order 2	Bonds	Other	\$28.00
80	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$28.00
81	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$360.83
82	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$22.00
83	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$294.54
84	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$25.00
85	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$338.20
86	N/A	000-000.2 - Change Order 2	Bonds	Other	\$25.00
87	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$25.00
88	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$338.20
89	N/A	000-000.2 - Change Order 2	Bonds	Other	\$25.00
90	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$25.00
91	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$338.20
92	N/A	000-000.2 - Change Order 2	Bonds	Other	\$25.00
93	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$25.00
94	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$338.20
95	N/A	000-000.3 - Change Order 3	Bonds	Other	\$25.00
96	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$25.00
97	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$337.00
98	N/A	000-000.2 - Change Order 2	Bonds	Other	\$29.00
99	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$29.00
100	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$372.92
101	N/A	000-000.2 - Change Order 2	Don Engquist 10 Hours	Labor	\$539.50
102	N/A	000-000.2 - Change Order 2	Jason Leshar 10 Hours	Labor	\$485.50
103	N/A	000-000.2 - Change Order 2	Zach Sutherland	Labor	\$402.10
104	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
105	N/A	000-000.2 - Change Order 2	Midway 10K forklift	Equipment	\$250.00
106	N/A	000-000.2 - Change Order 2	Xylem pump	Equipment	\$282.60

107	N/A	000-000.2 - Change Order 2	R For R / Crossover	Equipment	\$51.41
108	N/A	000-000.2 - Change Order 2	Bonds	Other	\$29.00
109	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$29.00
110	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$381.00
111	N/A	000-000.2 - Change Order 2	Bonds	Other	\$29.00
112	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$29.00
113	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$381.47
114	N/A	000-000.2 - Change Order 2	Don Engquist 6 Hours	Labor	\$323.70
115	N/A	000-000.2 - Change Order 2	Jason Leshar 6 Hours	Labor	\$291.30
116	N/A	000-000.2 - Change Order 2	Zach Sutherland 6 Hours	Labor	\$241.26
117	N/A	000-000.2 - Change Order 2	Trucks 325 and 362	Equipment	\$288.00
118	N/A	000-000.2 - Change Order 2	Xylem pump	Equipment	\$282.60
119	N/A	000-000.2 - Change Order 2	Midway 10K forklift	Equipment	\$250.00
120	N/A	000-000.2 - Change Order 2	R For R crossover	Equipment	\$51.41
121	N/A	000-000.2 - Change Order 2	Bonds	Other	\$22.00
122	N/A	000-000.2 - Change Order 2	1% GRT	Other	\$22.00
123	N/A	000-000.2 - Change Order 2	15% P & O	Other	\$293.89
<b>Subtotal:</b>					<b>\$30,344.76</b>
<b>Grand Total:</b>					<b>\$30,344.76</b>

Doug Whitney (KLJ)  
 2611 Gabel Rd.  
 Billings Montana 59102

KLJ  
 2611 Gabel Rd.  
 Billings Montana 59102

Strategic Construction Solutions  
 4700 E. Southern Ave  
 Mesa Arizona 85206

SIGNATURE

DATE

SIGNATURE

DATE

SIGNATURE



**Item Attachment Documents:**

3. Resolution - Resolution Approving Change Order No. 4 To The Contract For The City Of Laurel's WWTP Sludge Dewatering Facilities And Authorizing The Mayor To Sign All Change Order Documents On The City's Behalf.

**RESOLUTION NO. R19-\_\_**

**RESOLUTION APPROVING CHANGE ORDER NO. 4 TO THE CONTRACT FOR THE CITY OF LAUREL'S WWTP SLUDGE DEWATERING FACILITIES AND AUTHORIZING THE MAYOR TO SIGN ALL CHANGE ORDER DOCUMENTS ON THE CITY'S BEHALF.**

WHEREAS, the City of Laurel planned and publicly advertised the project known as the WWTP Sludge Dewatering Facilities Project, and the City awarded the project to Strategic Construction Solutions; and

WHEREAS, the above-project has had a number of unanticipated events occur which required the contractor to perform additional work, including the installation of new equipment which was not included as part of the scope of the original project; and

WHEREAS, the attached Change Order Documents, including Change Order No. 4, provides a detailed description of the unanticipated events that have increased both the contract price and the number of days the contractor needs to complete the project; and

WHEREAS, the City's Engineers, KLJ, prepared the attached Change Order No. 4 and has determined the additional work and equipment requires an extension of the contract term and cost which are both necessary, reasonable, and in the City's best interest.

