CHANGE ORDER FORM
DEP Contract No. SP644

Change Order No.: SP644-022 **Contractor Name:** CDM Constructors, Inc. (CDM)

Contractor Contract Manager: Dean Carter **Phone No:** (407) 660-6423

Description of Change(s) (Attach additional documents if referenced in description below.):

Activity Reference Code[1]	Change(s) authorized by this Change Order	Deliverable(s) and Due Date(s)	DEP Deliverable Review in Work Days	Payment Method	Dollar Value of Change (+ or -)[2]	Change in Payment Basis
C1	Pursuant to paragraph 34.D and the contract provisions for fluctuation liner resin costs, the fixed price for materials and installation of 317,730 sf of 80-mil HDPE liner for the crest roads under Task C1 is increased from $217,282 to $273,708 based on the calculation provisions the fluctuations in the liner resin costs specified in Attachment C, CDM's revised September 3, 2008 submittal, and the Engineer's September 17, 2008 review and recommendation that the liner resin cost calculations are acceptable.	No Change	No Change	No Change	$55,836.00	Yes
C1	Pursuant to paragraph 34.D a lump sum amount of $66,909 is being incorporated under Task C1for installation of 80-mil HDPE liner protective areas in the bottom of the OGS-S and OGS-N reservoir compartments per the Engineer's reservoir closure modification drawings.	Deliverable Change	No Change	No Change	$66,909.00	Yes
C1	Pursuant to paragraph 34.D a lump sum amount of $47,000 is being incorporated under Task C1for modifications of the crest road and liner in the OGS partition and OGS-N east dikes to allow for installation of HDPE overflow structures per the Engineer's reservoir closure modification drawings and CDM's September 19, 2008, revised cost proposal.	Deliverable Change	No Change	No Change	$47,000.00	Yes

Total Increase or Decrease in Project Costs resulting from this Change Order:	$169,745.00
Ceiling Amount of Contract Impacted? (Yes or No)	Yes
Total Impact on Ceiling Amount all Change Orders (SP644-001 to SP644-022) to Date:	$7,671,542.00
Ceiling Adjustments made by Amendments (-- to --) to Date:	$0.00
Current Ceiling Amount Adjustments Needed:	$7,671,542.00

Notes: [1]Activity Reference Code shall conform to the activity code system established in Attachment C. [2]Contractor understands that all funding for DEP Contract SP644 is established by authorized funding increment amounts. This Change Order does not increase or decrease the authorized funding increment amount of the Contract. All changes in authorized funding increment amounts shall be processed by letter or contract amendment as addressed in paragraph 7 of the Contract.

Change(s) in Contract Completion Date Needed as a Result of this Change Order:

Current Contract Completion Date (without renewals):	February 22, 2010
Completion Date of Contract (without renewals) impacted by this Change Order? (Yes or No)	No
Increase or Decrease, in Calendar Days, Needed as a Result of this Change Order:	0
Total Increase/Decrease, in Calendar Days, Needed as a Result of all Change Orders (SP644-001 to SP644-022) to Date:	0
Completion Date Changes (in Calendar Days) Authorized by Amendments (-- to --) to Date:	0
Current Completion Date Changes, in Calendar Days, Needed by Amendment:	0

This Change Order is a modification to the Contract between the Contractor and the Department (DEP), and all contract provisions shall apply unless specifically exempted. The amount and time change designated are the maximum agreed to by both the Department and the Contractor for this change. In consideration of the foregoing adjustments in contract time and contract sum the Contractor hereby releases Department from all claims, demands or causes of action arising out of the transactions, events and occurrences giving rise to this Change Order. This written Change Order is the entire agreement between the Department and Contractor with respect to this Change Order. No other agreements or modifications shall apply to this Change Order unless expressly provided herein.

Approval Required	Signature	Date
Director or Deputy Director, Division of Water Resource Management (Contract Authority, DEP):	Richard W. Cantrell	October 30, 2008
DEP Contract Manager, Bureau of Mine Reclamation:	John R. Coates	10/28/2008
Vice President, CDM Constructors Inc.:		10/23/08

List of Attachments/Exhibits Included with this Change Order:

Specify Type/Reference	Title/Description of Document	Number of Pages
CDM's revised September 3, 2008 submittal	CDM's revised September 3, 2008 submittal requesting liner resin cost adjustment	19
Ardaman's September 17, 2008 recommendation	Ardaman's September 17, 2008 recommendation accepting the liner cost adjustment documentation	2
CDM's September 19, 2008, revised cost proposal	CDM's September 19, 2008, revised cost proposal for modification of the OGS partition and OGS-N east crest road dikes and liner for overflow structures	5
DEP Contract No. SP644, Attachment C	DEP Contract No. SP644, Attachment C revised per Change Order SP644-022	10

cc: Gwenn Godfrey, Procurement Section (MS93)
DEP Contracts Disbursements Section (MS78) - 2 Copies

ATTACHMENT C
PAYMENT AND DELIVERABLE SCHEDULE

	DESCRIPTION	Fixed-Price	Lump Sum Unit Rate	APPROVAL PERIOD [5]	DELIVERABLES	PAYMENT BASIS [8]
A. OPERATION AND MAINTENANCE						
OPERATION AND MAINTENANCE, Years 1-2		$6,552,794	NA		Operation and Maintenance activities are to be reported in the "Piney Point Operation and Maintenance Status Report" (Monthly Status Report) to be submitted with the monthly Operation and Maintenance Invoices. The format for the Monthly Status Report shall provide sufficient detail and summary information for the Department Contract Manager to determine the extent to which contract requirements are being met. The specific format will be mutually agreed upon by the Contractor and the Department.	Monthly invoice line items shall be provided as follows: 1. During the first contract month only for Operation & Maintenance (O&M), an invoice line item shall include the price for "O&M Activities and Mobilization" based on the agreed upon lump sum allocation of $ 375,000. 2. During the second month, and on a monthly basis thereafter, the lump sum O&M amounts shall be invoiced as "Site Operation & Maintenance Activities" based on the agreed upon O&M Monthly Lump Sum Allocation Values shown below for this Scope of Services. The invoice line item should reference the corresponding year and month for services. O&M Monthly Lump Sum Allocation Values, not to exceed: - Contract Year 1, Months 2-12 shall be $ 268,600 / month - Contract Year 2, Months 1-12 shall be $ 268,600 / month - Contract Year 3, Months 1-12 shall be $ 149,950 / month - Contract Year 4, Months 1-12 shall be $ 100,000 / month - Contract Year 5, Months 1-12 shall be $ 79,939 / month Retainage: None, unless otherwise specified in Change Order after contract execution. 3. Per Change Order SP644-007, a one-time lump sum amount of $ 16,884 may be added to an O&M monthly invoice to reimburse agreed upon costs for the unexpected cleanup of oil contaminated water and soil materials following leakage of oil from the abandoned ball mill lube oil tank that was located in the vicinity of the process water pumps in the phosphoric acid plant on July 25, 2005.
OPERATION AND MAINTENANCE, Years 3-5 [12]		$3,956,751	NA			
A1	Site Operation and Maintenance (Including Process Water and Runoff Management, Inspections, Site Security, Mowing, Repairs, and Post-Closure Care & Maintenance)				Activity to be included on the Monthly Status Report.	
A2	Utilities (Power, excluding power used in process water consumption, Water, Domestic Wastewater, Refuse Collection, etc.)				Include KWH consumption in the Monthly Status Report.	
A3	Safety Training and Safety Compliance				1. Incident Reports to be included in the Monthly Status Report and verbal notifications provided to DEP Contract Manager as needed. 2. A copy of an Employee Training Log shall be provided monthly showing the required training for employees performing services under this contract, and either the planned or actual dates of corresponding employee training.	
A4	Groundwater Monitoring Plan Implementation				Reporting according to Discharge Monitoring Reports (DMRs) per Administrative Agreement, National Pollutant Discharge Elimination System (NPDES) permit, or other Department issued orders as may be effective, issued, or amended during contract period for the subject site/facilities.	
A5	Surface Water Monitoring Plan Implementation				Reporting according to DMRs per Administrative Agreement, NPDES permit, or other Department issued orders as may be effective, issued, or amended during contract period for the subject site/facilities.	
A6	Project Coordination, Direction & Reporting				Include activity summary information in the Monthly Status Report including Monthly Site Meeting minutes between DEP contract manager, Receiver, Engineer, and Contractor's team.	
A7	Liability Insurance Coverage (Including Pollution Liability)				Copy of effective Insurance Policy showing policy type, coverage limits, and policy term.	
	July 25, 2005 Ball Mill Lube Oil Leak and Cleanup	$16,884			Copy of related invoices, and identification of costs for personnel and equipment used to contain and cleanup the July 25, 2005 Ball Mill Lube Oil Tank Leak.	
	February 7, 2006 OGS-S Subgrade and Liner Repair	$1,660			Copy of related invoices, and identification of costs for personnel and equipment used to repair the subgrade and liner on February 7, 2006, as submitted for Change Order SP644-016.	
	October 2006 maintenance and liner repair work needed to support temporary piezometer installation through the OGS-S lined ditch.	$1,784			Copy of related invoices, and identification of costs for personnel and equipment used to support temporary piezoemter installation and repair of the liner following removal on October 3-4, 2006, as submitted for Change Order SP644-017.	
	Additional NCP Storage Capacity for lime treatment sludge disposal, to be constructed in accordance with the Engineer's drawings and specifications.	$258,700			Copy of invoices for completed subcontract maintenance work needed for partial payments, as specified by Change Order SP644-018.	

