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| Date of Issuance: <b>January 25, 2023</b>                            | Effective Date: <b>January 25, 2023</b>                                    |
| Owner: <b>Town of Middlebury, Vermont</b>                            | Owner's Contract No.:  |
| Contractor: <b>Champlain Construction, Inc.</b>                      | Contractor's Project No.:  |
| Engineer: <b>Otter Creek Engineering, Inc.</b>                       | Engineer's Project No.: <b>001.057 C9</b>                                  |
| Project: <b>Halladay Road Wastewater Pump Station Rehabilitation</b> | Contract Name: <b>Halladay Road Wastewater Pump Station Rehabilitation</b> |

The Contract is modified as follows upon execution of this Change Order:  
Description: **Add Generator and Automatic Transfer Switch to the Contract (20 week lead time) for \$30,447.00 and \$2,553.00 markup.**

Attachments: *Champlain Construction email quote from Powers Guaranteed Services (Generator Supplier)*  
(Updated Schedule required for any change in Contract Time)

| CHANGE IN CONTRACT PRICE  | CHANGE IN CONTRACT TIMES<br>[note changes in Milestones if applicable]  |
|---|---|
| Original Contract Price:<br><br>\$ <u>710,291.75</u>  | Original Contract Times:<br>Substantial Completion: <u>April 25, 2023</u><br>Ready for Final Payment: <u>May 25, 2023</u><br>days or dates  |
| [Increase] [Decrease] from previously approved Change Orders No. <u>0</u> to No. <u>1</u> :<br><br>\$ <u>0.00</u> | [Increase] [Decrease] from previously approved Change Orders No. <u>0</u> to No. <u>1</u> :<br>Substantial Completion: <u>159</u><br>Ready for Final Payment: <u>159</u><br>days or dates |
| Contract Price prior to this Change Order:<br><br>\$ <u>710,291.75</u>  | Contract Times prior to this Change Order:<br>Substantial Completion: <u>October 1, 2023</u><br>Ready for Final Payment: <u>October 31, 2023</u><br>days or dates                         |
| [Increase] [Decrease] of this Change Order:<br><br>\$ <u>33,000.00</u>  | [Increase] [Decrease] of this Change Order:<br>Substantial Completion: <u>0</u><br>Ready for Final Payment: <u>0</u><br>days or dates   |
| Contract Price incorporating this Change Order:<br><br>\$ <u>743,291.75</u>                                       | Contract Times with all approved Change Orders:<br>Substantial Completion: <u>October 1, 2023</u><br>Ready for Final Payment: <u>October 31, 2023</u><br>days or dates                    |

|   |  |  |
|---|--|--|
| RECOMMENDED:  | ACCEPTED:  | ACCEPTED:  |
| By:  By: _____ | By: _____  | By: _____  |
| <b>Otter Creek Engineering, Inc.</b><br>Engineer  | <b>Town of Middlebury, Vermont</b><br>Owner (Authorized Signature) | <b>Champlain Construction Company, Inc.</b><br>Contractor (Authorized Signature) |
| Title: <u>Senior Project Engineer</u> Title: _____  | Title: _____   | Title: _____   |
| Date: <u>1/25/23</u> Date: _____  | Date: _____  | Date: _____  |
| Approved by Funding Agency (if applicable)  |  |  |
| By: _____   | Date: _____  |  |
| Title: _____  |  |  |

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# Equipment Proposal

Date of Estimate 1/5/2023

Mailing: P.O. Box 10005, Swanzey NH 03446

800-853-7202 • Fax: 603-352-9339 • Sales@PowersGuaranteed.com

|   |  |  |  |
|---|--|--|--|
| Company Name: Champlain Construction  |  | Attention : Niall Buxton                                     |  |
| Billing Address: 1050 Route 7 South<br>Middlebury, VT 05753   |  | Delivery Address: 1050 Route 7 South<br>Middlebury, VT 05753 |  |
| <b>*Upon Acceptance of this proposal, please provide us with the end users contact information for our service database.*</b> |  |  |  |
| End users Name:   |  |  |  |
| Mailing address (if different from Delivery Address):   |  |  |  |
| Phone Number  |  | Email Address:   |  |

We propose to furnish:

(1) Kohler KG60 Generator, 60kW, 75kVA, 277/480 Volt, Three Phase, 91amps, 60 Hz, Natural Gas Fueled, Open Enclosure, One Year Standard Warranty, Estimated Leadtime - 34 Weeks, ARO

**\*\*Unless explicitly reference herein proposal excludes all other services or features. The proposal consists of an open unit for indoor installation.\*\***

(1) ASCO 300 series, Automatic Open Transition Transfer Switch, 104 amps, Three Phase, 277/480V, 4 wire, 60Hz, Solid [A], 1(C)-UL Type 1 Enclosure, Two Year Warranty, Estimated Leadtime: 4-6 Weeks, ARO

Proposal includes start up, testing and owner training. No installation included or concrete pad. Proposal includes delivery to jobsite - offloading and setting by others. Equipment leadtime to be determined upon signed proposal. Equipment quoted is special order and is non-refundable and non- cancellable.