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby approves the attached Change Order No. 4 and authorizes the Mayor to execute it and all necessary documents on the City's behalf.

BE IT FUTHER RESOLVED the City Council authorizes both the increased cost and term of the contract as detailed and provided in the attached Change Order No.4.

Introduced at a regular meeting of the City Council on \_\_\_\_\_, 2019, by Council Member \_\_\_\_\_.

PASSED and APPROVED by the City Council of the City of Laurel this \_\_\_ day of \_\_\_\_\_, 2019

APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_ 2019.

CITY OF LAUREL

\_\_\_\_\_  
Thomas C. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Bethany Langve, Clerk-Treasurer, Clerk-Treasurer

Approved as to form:

\_\_\_\_\_  
Sam Painter, Civil City Attorney

# Change Order

No. 4

Date of Issuance: June 24, 2019 Effective Date: \_\_\_\_\_

Project: WWTP Sludge Dewatering Facilities	Owner: City of Laurel	Owner's Contract No.: N/A
Contract: Base Bid Lump Sum Price		Date of Contract: 11/16/2018
Contractor: Strategic Construction Solutions		Engineer's Project No.: 1804-00120


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

Description:  
This Change Order is for approved of 1) transfer pump pressure sensor as per Work Directive No. 4, for \$1200.00 and zero days added to the contract time; 2) the payment for an additional 34 man-hours of steel repairs beyond the hours included in the base bid, for \$2,050.36 and one (1) day added to the contact time; and 3) additional compensation under Change Order No. 1 as negotiated at the meeting on June 14, 2019 between the Owner, Contractor and Engineer, for an additional \$42,803.44 and 9 days added to the contact time. The total compensation under this Change Order is \$46,053.80 and ten (10) calendar days added to the contact time.

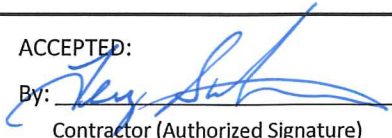
**Attachments (list documents supporting change):**

Work Change Directive No. 4, SCS Claim #006, SCS revised Claim #001, and Change Order No 1.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price:  \$ <u>1,575,000.00</u>	Original Contract Times: <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days Substantial (Dewatering) completion (days): <u>150 (45)</u> Ready for final payment (days): <u>30 (N/A)</u>
Increase from previously approved Change Orders No. <u>0</u> to No. <u>3</u> :  \$ <u>68,275.91</u>	Increase from previously approved Change Orders No. <u>0</u> to No. <u>3</u> :  Substantial (Dewatering) completion (days): <u>53 (62)</u> Ready for final payment (days): <u>0 (N/A)</u>
Contract Price prior to this Change Order:  \$ <u>1,643,275.91</u>	Contract Times prior to this Change Order: Substantial (Dewatering) completion (days): <u>203 (107)</u> Ready for final payment (days): <u>30 (N/A)</u>
Increase of this Change Order:  \$ <u>46,053.80</u>	Increase of this Change Order: Substantial (Dewatering) completion (days): <u>10 (10)</u> Ready for final payment (days): <u>0 (N/A)</u>
Contract Price incorporating this Change Order:  \$ <u>1,689,329.71</u>	Contract Times with all approved Change Orders: Substantial (Dewatering) completion (days): <u>213 (117)</u> Ready for final payment (days): <u>30 (N/A)</u>

RECOMMENDED:  
 By:   
 Engineer (Authorized Signature)  
 Date: 6/25/19

ACCEPTED:  
 By: \_\_\_\_\_  
 Owner (Authorized Signature)  
 Date: \_\_\_\_\_

ACCEPTED:  
 By:   
 Contractor (Authorized Signature)  
 Date: 6-25-2019

June 24, 2019

Tim Reiter  
Utility Plants Superintendent  
City of Laurel  
PO Box 10  
Laurel, MT 59044

Re: WWTP Sludge Dewatering Facilities - Change Order 4, Recommendation

Dear Tim:

Change Order No. 4 is a three-part change order. The first part of this Change Order covers the pressure sensor to be installed on the discharge of the first sludge transfer pump and directed by Work Directive No. 4. The second part of this Change Order is the compensation for the hours needed to complete the steel repair work in digester A, above the hours included as per specifications. The third part of the Change Order is for the negotiated compensation for the disputed portion of Change Order No 1. The Owner, Contractor and Engineer discussed and came to an agreement at a meeting on June 14, 2019.