Task A, Total Lump Sum: **$10,788,573**

	DESCRIPTION	Fixed-Price	Lump Sum Unit Rate	APPROVAL PERIOD [5]	DELIVERABLES	PAYMENT BASIS [8]
B. PROCESS WATER CONSUMPTION						
B1	Years 1-2, Up to 712.5 MGal Consumption [10], [13] Years 3-5, Greater than 712.5 MGal Consumption up to 950 MGal Consumption Water consumption shall continue under contract terms for process water consumption; however, volumes greater than 950 MGal are not billable beyond the lump sum amount, except as specified for Tasks B2 and B3. At the end of Years 1-2 from the effective start date for this task, any remaining lump sum balance of the Years 1-2 fixed-price, if any, will be paid upon satisfactory completion of Years 1-2 process water consumption tasks as outlined in this contract. At the end of Years 3-5 from the effective start date for this task, any remaining lump sum balance of the Years 3-5 fixed-price, if any, will be paid upon satisfactory completion of Years 3-5 process water consumption tasks as outlined in this contract.	$ 6,878,414 $ 2,021,268 $ 0.00	$ 10.70 / 1,000 gal. $ 8.51 / 1,000 gal. $ 0.00 / 1,000 gal.		Weekly Water Report spreadsheet including, but not limited to: - daily rainfall, pond water levels, and water volumes for each consumption method (i.e., Double-lime, RO, Spray Evaporation, or Spray Irrigation), - daily measured ammonia nitrogen and estimated total nitrogen concentrations at Outfall 003, - calculated daily total discharge load in lbs. for total nitrogen and ammonia nitrogen at Outfall 003, and - the total discharge volume at Outfall 003, the 15-day rolling average and 30-day rolling average ammonia nitrogen and total nitrogen load (in lbs.) at Outfall 003. The Weekly Water Report shall reflect the weekly period from Tuesday - Monday of a given week and be submitted to the Department within 48 hours of the end of the weekly period. The content and format for the Weekly Water Report shall be as agreed upon by the Department Contract Manager.	Monthly Invoice line items shall be provided as follows: 1. Each monthly invoice shall specify the total water consumption for each day in the period based on: - measured water consumption volumes (by final disposal / discharge method) for double lime, RO permeate, and/or spray irrigation discharges in accordance with Note [1], and - spray evaporation consumption based on the reported Operation Factor for the period, and the agreed upon monthly adjusted baseline evaporative loss design rates in Note [2], corresponding to each Department approved spray evaporation system. Retainage: None, unless otherwise specified in Change Order after contract execution.
	Spray Evaporation Consumption Adjustment	See B1	See B1			2. An additional invoice line item shall be added to reflect any invoiced amount or credit to be applied for an anticipated semi-annual "Spray Evaporation Consumption Adjustment" that will be determined based on semi-annual water balance modeling results provided by the Engineer. The water balance modeling results, or an alternative method proposed by the Engineer where mutually agreed upon, will be used to determine the spray evaporation consumption taking into consideration the measured or estimated water inputs/outputs and changes in water inventory.
B1a	Additional Allowance of up to 90 MGal Consumption, at a lump sum rate of $8.51/1000 gallons		$ 8.51 / 1,000 gal.			2.a An additional invoice line item shall be added to reflect any invoiced amount for additional consumption and costs greater than provided for under Task B1 above. This invoice line item shall reflect, "Additional Process Water Consumption." Such additional process water consumption shall be monitored and reported under the same deliverable requirements as specified for Task B1.
B2	Year 1, Additional 10.6 MGal / inch rainfall above 55 inches Year 2, Additional 7.1 MGal / inch rainfall above 55 inches ~~Year 3, Additional 4.1 MGal / inch rainfall above 55 inches~~ [16]	NA	$ 12.40 / 1,000 gal. $ 13.02 / 1,000 gal. ~~$ 14.66 / 1,000 gal.~~			3. Pursuant to the Contract terms, an additional invoice line item shall be added at the end of Years 1, 2, and 3 to reflect any additional "Contract Allowance for Rainfall greater than 55 inches/year."
B3	Year 1, Debited 10.6 MGal / inch rainfall less than 50 inches Year 2, Debited 7.1 MGal / inch rainfall less than 50 inches ~~Year 3, Debited 4.1 MGal / inch rainfall less than 50 inches~~ [16]	NA	$ 5.63 / 1,000 gal. $ 5.63 / 1,000 gal. ~~$ 1.66 / 1,000 gal.~~			4. Pursuant to the Contract terms, an additional invoice line item shall be added at the end of Years 1, 2, and 3 to reflect any "Contract Deduction for Rainfall less than 50 inches/year."
B4	Years 1-2, Allowance for variation in drainable pore water volume and rate	$211,500	NA			5. A monthly invoice line item shall include a uniformly allocated "Pore Water Allowance" cost based on the lump sum amount for the indicated period. Accordingly, Years 1-2 shall be invoiced for a total not to exceed $211,500, or $8,812.50 / month and Years 3-5 shall be invoiced for a total not to exceed $70,500, or $1,985.34 / month.
	Years 3-5, Allowance for variation in drainable pore water volume and rate	$70,500	NA			

Task B, Total Lump Sum: $9,947,582 [3]