This proposal is our interpretation of your requirement and only includes items listed on this quote. If there are other requirements or specification, we will re-quote accordingly.

|   |                     |  |              |
|---|---------------------|--|--------------|
| Equipment Price   | \$ 29,782.00        | <b>DEPOSIT PAID</b>  | \$ 0.00      |
| Warranty Start Up   | \$ 665.00           | <b>BALANCE DUE</b>   | \$ 30,447.00 |
| (All applicable state taxes will be applied to final invoice) |                     | <i>Invoices past 30 days will be charged a monthly interest rate of 1.5%. PGS reserves the right to cancel all contracts upon final engineering review. This quote is valid for 30 days. Due to fluctuating costs associated with materials, PGS reserves the right to review quote at time of order and at time of equipment release. If material costs increase by 2%, PGS reserves the right to update our quote accordingly.</i> |              |
|   |                     |  |              |
| <b>TOTAL</b>  | <b>\$ 30,447.00</b> |  |              |

Additional labor charges (\$75/man/hr) may apply for unforeseen circumstances during offloading and setting of generator

☐ Refer to installation manual for proper installation equipment and materials

☐ I understand that payment in full is due at time of order. No retainage allowed.

All surplus materials are property of Powers Guaranteed Services. In the event of the breach of this contract, bid signee agrees to pay any and all attorney's fees pertaining to litigation of this contract. All jobs will be completed in a timely manner. Powers Guaranteed Services cannot be held responsible for delays caused by bad weather, strikes, supplier shorts, or acts of God. This contract may be terminated at the option of Powers Guaranteed Services for any reason. Client may terminate this agreement up to 7 days prior to scheduled installation date, for a refund of the deposit, less 15%, to cover work already performed. All work to be performed during normal business hours (Monday-Friday from 7:30 a.m. To 5:30 p.m.). Any additional hours may affect the quoted price. Costs associated with Utility Companies are the sole responsibility of the client. DO NOT SIGN THIS AGREEMENT UNTIL COMPLETELY FILLED IN. NO VERBAL AGREEMENTS WILL BE HONORED. CONTRACT GOOD FOR 30 DAYS FROM DATED CONTRACT.

|                            |              |                                 |
|----------------------------|--------------|---------------------------------|
| <b>Customer Signature:</b> | <b>Date:</b> | <b>Sales Rep:</b> Kelsey Harris |
|----------------------------|--------------|---------------------------------|

## Robert L. Harrigan

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**From:** Niall Buxton <niall@champlainconstruction.com>  
**Sent:** Tuesday, January 3, 2023 9:20 AM  
**To:** Robert Clark  
**Subject:** RE: re towns genney

Robert, without getting all formal without a contract, our quote would be for 33000, for genny and switch, with 20 week lead subject to towns approval and availability, niall

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**From:** Robert Clark <Clark@ottercrk.com>  
**Sent:** Tuesday, January 3, 2023 8:34 AM  
**To:** Niall Buxton <niall@champlainconstruction.com>  
**Subject:** RE: re towns genney

Of course. Can you get me a written CO request? I need to know how much I would be adding to the contract and see if they are good with that swap.

Thank you,  
Bob

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**From:** Niall Buxton <[niall@champlainconstruction.com](mailto:niall@champlainconstruction.com)>  
**Sent:** Tuesday, January 3, 2023 8:32 AM  
**To:** Robert Clark <[Clark@ottercrk.com](mailto:Clark@ottercrk.com)>  
**Subject:** RE: re towns genney

Bob, the contract price would increase by the value of the switch and generator, as we didn't carry and we don't know genny/switch pricing/quote to town, so I cannot say if it's a even swap or not, niall

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**From:** Robert Clark <[Clark@ottercrk.com](mailto:Clark@ottercrk.com)>  
**Sent:** Tuesday, January 3, 2023 8:25 AM  
**To:** Niall Buxton <[niall@champlainconstruction.com](mailto:niall@champlainconstruction.com)>  
**Subject:** RE: re towns genney

Any price change or even swap Niall?

Happy new year to you as well!  
Bob

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**From:** Niall Buxton <[niall@champlainconstruction.com](mailto:niall@champlainconstruction.com)>  
**Sent:** Tuesday, January 3, 2023 8:19 AM  
**To:** Robert Clark <[Clark@ottercrk.com](mailto:Clark@ottercrk.com)>  
**Subject:** RE: re towns genney

Bob, we are willing to add to contract, we have a quote with a twenty week leadtime for unit and switch direct to us on a first come first serve basis, let me know how you want me to proceed, happy new year regards niall

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**From:** Robert Clark <[Clark@ottercrk.com](mailto:Clark@ottercrk.com)>  
**Sent:** Thursday, December 29, 2022 11:55 AM

**To:** Niall Buxton <[niall@champlainconstruction.com](mailto:niall@champlainconstruction.com)>

**Subject:** RE: re towns genney

Hi Niall –

Here is the approved submittal. The Town has not placed the purchase order. Belden mentioned to me that they heard from Peck Electric in Middlebury that they might be able to get this generator.

Would you be willing to add it to you contract and purchase it through Peck?

If so, do you mind reaching out to them to see what it would cost and what the lead time would be?

Thank you,  
Bob

Robert M. Clark, P.E.  
Senior Project Engineer  
Otter Creek Engineering, Inc.  
802.382.8522 Ext. 209  
802.989.6347

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**From:** Niall Buxton <[niall@champlainconstruction.com](mailto:niall@champlainconstruction.com)>

**Sent:** Tuesday, December 27, 2022 2:27 PM

**To:** Robert Clark <[Clark@ottercrk.com](mailto:Clark@ottercrk.com)>

**Subject:** re towns genney

Robert can you give me a spec for halliday road genny, as E1 indicates taylor power systems, and I think town wants kohler

Niall Buxton  
Champlain Construction Co., Inc.  
1050 RT 7 S  
Middlebury, VT 05753  
802-771-7121 cell  
802-388-2652 office