Part 1) KLJ has reviewed the information submitted by the Contractor to supply and install the transfer pump pressure sensor. Based on this review, we recommend a Contract Price increase of \$1,200.00 and a zero day increase in the Contract Time. This cost increase includes the sensor and installation.

Part 2) KLJ has reviewed the information submitted by the Contractor for the additional 34 man-hours needed for the steel repair work in digester A, which was above and beyond the hours included in Section 01150 of the Contract Documents. Based on this review, we recommend a Contract Price increase of \$2,050.36 and a one (1) day increase in the Contract Time.

Part 3) Change Order No. 1 addressed for the undisputed compensation for extra pumping efforts to remove sludge from digester B. During the meeting between the Owner, Contractor and Engineer on June 14, 2019, the disputed portion of the claim was negotiated, and a final agreement was reached by all parties. The Contractor reduced their total claim amount as agreed to and submitted a revised claim. Based on this revised claim, KLJ recommends a Contract Price increase of \$42,803.44 and nine (9) day increase in the Contract Time. This cost and time increase brings the total effort for the extra pumping in digester B to \$68,976.48 and 18 days. Change Order No. 1, already provided an increase of \$26,173.04 and nine additional days.

The total combined impact of these recommended changes is a Contract Price increase of \$46,053.80 and a Contract Time increase of ten (10) calendar days. All of the above include the Contractor's labor and equipment costs, allowable make-ups, overhead, and Gross Receipt Tax.

2611 Gabel Road  
Billings, MT 59102-7329  
406 245 5499  
KLJENG.COM



Please review the attached Change Order No 4 for the WWTP Sludge Dewatering Facilities project. Feel free to contact us if you have any questions.

Sincerely,

KLJ

A handwritten signature in blue ink, appearing to read 'Douglas C. Whitney', is written over the typed name.

Douglas C. Whitney, PE  
Project Engineer

Enclosure(s): Change Order 4 & Attachments  
Project #: 1804-00120  
cc: Terry Sutherland, File

# Work Change Directive

No. 4

Date of Issuance: 5/14/2019

Effective Date: 5/14/2019

Project: WWTP Sludge Dewatering Facility	Owner: Laurel, MT	Owner's Contract No.: N/A
Contract: Base Bid Lump Sum Project		Date of Contract: 11/16/18 (Effective Date)
Contractor: Strategic Construction Solutions		Engineer's Project No.: 1804-00120

**Contractor is directed to proceed promptly with the following change(s):**

Item No. 1	Contractor is to provide and install one pressure sensor for the sludge transfer pump based on actual cost with allowable markups.

**Attachments (list documents supporting change):**

None



**Purpose for Work Change Directive:**

Authorization for Work described herein to proceed on the basis of Cost of the Work due to:

- Non-agreement on pricing of proposed change.
- Necessity to expedite Work described herein prior to agreeing to changes on Contract Price and Contract Time.

**Estimated change in Contract Price and Contract Times:**

Contract Price \$1,200.00 (increase/decrease)    Contract Time 0 Day (increase/decrease)

Recommended for Approval by Engineer: 	Date: <u>5/14/19</u>
Authorized for Owner by: 	Date: <u>5/14/19</u>
Received for Contractor by:	Date:

SCS  
 4700 E Southern Ave  
 Mesa, Arizona 85206  
 Phone: (480) 586-2400

 Project: SCS18002715 - SCS - Laurel WWTP Sludge Dewatering  
 Facilities  
 1599 Sewer Plant Rd.  
 Laurel, Montana 59044