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	DESCRIPTION	Fixed-Price	Lump Sum Unit Rate	APPROVAL PERIOD [5]	DELIVERABLES	PAYMENT BASIS [8]
C. CLOSURE CONSTRUCTION ACTIVITIES						1. Invoice based on Percent Complete, approved by Third Party Engineer, of the lump sum amount for each construction phase and each work segment. Retainage: 25% of each submitted invoice amount, except as specified below for seeding activities, to be released following Engineer's conditional acceptance of a given phase/work segment. Upon completion, submittals shall include a copy of the Engineer's Completion of Construction Certification and As-built Drawings provided by the Contractor. Retainage - seeding subtasks/activities: 40%, with the retainage to be released six months after seeding activity resulting in successful establishment of grassed cover following approval of Engineer. 2. In accordance with Change Order SP644-005, invoices for Task C1 (NGS-S Lined Slopes) and Tasks C2a, C2b, C2c, and C2d may include a percent complete and corresponding lump sum allocation reflecting borrow source preparation for materials stockpiled for the Gulfstream borrow source as of June 1, 2005. The percent complete for soil cover borrow source preparation activities under Task C1 (NGS-S Lined Slopes) and Tasks C2a, C2b, C2c, and C2d shall be determined based on not more than the agreed upon quantity estimate for the stockpiled soil cover materials, stockpiled as of June 1, 2005, where the estimated quantity has been approved by the Engineer and has an equivalent value not to exceed $5.50 per cy. The Department may release retainage for invoiced amounts for soil cover borrow source preparation only after the stockpiled materials have been screened for potential pollutants in accordance with a sampling plan accepted by the Department. 3. Invoices may include a lump sum allocation for stored materials under Task C3a (Phase I Slopes) where provided in accordance with Note [9] below.
	RESERVOIR SLOPE COVER (All 4 Ponds)				Monthly submittals with Closure Construction Invoice: - Weekly construction meeting minutes, prepared by Engineer - Copies of agenda/minutes from ad hoc construction coordination and update meetings - Percent completion of each phase of each activity and work element - Conditional acceptance by Engineer of each phase/work element for invoicing of closure construction activities. See Note [4]. End of Construction Phase: - Engineer's certification of completion of construction for each activity - As Built drawings for each activity	
C1	Reservoir Slope Cover (All 4 Ponds)	$4,097,324	[4]	10		
	PHASE III - NGS-S COMPARTMENT					
C2a	NGS-S Reservoir (2005)	$4,207,640	[4]	10		
C2b	NGS-S Cap Area (2005)	$861,730	[4]	10		
C2c	OGS Cap Areas (2005)	$985,362	[4]	10		
C2d	NGS-N Relief Ditch (2005)	$1,022,065	[4]	10		
C2e	Re-Closure of NGS-N Relief Ditch if Used for Disposal of Plant Scale (at FDEP's Option)	$0	[4]	10		
	STACK SLOPES AND DITCHES					
C3a	Phase I Slopes - OGS (2005)	$3,215,188	[4]	10		
C3b	Phase II Slopes - NGS (2006)	$3,315,797	[4]	10		
	COOLING/SLUDGE PONDS & DITCHES					
C4a	NCP Closure	$5,429,325	[4]	10		
C4b	SCP Closure	$10,741,727	[4]	10		
C5	Gypsum Fill Management	$305,877	[4]	10		
C6	Mecellaneous Plant Site Closures	$ 4,452,584	[4]	10		

Task C, Total Lump Sum: $ 38,634,619

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	DESCRIPTION	Fixed-Price	Lump Sum Unit Rate	APPROVAL PERIOD [5]	DELIVERABLES	PAYMENT BASIS [8]
	MISCELLANEOUS BILLABLE ITEMS					
E2	Transport Plant Scale to Stack (25,000 cy) (See Note 15)	$0	$ 10.00 / cy	10	Documentation showing percent complete approval from Engineer for scale placement.	Invoice line items to be included on Construction Invoice based on percent task completion as approved by Engineer.
F5	Miscellaneous Lump Sum Costs other than Fluctuation and Plant Scale Costs	$956,000	NA		Record keeping as required by state law.	Invoice as a separate lump sum line item as "Miscellaneous Lump Sum Costs other than Fluctuation and Plant Scale Costs." This separate invoice item shall be included on the monthly Operation and Maintenance invoices based the contract fixed-price amount, uniformly allocated over the expected 5 year term of the contract.
	Fluctuation in Electric Power Costs - Operation and Maintenance			10	Documentation showing the applicable power usage (in KWH), and the change in unit power cost from Florida Power and Light (FPL) for most favored commercial customers in the Tampa Bay area after considering an escalation corresponding to 3% per year from the FPL base rate charged for such customers in December 2004.	An additional invoice line item shall be added to reflect an invoiced amount (invoice debit or credit) to be applied for the annual "Fluctuation in Electric Power Costs" that shall be determined as outlined in Note [6] for electric power costs applicable to Operation and Maintenance activities and electric power costs associated with Process Water Consumption. The line item and amount (invoice credit or debit) shall be invoiced in the monthly invoice for the end of Contract Years 2, 3, 4, and 5.
	Fluctuation in Liner Resin Costs			10	Documentation showing the neat liner quantities for 40-mil, 60-mil, and 80-mil liner determined by the Engineer for planned construction activities in Contract Years 1, 2, and 3, and Liner Resin unit price quotes and unit conversions as outlined in Note [7]. The documentation shall show the change in actual liner resin unit cost for Contract Years 1, 2, and 3 after considering an escalation corresponding to 3% per year from the November 2004 Base Liner Resin Unit Cost established as outlined in Note [7].	Documentation showing the neat liner quantities for 40-mil, 60-mil, and 80-mil liner determined by the Engineer from detailed construction drawings for planned construction activities in Contract Years 1, 2, and 3, and supporting documentation for determination of the "lowest adjusted price" (expressed in dollars per square feet) as outlined in Note [7].

Notes:

[1] For days where the calculated 30-day rolling average ammonia nitrogen discharge is greater than 20 lbs./day and less than or equal to 50 lbs./day, the "billable consumption volume" for discharges to Bishop Harbor will be adjusted to reflect 90% of the actual corresponding volume (i.e., equivalent to 0.9 times the lump sum unit price for <= 50 lbs./day ammonia nitrogen). For days where the calculated 30-day rolling average ammonia nitrogen discharge is greater than 50 lbs./day, the "billable consumption volume" for discharges to Bishop Harbor shall be shown as zero. For days where the calculated 30-day rolling average ammonia nitrogen discharge is less or equal to 20 lbs./day, the "billable consumption volume" for discharges to Bishop Harbor shall be the water treatment volume.

[2] Monthly Adjusted Baseline Evaporative Loss Design Rates are provided below, for each Department approved system, based on 24-hour/day, 7-days/week operation with an Operating Factor of 0.80.

2.1 SE-1, Existing Spray Evaporation System in NGS-N reservoir where the average Net Spray Consumption rate (in MGD) for the values from January through December is 0.200 MGD, when operating with 1169 nozzles at a minimum nozzle pressure and rate of 50 psi and 2.91 gpm/nozzle, respectively. When operating at sprayfield pressures between 25 and 50 psi, the Net Spray Consumption (MGD) at the given operating pressure may be determined by interpolating or extrapolating the Spray Consumption Factor from those shown in the corresponding table, multiplied by the listed monthly Net Spray Consumption (MGD) for the values at 50 psi to yield the reduced Net Spray Consumption (in MGD) for periods during that month when operating at pressures between 25 and 50 psi.