**DRAFT**
**Prime Contract Potential Change Order #006: CE #21 - Primary digester repairs**

TO:	KLJ 2611 Gabel Rd. Billings Montana, 59102	FROM:	Strategic Construction Solutions 4700 E. Southern Ave Mesa Arizona, 85206
PCO NUMBER/REVISION:	006 / 0	CONTRACT:	1 - SCS - Laurel WWTP Sludge Dewatering Facilities Prime Contract
REQUEST RECEIVED FROM:		CREATED BY:	Terry Sutherland (SCS)
STATUS:	Draft	CREATED DATE:	6/13/2019
REFERENCE:		PRIME CONTRACT CHANGE ORDER:	None
FIELD CHANGE:	No		
LOCATION:		ACCOUNTING METHOD:	Amount Based
SCHEDULE IMPACT:	1 days	PAID IN FULL:	No
		TOTAL AMOUNT:	\$2,050.36

POTENTIAL CHANGE ORDER TITLE: CE #21 - Primary digester repairs

CHANGE REASON: Client Request

 POTENTIAL CHANGE ORDER DESCRIPTION: *(The Contract Is Changed As Follows)*

CE #21 - Primary digester repairs

Primary digester repairs to include the following as directed by Doug Whitney of KLJ:

1. Weld in plate steel in four locations along the southern portion where 1/4 of more of the structural integrity has been compromised to provide support for the concrete.
2. On upper level repair the hole in the verticle pipe, southern side.
3. NW methane box, fix or replace the rusted nipple, approximately 2" to 3" long.
4. NE methane box, fix or replace the rusted nipple, approximately 2" to 3" long.
5. NE methane box, fix leak-water jacket pin hole leak.
6. On lower level repair hole in pipe, southern side.
7. Repair support for the 6" pipe.

This represents the additional hours required for repairs above the 20 hours directed by the specification section 01150 Part C 5 a.

**ATTACHMENTS:**
[DSCN2391.jpg](#) [\\_Digester A Repairs List.pdf](#)

#	SubJob	Cost Code	Description	Type	Amount
1	N/A	170-170.1 - Steel Repair	Chris Whitman 14 hours	Labor	\$734.72
2	N/A	170-170.1 - Steel Repair	Josh Hager 10 Hours	Labor	\$402.10
3	N/A	170-170.1 - Steel Repair	Connor Hager 10 hours	Labor	\$402.10
4	N/A	170-170.1 - Steel Repair	Truck 325	Equipment	\$144.00
5	N/A	170-170.1 - Steel Repair	Welder	Equipment	\$100.00
6	N/A	170-170.1 - Steel Repair	15% Profit and Overhead	Other	\$267.44
<b>Subtotal:</b>					<b>\$2,050.36</b>
<b>Grand Total:</b>					<b>\$2,050.36</b>



SCS  
 4700 E Southern Ave  
 Mesa, Arizona 85206  
 Phone: (480) 586-2400

Project: SCS18002715 - SCS - Laurel WWTP Sludge Dewatering  
 Facilities  
 1599 Sewer Plant Rd.  
 Laurel, Montana 59044

## Prime Contract Potential Change Order #001: CE #01 - Change Order #1 - Sludge Removal

TO:	KLJ 2611 Gabel Rd. Billings Montana, 59102	FROM:	Strategic Construction Solutions 4700 E. Southern Ave Mesa Arizona, 85206
PCO NUMBER/REVISION:	001 / 0	CONTRACT:	1 - SCS - Laurel WWTP Sludge Dewatering Facilities Prime Contract
REQUEST RECEIVED FROM:		CREATED BY:	Wendi DeLaCruz (SCS)
STATUS:	Pending - In Review	CREATED DATE:	2/28/2019
REFERENCE:		PRIME CONTRACT CHANGE ORDER:	None
FIELD CHANGE:	No		
LOCATION:		ACCOUNTING METHOD:	Amount Based
SCHEDULE IMPACT:	22 days	PAID IN FULL:	No
		TOTAL AMOUNT:	\$68,976.48

POTENTIAL CHANGE ORDER TITLE: CE #01 - Change Order #1 - Sludge Removal

CHANGE REASON: Client Request

POTENTIAL CHANGE ORDER DESCRIPTION: *(The Contract Is Changed As Follows)*

**CE #01 - Change Order #1 - Sludge Removal**

As of February 4th, city's pump would no longer pump the sludge due to the thickness of sludge. SCS crews had to bring in a vac truck to remove the sludge that was the owners responsibility to pump. The level of the sludge in the tank was approximately 9' above the top of the cone. In addition to the associated costs we request an additional 22 days of contract time to both the dewatering and cleaning and total contract times.

The 4 day deduction from the original revision includes:

- Labor reduction of \$4,288.28
- SCS truck reduction of \$545.42
- SCS profit & overhead reduction of \$614.53

**ATTACHMENTS:**

#	SubJob	Cost Code	Description	Type	Amount
1	N/A	160.1 - Sludge Dewatering	SCS Labor	Labor	\$19,297.27
2	N/A	160.1 - Sludge Dewatering	United Rentals - Forklift	Equipment	\$1,797.98
3	N/A	160.1 - Sludge Dewatering	Badger- Vac Truck	Commitment	\$29,742.84
4	N/A	160.1 - Sludge Dewatering	Materials	Materials	\$5,005.00
5	N/A	160.1 - Sludge Dewatering	Trucks	Equipment	\$2,454.58
6	N/A	160.1 - Sludge Dewatering	Office Trailer/Backflow Rental	Other	\$945.00
7	N/A	160.1 - Sludge Dewatering	1% GRT	Other	\$736.88
8	N/A	160.1 - Sludge Dewatering	SCS 15% Profit and Overhead	Other	\$8,996.93
<b>Subtotal:</b>					<b>\$68,976.48</b>
<b>Grand Total:</b>					<b>\$68,976.48</b>



# Change Order

No. 1

Date of Issuance: April 29, 2019

Effective Date: \_\_\_\_\_

Project: WWTP Sludge Dewatering Facilities	Owner: City of Laurel	Owner's Contract No.: N/A
Contract: Base Bid Lump Sum Price		Date of Contract: 11/16/2018
Contractor: Strategic Construction Solutions		Engineer's Project No.: 1804-00120

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

**Description:**

This Change Order is to address the additional pumping required in Digester B, to lower the existing sludge to the top of the cone after the City's pumps stopped working. Change Order 1 address the work performed between February 4<sup>th</sup> and 12<sup>th</sup> as stated in the Engineer's Recommendation to the City of Laurel (March 25, 2019) and agreed upon by Strategic Construction Solutions. Additional contract price and contract time requested by Strategic Construction Solutions regarding this change in condition and not addressed in this Change Order will remain open to discussion, and potential reconciliation. As part of this Change Order an additional 9 days will be added to the 45 days of allocated time for dewatering. These days will not affect the Contract Time for Substantial completion.

**Attachments (list documents supporting change):**

Engineers Recommendation Letter & Attachments – 3/25/19 (3 pages), Proposed Change Order prepared by SCS - 2/28/19 (1 page)

**CHANGE IN CONTRACT PRICE:**

**CHANGE IN CONTRACT TIMES:**

Original Contract Price:

\$ 1,575,000.00

Dewatering Contract Times:  Working days  Calendar days

Dewatering completion (days): 45

Ready for final payment (days): N/A

Increase from previously approved Change Orders No. 0 to No. 0:

\$ 0.00

Increase from previously approved Change Orders No. 0 to No. 0:

Dewatering completion (days): 0

Ready for final payment (days): N/A

Contract Price prior to this Change Order:

\$ 1,575,000.00

Contract Times for Dewatering prior to this Change Order:

Dewatering completion (days): 45

Ready for final payment (days): N/A

Increase of this Change Order:

\$ 26,173.04

Increase of this Change Order:

Dewatering completion (days): 9

Ready for final payment (days): N/A

Contract Price incorporating this Change Order:

\$ 1,601,173.04

Contract Times with all approved Change Orders:

Dewatering completion (days): 54

Ready for final payment (days): N/A

**RECOMMENDED:**

By: [Signature]  
Engineer (Authorized Signature)

Date: 4/29/19

**ACCEPTED:**

By: [Signature]  
Owner (Authorized Signature)

Date: 5/21/2019

**ACCEPTED:**

By: [Signature]  
Contractor (Authorized Signature)