Month	Average Pond Evaporation (in)	Average Net Spray Consumption (MGD)
Jan	2.48	0.116
Feb	2.62	0.135
Mar	3.88	0.181
Apr	5.42	0.261
May	6.26	0.292
Jun	6.13	0.295

Month	Average Pond Evaporation (in)	Average Net Spray Consumption (MGD)
Jul	5.70	0.267
Aug	5.23	0.244
Sep	4.52	0.218
Oct	3.43	0.160
Nov	2.47	0.119
Dec	2.34	0.109

Spray Consumption Factors

Pressure (psi)	Net Spray Consumption (MGD)	Spray Consumption Factor (factor)
30	0.08	0.400
40	0.131	0.655
50	0.2	1.000

2.2 Pursuant to Change Orders SP644-004, SP644-009 and SP644-021, the Average Net Spray Water Consumption rates are shown below for areas SE-3, SE-4, SE-7, SE-10, and SE-10A, as described below, when operating at minimum nozzle pressure of 50 psi and inflow rate of 2.91 gpm/nozzle, respectively. Subject to Department approval, where the indicated number of operating spray system nozzles are changed from those indicated, the net spray consumption rate (in MGD) shall be adjusted accordingly, per nozzle increased or decreased, in the system as constructed. Reflecting changes from SP644-009, previously authorized, but not constructed SE-9 is removed and replaced with SE-10 as described herein. Per Change Order SP644-009, the quantity of spray evaporation nozzles and resulting evaporative consumption rates were changed from 360 to 208 and from 203 to 255 for SE-4 and SE-7 spray evaporation systems, respectively. Construction and operation of additional spray systems listed below shall provide for drift and erosion monitoring and immediate suspension of individual or all segments of such systems as the Department may determine is

When operating at sprayfield pressures between 25 and 50 psi, the Net Spray Consumption (MGD) at the given operating pressure may be determined by interpolating or extrapolating the Spray Consumption Factor from those shown in the corresponding table, multiplied by the listed monthly Net Spray Consumption (MGD) for the values at 50 psi to yield the reduced Net Spray Consumption (in MGD) for periods during that month when operating at pressures between 25 and 50 psi.

- SE-3, Spray Evaporation System in South Cooling Pond (SCP) Internal Dams and Ditch Area between Dams.
- SE-4, Spray Evaporation System in North Cooling Pond (NCP).
- SE-7, Spray Evaporation System along the northern and western dikes of SCP-N.
- SE-10 and SE-10A, Spray Evaporation System additions in vicinity of process water return canal.

Month	SE-3 Average Net Spray Consumption for 614 nozzles (MGD)	SE-4 Average Net Spray Consumption for 208 nozzles (MGD)	SE-7 Average Net Spray Consumption for 255 nozzles (MGD)	SE-10 Average Net Spray Consumption for 97 nozzles (MGD)	SE-10A Average Net Spray Consumption for 316 nozzles (MGD)
Jan	0.0777	0.0210	0.0292	0.0111	0.0121
Feb	0.0821	0.0222	0.0309	0.0117	0.0127
Mar	0.1215	0.0329	0.0457	0.0174	0.0189
Apr	0.1698	0.0459	0.0639	0.0243	0.0264
May	0.1961	0.0530	0.0737	0.0280	0.0305
Jun	0.1920	0.0519	0.0722	0.0274	0.0298
Jul	0.1786	0.0482	0.0672	0.0255	0.0277
Aug	0.1638	0.0443	0.0616	0.0234	0.0255
Sep	0.1416	0.0382	0.0532	0.0202	0.0220
Oct	0.1075	0.0291	0.0404	0.0154	0.0167
Nov	0.0774	0.0210	0.0291	0.0110	0.0120
Dec	0.0733	0.0198	0.0276	0.0104	0.0114

Spray Consumption Factors

Pressure (psi)	Net Spray Consumption (MGD)	Spray Consumption Factor (factor)
30	0.08	0.400
40	0.131	0.655
50	0.2	1.000

(3) Total Lump Sum for Process Water Consumption subject to adjustment for items B2 and B3 as governed by contract terms.

(4) Closure Construction Activities subject to schedule subdivision and future updates by Engineer, including subdivision into mutually agreed upon releasable work segments for progress monitoring and payment purposes. Please see Attachment C, Table 1, Closure Task Breakdown, Piney Point ITN 2005002C for current subdivision of Closure Construction Activities.

(5) The Approval Period shall be five (5) working days to inspect and approve the invoiced services for payment, unless another period of working days is specified herein.

(6) The adjustment to pricing, if any, for fluctuations in electric power costs will be made based upon the posted unit price (in $ per KWH) as charged by Florida Power and Light to its most favored commercial customers in the Tampa Bay area, compared to the adjusted unit price charged by Florida Power and Light to the same customers in December 2004 but after considering an escalation corresponding to 3% inflation per year. The change in unit power cost, relative to the escalated base unit price, in December 2005, December 2006, December 2007 and December 2008 will be used for making the adjustment (either debit or credit) for electric power costs during contract years 2, 3, 4 and 5, assuming a theoretical power usage of 11.3 Million KWH (Year 2), 3.8 Million KWH (Year 3), 2.6 Million KWH (Year 4) and 2.0 Million KWH (Year 5), respectively, during each of the corresponding four contract years.

(7) The adjustments to pricing, if any, for fluctuations in Liner Resin prices will be made based upon the neat liner quantities determined by the Engineer from detailed design drawings (without any adjustment for liner overlaps, liner buried in anchor trenches, increased liner area due to sloping surfaces, liner for repair patches, waste, etc.) for planned liner installation activities during each calendar year. The adjustment (either debit or credit) will be based upon the lower of either:

1) The lowest documented change in liner sheet unit price from at least two liner manufacturers (expressed in dollars per square feet) for orders placed in November 2004 escalated by 3% inflation per year, compared to orders placed in February 2005 and in December 2005 and December 2006, respectively, for planned construction activities in each of the first three contract years; or

2) The lowest documented change in Liner Resin unit price from at least two liner manufacturers or resin suppliers for orders placed in November 2004 compared to orders placed in February 2005 and in December 2005 and December 2006, respectively, for planned construction activities in each of the first three contract years. The change in actual liner resin unit price (expressed in dollars per pound of resin), after accounting for 3% escalation per year from the November 2004 BAFO unit price of $0.64/lb. shall be multiplied by 0.237 lb/ft2, 0.347 lb/ft2 and 0.442 lb/ft2 for 40-mil, 60-mil and 80-mil liner, respectively.

The lowest adjusted price as determined above (expressed in dollars per square feet) shall be multiplied by the neat liner quantity from detailed design drawings (expressed in square feet) times a factor of 1.10 adopted herein to accommodate additional liner buried in anchor trenches, liner overlaps, waste, etc.

(8) Lump Sum Unit rates or monthly allocations of the fixed cost amounts are rounded to the nearest cent or dollar as shown. In all cases, the final monthly invoice for a given period shall reflect the necessary amount so that the indicated fixed-price is not exceeded. There shall be no adjustment to the lump sum pricing presented in Attachment C for any fluctuations in Contractor's costs, including lime costs, fuel costs or any other utility or commodity cost during the term of the contract, except as specifically provided for herein, including Notes (6) and (7).

(9) In accordance with Change Order SP644-011, invoices for Task C3a (Phase I Slopes) may include a percent complete and corresponding lump sum allocation reflecting stored silica gravel to be used during the installation of drains associated with this Task, where the stored material quantity and value has been approved by the Engineer. Supporting documentation shall be provided with the invoice for the Engineer's review to determine that the stored materials conform to that specied for the task.

(10) In accordance with Change Order SP644-012, the Year 1-2 lump sum amount for water consumption was adjusted from $7,624,007 to 6,971,211 based on Year 1 adjustments for rainfall deficit, 30-day rolling average ammonia-nitrogen treatment compensation, and OGS-N fresh water input adjustements.