Date: 4-19-29

**Item Attachment Documents:**

5. Review Draft Council Agenda July 16, 2019.



**AGENDA  
CITY OF LAUREL  
CITY COUNCIL MEETING  
TUESDAY, JULY 16, 2019  
6:30 PM  
COUNCIL CHAMBERS**

NEXT RES. NO.  
R18-XX

NEXT ORD. NO.  
O18-XX

**WELCOME . . .** By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified times for citizen comments on its agenda -- once following the Consent Agenda, at which time citizens may address the Council concerning any brief community announcement not to exceed one minute in duration for any speaker; and again following Items Removed from the Consent Agenda, at which time citizens may address the Council on any matter of City business that is not on tonight's agenda. Each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. Citizens may also comment on any item removed from the consent agenda prior to council action, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. If a citizen would like to comment on an agenda item, we ask that you wait until the agenda item is presented to the Council by the Mayor and the public is asked to comment by the Mayor. Once again, each speaker is limited to three minutes.

Any person who has any question concerning any agenda item may call the City Clerk-Treasurer's office to make an inquiry concerning the nature of the item described on the agenda. Your City government welcomes your interest and hopes you will attend the Laurel City Council meetings often.

### **Pledge of Allegiance**

### **Roll Call of the Council**

### **Approval of Minutes**

1. Approval of Minutes of July 2, 2019.

### **Correspondence**

2. Steve Solberg's resignation letter from the LURA Advisory Board.

### **Council Disclosure of Ex Parte Communications**

### **Public Hearing**

### **Consent Items**

#### **NOTICE TO THE PUBLIC**

*The Consent Calendar adopting the printed Recommended Council Action will be enacted with one vote. **The Mayor will first ask the Council members if any Council member wishes to remove any item from the Consent Calendar for discussion and consideration.** The matters removed from the Consent Calendar will be considered individually at the end of this Agenda under "Items Removed from the Consent Calendar." (See Section 12.) The entire Consent Calendar, with the exception of items removed to be discussed under "Items Removed from the Consent Calendar," is then voted upon by roll call under one motion.*

3. Claims for the month of July 2019.
4. Clerk/Treasurer Financial Statements for the month of June 2019.
5. Approval of Payroll Register for PPE 6/30/2019 totaling \$210,531.14.
6. Receiving to Committee/Board Minutes into the Record.
  - Budget/Finance Committee minutes of July 2, 2019.
  - Council Workshop minutes of July 9, 2019.
  - Library Board minutes of May 14, 2019.
  - LURA minutes of June 17, 2019.

### **Ceremonial Calendar**

## **Reports of Boards and Commissions**

### **Audience Participation (Three-Minute Limit)**

*Citizens may address the Council regarding any item of City business that is not on tonight's agenda. Comments regarding tonight's agenda items will be accepted under Scheduled Matters. The duration for an individual speaking under Audience Participation is limited to three minutes. While all comments are welcome, the Council will not take action on any item not on the agenda.*

### **Scheduled Matters**

7. Ordinance - An Ordinance Amending Title 2, Chapters 2.10.030 And 2.10.040 Of The Laurel Municipal Code For The Purpose Of Changing The Regular Meeting Day Of The City Council.
8. Resolution - Resolution Approving Change Order No. 3 To The Contract For The City Of Laurel's WWTP Sludge Dewatering Facilities And Authorizing The Mayor To Sign All Change Order Documents On The City's Behalf.
9. Resolution - Resolution Approving Change Order No. 4 To The Contract For The City Of Laurel's WWTP Sludge Dewatering Facilities And Authorizing The Mayor To Sign All Change Order Documents On The City's Behalf.

### **Items Removed From the Consent Agenda**

#### **Community Announcements (One-Minute Limit)**

*This portion of the meeting is to provide an opportunity for citizens to address the Council regarding community announcements. The duration for an individual speaking under Community Announcements is limited to one minute. While all comments are welcome, the Council will not take action on any item not on the agenda.*

#### **Council Discussion**

*Council members may give the City Council a brief report regarding committees or groups in which they are involved.*

#### **Mayor Updates**

#### **Unscheduled Matters**

#### **Adjournment**

**The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 2, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.**

### **DATES TO REMEMBER**