(11) In accordance with Change Order SP644-013, invoices for Task C3b (Phase II Slopes) and C4b. (SCP) may include a percent complete and corresponding lump sum allocation reflecting stored silica gravel and HDPE piping, manholes, and related structures to be used during construction associated with these Tasks, where the stored material quantity and value has been approved by the Engineer. Supporting documentation shall be provided with the invoice for the Engineer's review to determine that the stored materials conform to that specied for the task.

(12) In accordance with Change Order SP644-019, the lump sum for Operation and Maintenance for Years 3-5 was decreased from $3,958,663 to $3,956,751 to account for services provided by Ardaman and Associates to repair and redevelop monitoring well MW-9 following damage during CDM's construction activities on March 15, 2007. The Contractor shall reflect the amount of this cost decrease in the subsequent Operation and Maintenance invoice following the issuance of Change Order SP644-019.

(13) In accordance with Change Order SP644-019, the Year 1-2 lump sum amount for water consumption was decreased from $6,971,211 to 6,878,414 based on the Year 2 rainfall deficit, and the 30-day rolling average ammonia-nitrogen treatment compensation adjustments. The Contractor may elect to account for this Year 2 adjustment through credits, applied fully as available, on subsequent water consumption invoices following the issuance of Change Order SP644-019.

(14) In accordance with Change Order SP644-021, invoices for Task C4a may include a percent complete and corresponding lump sum allocation reflecting stored 2-ft diameter HDPE pipe material to be used during the installation of drainage or similar conveyances associated with this Task, where the stored material quantity and value has been approved by the Engineer. Supporting documentation shall be provided with the invoice for the Engineer's review to determine that the stored materials do or will conform to that to be specified for the task.

(15) In accordance with Change Order SP644-021, the lump sum cost for the transport of plant scale to the stack is being removed from the Contract since performance of this task under this contract is no longer necessary.

(16) In accordance with the August 5, 2008 Dispute Resolution Agreement - Part 2, CDM Claims for Additional Costs, the Year 3 provisions for rainfall adjustments under Task B, items B2 and B3, are eliminated from the terms and conditions of the Contract.

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ATTACHMENT C
TABLE 1

CLOSURE TASK BREAKDOWN
PINEY POINT - ITN 2005002C

Item	Closure Construction Element		Engineer's Estimate	CDM BAFO Estimate	CDM BAFO PRICE	Computed Unit Rate	CDM BAFO Unit Rate	Totals	
C1	**ITEM C1. RESERVOIR SLOPE COVER (All 4 Ponds)**								
	Soil Cover (NGS-N, OGS-S & OGS-N Lined Slopes, see Note 64)	cy	270,000	0	$ -	$ 12.41	$ 12.41		
	Soil Cover MODS (OGS-S already placed, see Note 64)	cy		59,312	$ 735,908	$ 12.41			
	Soil Cover MODS (NGS-N, OGS-S & OGS-N, see Note 65)	cy		29,000	$ 704,990	$ 24.31			
	Soil Cover (NGS-N, OGS-S & OGS-N Crest, see Note 66)	cy	- -	18,570	$ 451,437	$ 24.31	$ 12.41		
	Soil Cover (NGS-S Lined Slopes - From C2, see Note 64)	cy	130,000	0	$ -	$ 11.29	$ 11.29		
	Soil Cover MODS (NGS-S, see Note 64)	cy		12,500	$ 303,875	$ 24.31			
	Soil Cover (NGS-S Crest - NGS-S east/south, see Note 65)	cy	- -	5,445	$ 132,368	$ 24.31			
	80-Mil HDPE Liner (Crest Roads, see Notes 56 and 81)	sf	175,000	317,730	$ 273,708	$ 0.86	$ 0.69		
	80-Mil HDPE Liner (MODS, see Note 82)	sf	- -	77,670	$ 66,909	$ 0.86			
	OGS Crest Road / liner MODS - overflow structures (MODS, see Note 83)			lump	$ 47,000	-	-		
	Drain Composite (All 4 Ponds, see Note 67)	sy	85,000	60,610	$ 581,856	$ 9.60	$ 9.60		
	Drain Composite (Crest All 4 Ponds, see Note 68)	sy	- -	24,390	$ 422,191	$ 17.31	$ 9.60		
	Sodding NGS-N,& OGS-N Slope Cover (see Note 45)	ac	40	0	$ -	$ 8,792.50	$ 8,792.50		
	Sodding OGS-S Slope Cover (see Note 45 and 69)	ac	- -	6.7	$ 134,814	$ 20,121.47	$ 8,792.50		
	Sodding NGS-S Slope Cover (From C2)	ac	18	0	$ -	$ 8,794.44	$ 8,794.44		
	Seed or Sod (Soil Crest Cover, see Note 46 and 69)	ac	4	3.5	$ 18,465	$ 5,275.84	$ 2,350.00		**TOTAL ITEM C1**
	Modification of the NGS-N sprayfield (See Note 62)	lump	lump	lump	$ 66,781	-	-		
	Other Ancillary (See Notes 16 and 17)	lump	lump	lump	$ 157,022	-			**$ 4,097,324**
C2	**ITEM C2. PHASE III - NGS-S COMPARTMENT**								
	Task C2a. NGS-S Reservoir (2005)								
	Sludge Excavation (see Note 4)	cy	5,000	0	$ -	$ -	$ 8.80		
	Gypsum Fill (see Note 4)	cy	380,000	206,500	$ 1,547,675	$ 7.49	$ 5.97		
	80-Mil HDPE Liner (see Note 5 and Note 33)	sf	3,000,000	3,000,000	$ 2,200,476	$ 0.733	$ 0.68		
	Soil Cover (OGS-N East Dike Crest, see Note 146)	cy	3,000	3,000	$ 72,930	$ 24.31	$ 11.29		
	Seed or Sod (NGS-S Crest Roads, see Note 47 and 69)	ac	1	5.9	$ 31,127	$ 5,275.84	$ 2,341.67		
	Outlet Structure	lump	lump	lump	$ 10,000	-	-	**Total Task C2a**	
	NGS-S Reservoir - Soil Cover Mobilization (see Note 6)	lump	lump	lump	$ 3,083	-	-		
	Other Ancillary	lump	lump	lump	$ 342,349	-	-	**$ 4,207,640**	
	(Note: Soil cover and associated drain composite and sodding were moved from Item C2 to Item C1)								
	Task C2b. NGS-S Cap Area (2005)								
	Gypsum Fill (see Note 12)	cy	5,000	46,700	$ 278,962	$ 5.97	$ 5.97		
	40-Mil HDPE Liner (see Note 7)	sf	500,000	354,250	$ 152,645	$ 0.431	$ 0.40		
	Soil Cover (See Note 26)	cy	25,000	29,150	$ 290,400	$ 9.96	$ 11.29		
	Seed or Sod (see Note 48)	ac	10.5	8.4	$ 19,670	$ 2,341.67	$ 2,341.67		
	Outlet Structure	lump	lump	lump	$ 10,000	-	-	**Total Task C2b**	
	NGS-S Cap Area Soil Cover Mobilization (see Note 6)	lump	lump	lump	$ 38,771				
	Construction Management - Drawing Delivery (see Note 73)	lump	- -		$ 23,689				
	Other Ancillary (see Note 34)	lump	lump	lump	$ 47,593	-	-	**$ 861,730**	
	Task C2c. OGS Cap Areas (2005)								
	Gypsum Fill (see Note 13)	cy	10,000	39,500	$ 235,953	$ 5.97	$ 5.97		
	60-Mil HDPE Liner (see Note 8)	sf	450,000	419,487	$ 215,462	$ 0.514	$ 0.47		
	Soil Cover (see Note 26)	cy	24,000	33,600	$ 344,479	$ 10.25	$ 11.29		
	Seed or Sod (see Note 48)	ac	7.5	9.9	$ 23,183	$ 2,341.67	$ 2,341.67		
	Outlet Structures (2)	lump	lump	lump	$ 6,000	-	-	**Total Task C2c**	
	OGS Cap Areas Soil Cover Mobilization (see Note 6)	lump	lump	lump	$ 34,942				
	Construction Management - Drawing Delivery (see Note 73)	lump	- -		$ 23,689				
	Other Ancillary (see Note 35)	lump	lump	lump	$ 101,654	-	-	**$ 985,362**	
	Task C2d. NGS-N Relief Ditch (2005)								
	Gypsum Fill (see Notes 14 and 39)	cy	5,000	37,860	$ 226,122	$ 5.97			
	60-Mil HDPE Liner (see Note 9)	sf	300,000	292,703	$ 150,342	$ 0.514	$ 0.47		
	Soil Cover (see Note 27)	cy	18,000	27,500	$ 287,335	$ 10.45	$ 11.29		
	Seed or Sod (Soil Cover, see Note 47 and 69)	ac	5	8.1	$ 120,334	$ 14,856.00	$ 2,341.67		
	Amended Gypsum Grassing (From C3, see Note 49)	ac	10	6.6	$ 43,980	$ 6,663.64	$ 6,663.64		
	Outlet Structure	lump	lump	lump	$ 3,000	-	-	**Total Task C2d**	
	NGS-N Relief Ditch Soil Cover Mobilization (see Note 6)	lump	lump	lump	$ 23,204				
	Construction Management - Drawing Delivery (see Note 73)	lump	- -		$ 23,690				
	Other Ancillary (see Note 36)	lump	lump	lump	$ 144,059	-	-	**$ 1,022,065**	
	Task C2e. Re-Closure of NGS-N Relief Ditch if Used for Disposal of Plant Scale (at FDEP's Option - see Note 63)								
	60-Mil HDPE Liner	sf	500,000	500,000	$ -	$ -	$ 0.47		
	Soil Cover	cy	50,000	50,000	$ -	$ -	$ 10.62		
	Sodding	ac	12	12	$ -	$ -	$ 8,750.00		
	Outlet Structure Modification	lump	lump	lump	$ -		-		
	Gypsum Fill (Encapsulate Scale)	cy	75,000	75,000	$ -	$ -	$ 3.64		
	Gypsum Borrow Area Work						-		
	Remove & Restore Soil Cover	cy	25,000	25,000	$ -	$ -	$ 3.74		
	Remove & Replace 40-Mil Liner	sf	350,000	350,000	$ -	$ -	$ 0.40		
	Restore Grass (Seed or Sod)	ac	8	8	$ -	$ -	$ 2,300.00	**Total Task C2e**	**TOTAL ITEM C2**
	Other Ancillary	lump	lump	lump	$ -	-	-	**$ -**	**$ 7,076,797.00**
	ITEM C3. STACK SLOPES AND DITCHES								
	Task C3a. Phase I Slopes - OGS (2005)								
	Gypsum Earthwork (see Note 15)	cy	50,000	111,250	$ 229,239	$ 2.06	$ 2.06		
	80-Mil HDPE Liner (Runoff Ditches) (see Note 10)	sf	575,000	524,457	$ 387,956	$ 0.740	$ 0.69		
	60-Mil HDPE Liner (Transfer Pond) (See Note 11)	sf	130,000	0	$ -	--	$ 0.47		
	60-Mil HDPE Liner (OGS Slope Pond) (See Note 11)	sf	70,925	70,925	$ 36,483	$ 0.514	$ 0.47		
	Drains, Phase I, Part 1 (see Note 72)	lf	5,500	2,340	$ 269,972	$ 115.37	$ 115.37		
	Drains, Phase I, Part 2 (see Note 72)	lf	- -	3,270	$ 608,013	$ 185.94			
	Soil Cover (see Note 24)	cy	80,000	43,000	$ 543,251	$ 12.63	$ 12.63		
	Soil Cover (OGS Slope Pond) (See Note 24)	cy	80,000	7,565	$ 95,574	$ 12.63	$ 12.63		
	Soil Grassing								
	Seeding (Stormwater Ponds, see Note 50)	ac	3	4.3	$ 10,078	$ 2,343.75	$ 2,343.75		
	Sodding (Runoff Ditches, see Note 50)	ac	13	13.4	$ 117,779	$ 8,789.47	$ 8,789.47		
	Amended Gypsum Grassing (see Note 50)	ac	23	19.3	$ 128,608	$ 6,663.64	$ 6,663.64	**Total Task C3a**	
	Additional Panel Drains - OGS (see Note 30)								
	OGS Slope Pond and OGS-N Cap Area	lump	lump	lump	$ 21,941				
	Phase I (OGS) Ditches	lump	lump	lump	$ 10,749				
	Deepening the OGS-S South slope seepage drain (see Note 32)	lump	lump	lump	$ 90,000	-	-		
	Slurrry Wall Installation - OGS/Buckeye Road (See Note 60)	lump	lump	lump	$ 333,169	-	-		
	Regrading - west slope of the NGS-N (See Note 38)	lump	lump	lump	$ 2,487	-	-		

ATTACHMENT C
TABLE 1

CLOSURE TASK BREAKDOWN
PINEY POINT - ITN 2005002C

Item	Closure Construction Element		Engineer's Estimate	CDM BAFO Estimate	CDM BAFO PRICE	Computed Unit Rate	CDM BAFO Unit Rate	Totals	
C3	Construction Management - Drawing Delivery (see Note 74)	lump	- -		$ 71,068				
	Construction Related Piping and Water Mgt. (see Note 75)	lump	- -		$ 18,234				
	Mobilization - Liner Subcontractor (see Note 76)	lump	- -		$ 40,000				
	Other Ancillary (see Note 37)	lump	lump	lump	$ 200,586	-	-	**$ 3,215,188**	
	Task C3b. Phase II Slopes - NGS (2006)								
	Gypsum/Earthwork (see note 28)	cy	50,000	72,995	$ 150,411	$ 2.06	$ 2.06		
	Soil Import/Earthwork (see note 29)	cy	na	25,313	$ 271,608	$ 10.73	na		
	80-Mil HDPE Liner (Runoff Ditches) (see Note 18)	sf	225,000	400,350	$ 321,644	$ 0.80341	$ 0.69		
	60-Mil HDPE Liner (Stormwater Pond) (see Note 19)	sf	570,000	409,250	$ 231,043	$ 0.56455	$ 0.47		
	Drains, Phase II (see Note 72)	lf	7,000	5,140	$ 593,015	$ 115.37	$ 115.37		
	Additional Geocomposite/Install per Drain Design (see Note 53)	lump	lump	lump	$ 27,737	-	-		
	Additional Drain Installation - NGS-S east slope (see Note 54)	lump	lump	lump	$ 20,430	-	-		
	Soil Cover (see Note 25)	cy	70,000	81,200	$ 1,025,860	$ 12.63	$ 12.63		
	Soil Grassing								
	Seeding (Stormwater Pond, see Note 51)	ac	13	15.3	$ 35,859	$ 2,343.75	$ 2,343.75		
	Sodding (Runoff Ditches, see Note 51)	ac	6	12.3	$ 108,111	$ 8,789.47	$ 8,789.47		
	Amended Gypsum Grassing (see Note 51)	ac	22	19	$ 126,609	$ 6,663.64	$ 6,663.64	**Total Task C3b**	**TOTAL ITEM C3**
	Additional Panel Drains - Phase II (NGS) Ditches (see Note 30)	lump	lump	lump	$ 5,248				
	Repair NGS-S South Slope Cavities (see Note 31)	lump	lump	lump	$ 8,373	-	-		
	Other Ancillary	lump	lump	lump	$ 95,759	-	-		
	Construction Management - Drawing Delivery (see Note 77)	lump	- -		$ 208,000				
	Additional Ancillary Stormwater/Phase II Structures (see Note 52)	lump	lump	lump	$ 86,090	-	-	**$ 3,315,797**	**$ 6,530,985.00**
	ITEM C4. COOLING/SLUDGE PONDS & DITCHES								
	Task C4a. NCP Closure								
	Mobilization, NCP Closure	lump	lump		$ 346,765				
	Earthwork (Soil)	cy	200,000	64,118	$ 629,808	$ 9.82	$ 6.82		
	Earthwork (Soil) - Quantity at Credit Rate (See Notes 43, 57 and 78)	cy	- -	133,932	$ 753,052	$ 5.62			
	Earthwork (Soil) - Transport to NCP (See Note 78)			133,932	$ 262,507	$ 1.96			
	80-Mil HDPE Liner (Runoff Ditches)	sf	100,000	100,000	$ 68,500	$ 0.685	$ 0.69		
	40-Mil HDPE Liner	sf	1,300,000	1,300,000	$ 514,800	$ 0.396	$ 0.40		
	Drains	lf	2,500	2,560	$ 393,880	$ 153.86	$ 114.80		
	Mobilization - Soil Cover Import/Placement (see Note 80)	lump	- -		$ 50,000				
	Soil Cover	cy	110,000	110,000	$ 2,150,500	$ 19.55	$ 13.57		
	Soil Grassing								
	Seeding (Cap Areas)	ac	30	30	$ 70,292	$ 2,343.08	$ 2,343.08		
	Sodding (Runoff Ditches)	ac	4	4	$ 35,180	$ 8,795.00	$ 8,795.00	**Total Task C4a**	
	Closure Related Sludge Management (see Note 70)	lump	lump	lump	$ 100,000	-	-		
	Other Ancillary	lump	lump	lump	$ 54,041			**$ 5,429,325**	
	Task C4b.1 SCP-S Phase I Closure (see note 21)								
	Earthwork (Soil) (see Note 22)	cy	25,000	43700	$ 298,034	$ 6.82	$ 6.82		
	80-Mil HDPE Liner (Process Water Sump) (see Notes 18)	sf	485,000	496,908	$ 391,062	$ 0.787	$ 0.69		
	Construct SCP Relief Ditch	cy	- -	11,000	$ 38,304	$ 3.48	- -		
	Construct Partition Dike	cy	- -	25,000	$ 170,500	$ 6.82	- -		
	Grade/Dewater for Sump	lump	- -	lump	$ 37,000		- -		
	Seepage Relief Drain	lf	- -	470	$ 58,656	$ 124.80	$ 114.80		
	Soil Grassing								
	Seeding (Limited Cap Areas for Process Water Sump)	ac	- -	1	$ 2,343	$ 2,343.00	$ 2,343.08	**Total Task C4b.1**	
	Other Ancillary	lump	lump	lump	$ 117,242			**$ 1,113,141.00**	
	Task C4b.2 SCP-S Phase II and SCP-N Closure								
	Earthwork (Soil) (see Note 42)	cy	25,000	109145	$ 463,311	$ 4.24	$ 6.82		
	80-Mil HDPE Liner (Runoff Ditches) (see Note 18 and 42)	sf	415,000	200000	$ 160,600	$ 0.803	$ 0.69		
	60-Mil HDPE Liner (see Note 42)	sf	- -	1,008,000	$ 569,520	$ 0.5650	$ 0.40		
	40-Mil HDPE Liner (see Note 20 and 42)	sf	3,200,000	2,374,201	$ 1,089,758	$ 0.4590	$ 0.40		
C4	Liner Pipe Vents, stormwater basin/ditch (see Note 42)	lump	- -	lump	$ 8,908		- -		
	Geocomposite - dike roads (see Note 42)	lump	- -	lump	$ 95,040		- -		
	Seepage Collection Drains								
	Drains (see Note 44)	lf	6,030	6320	$ 846,541	$ 133.95	$ 114.80		
	24" HDPE Riser Connecting Drain Segments by 003 (Install in drain price) (see Note 42)	lump	- -	lump	$ 2,813		- -		
	Detail 31/D6 (see Note 42)	lump	- -	lump	$ 46,913		- -		
	12" HDPE SDR 21 Connector Pipe (OGS Drain to No. 1) Detail 31/D6 (see Note 42)	lump	- -	lump	$ 21,280		- -		
	12" HDPE SDR 21 Connector Pipe (No. 2 to Point 6) Detail 31/D6 (see Note 42)	lump	- -	lump	$ 11,200		- -		
	12" HDPE SDR 21 Culvert at 003 Road Crossing Detail 34/D7 (see Note 42)	lump	- -	lump	$ 4,453		- -		
	36" Seepage Collection Manhole East of PWS (No. 2) Detail 31/D6 (see Note 42)	lump	- -	lump	$ 25,875		- -		
	48" Seepage Collection Manhole North of SCP N Detail 40/D6 (see Note 42)	lump	- -	lump	$ 27,506		- -		
	12" HDPE SDR 21 Connector Pipe to 48" Seepage Collection Manhole Detail 40/D6 (see Note 42)	lump	- -	lump	$ 4,815		- -		
	Soil Cover (see Note 58)	cy	290,000	283,230	$ 3,671,965	$ 12.96	$ 13.57		
	Soil Grassing								
	Seeding (Cap Areas and Plant Areas) (See Note 42)	ac	99	105	$ 246,023	$ 2,343.08	$ 2,343.08		
	Sodding (Runoff Ditches Point 16 - 26, ar. Rip Rap (see Note 42)	ac	16	2	$ 19,349	$ 9,674.50	$ 8,795.00		
	SCP Materials Management (see Note 41)	lump	- -		$ 690,041		- -		
	SCP Stockpile Drains and 24-in. Sump (see Note 42)	lump	- -		$ 110,674		- -		
	SCP Stormwater Control Structures (see Note 42)	lump	- -		$ 54,680		- -		
	24-in. Relief Manhole at Process Water Sump (see Note 42)	lump	- -		$ 16,126		- -		
	12-in. HDPE SDR 21 Pipe (Relief Drain MH to No. 1) (see Note 42)	lump	- -	180	$ 10,080	$ 56.00	- -		
	Remove/Replace Piping, as Needed, Crossing for 003 (see Note 42)	lump	- -		$ 12,656				
	Additional Ancillary, including Basin No. 2 (see Note 42)	lump	- -		$ 52,250		- -		
	Basin 1 to 2 Connection Ancillary, (see Note 55)	lump	- -		$ 20,354		- -		
	Outfall 001 Preparation Ancillary, (see Note 61)	lump	- -		$ 7,175		- -		
	Fill Quantity Adjustment, soft materials, (see Note 71)	lump	- -	86,647	$ 1,153,701	$ 13.31	- -	**Total Task C4b.2**	**TOTAL ITEM C4**
	Other Ancillary (see Note 40)	lump	lump	lump	$ 184,979			**$ 9,628,586**	**$ 16,171,052**
	ITEM C5. GYPSUM FILL MANAGEMENT								
	Task C5a. Phase I Slopes - Excess Placement (See Note 23)								
	OGS West Slope Fattening and Slope Pond	cy	- -	17,680	$ 69,129	$ 3.91	$ 3.91		
	OGS-S Cap West Dike Relocation	cy	- -	3,920	$ 23,402	$ 5.97	$ 5.97		
	Northeast Corner NGS-N Ramp Fattening	cy	- -	2,900	$ 17,313	$ 5.97	$ 5.97	**Total Task C5a.**	
	OGS S., NGS-N Rel. Ditch S. and OGS S. at NGS-N W. Slopes	cy	- -	8,405	$ 17,314	$ 2.06	$ 2.06	**$ 127,158**	

ATTACHMENT C
TABLE 1

CLOSURE TASK BREAKDOWN
PINEY POINT - ITN 2005002C

Item	Closure Construction Element		Engineer's Estimate	CDM BAFO Estimate	CDM BAFO PRICE	Computed Unit Rate	CDM BAFO Unit Rate	Totals	
	Task C5b. Phase I Excess Gyp/Soil Stockpiles (See Note 23)								
	Gypsum Stockpiles (1-10) & OGS Ditch Deficiency	cy	- -	11,500	$ 43,930	$ 3.82	$ 3.82		
	Gypsum from OGS S. berm to Phase II NGS Slopes	cy	- -	3,700	$ 25,789	$ 6.97	$ 6.97	**Total Task C5b.**	**TOTAL ITEM C5**
	Gypsum/Soil mix stockpile - SCP Process Water Sump Partition	cy	- -	25,000	$ 109,000	$ 4.36	$ 4.36	**$ 178,719**	**$ 305,877**
	ITEM C6. MISCELLANEOUS PLANT SITE CLOSURES								
	Task C6a. First 50% Plant Watershed Areas (see Note 59)								
	Soil Fill/Earthwork	cy	- -	58,190	$ 729,121	$ 12.53	$ -		
	Site Preparation, Water Control, and Survey	lump		1	$ 127,115	$ 127,115			
	Remove and Replace Sediments in Ditch	cy		2,000	$ 44,660	$ 22.33			
	Stripping and Topsoil Removal	lump		1	$ 46,456	$ 46,456			
	Outfall Structures (3)	lump	- -	1	$ 50,487	$ 50,487			
	Restoration and Grassing	cy	- -	1	$ 64,719	$ 64,719			
	Infrastructure Modifications (well and well electrical)	lump		1	$ 24,729	$ 24,729			
	Infrastructure Modifications (FPL electrical dist. lines)	lump		1	$ 5,933	$ 5,933			
	Field Supervision Cost	lump		1	$ 21,822	$ 21,822		**Total Task C6a.**	
	Other Ancillary	lump	- -	1	$ 35,600	$ 35,600		**$ 1,150,642**	
	Task C6b. Second 50% Plant Watershed Areas (See Note 79)								
	Soil Fill/Earthwork	cy	- -	135,000	$ 2,394,900	$ 17.74	$ -		
	Site Preparation, Water Control, and Survey	lump		1	$ 179,015				
	Sludge Removal, Aeration Ponds 1 and 2 Miscellaneous	lump		1	$ 229,009				
	Stripping and Topsoil Removal	lump		1	$ 54,841				
	Outfall Structures (2)	lump	- -	1	$ 75,051				
	Hauling Dewatered Sludge (Ponds a-d to NCP)	lump		1	$ 244,126	$ 244,126		**Total Task C6b.**	
	Other Ancillary	lump		1	$ 125,000			**$ 3,301,942**	
									TOTAL ITEM C6
									$ 4,452,584
	ITEM C - CLOSURE CONSTRUCTION TOTAL								**$ 38,634,619**

See Notes Below.

NOTES:

1. The "Engineer's Estimate" column reflects those quantities provided by the Engineer for the Department under the ITN and BAFO.
2. In some cases, the values for the CDM BAFO Estimate and the CDM BAFO Price indicate task breakdowns that were computed proportionately to the Department's breakdown values for elements where CDM's BAFO quantity is less than or greater than the Engineer's estimated quantity.
3. CDM's BAFO values for Other Ancillary items were prorated to individual tasks on the basis of total task price.
4. CDM's original BAFO Estimate and Price for Sludge Excavation was revised from 5,000 cy and $44,000 to 0 cy and $0 per Change Order SP644-002. CDM's original BAFO Estimate and Price for Gypsum Fill was revised from 373,740 cy and $2,232,530 to 206,500 cy and $1,547,675 per Change Order SP644-002.
5. CDM's original BAFO Price for 80-mil HDPE liner was revised from $2,054,000 to $2,222,208 per Change Order SP644-003 for the fluctuation in liner resin costs.
6. CDM's original BAFO Prices for soil cover placement Tasks C2a, C2b, C2c, and C2d were reduced to allocate prorated costs from the existing lump sum prices for expedited cover soil mobilization work elements per Change Order SP644-005.
7. CDM's original BAFO quantity for 40-mil liner on the NGS cap area was revised from 373,000 sf and $198,000 to 354,219 sf and $152,645, per Change Order SP644-006, based on updated quantities and fluctuation in liner resin costs.
8. CDM's original BAFO quantity for 60-mil liner on the OGS cap area was revised from 450,000 sf and $ 211,800 to 419,487 sf and $215,462, per Change Order SP644-006, based on updated quantities and fluctuation in liner resin costs.
9. CDM's original BAFO quantity for 60-mil liner for the NGS Relief Ditch area was revised from 300,000 sf and $ 141,200 to 292,703 sf and $150,342, per Change Order SP644-006, based on updated quantities and fluctuation in liner resin costs.
10. CDM's original BAFO quantity for 80-mil liner for the OGS runoff ditches was revised from 575,000 sf and $393,875 to 524,457 sf and $387,956, per Change Order SP644-006, based on updated quantities and fluctuation in liner resin costs.
11. CDM's original BAFO quantity for the 60-mil liner for the OGS Transfer Pond was revised from 130,000 sf and $61,286 to 0 sf and $0, per Change Order SP644-006, based on elimination of this pond from the design. The 60-mil lined OGS Slope pond was added at 70,925 sf and $36,453 based on similar BAFO unit rates and adjusting for fluctuation in liner resin costs per Change Order SP644-006.
12. CDM's original BAFO quantity for Gypsum Fill for the NGS-S Cap area was revised from 5,000 to 46,700 cy per Change Order SP644-007.
13. CDM's original BAFO quantity for Gypsum Fill for the OGS Cap areas was revised from 10,000 to 39,500 cy per Change Order SP644-007.
14. CDM's original BAFO quantity for Gypsum Fill for the NGS-N Relief Ditch was revised from 5,000 to 28,100 cy per Change Order SP644-007.
15. CDM's original BAFO quantity for Phase I Slope areas (OGS West and South Slopes) was revised from 94,318 to 111,250 cy after excluding 15,650 cy earthen material (as neat fill assuming 15% shrinkage) from the OGS south slope toe per Change Order SP644-007.
16. CDM's original BAFO Lump Sum Price for Other Ancillary under Task C1, Reservoir Slope Cover, was revised from $68,000 to $104,892 per Change Order SP644-008 based on modifications needed for the existing OGS-S compartment drain as specified by the December 16, 2005 Slope Cover Construction Drawings for the OGS Ponds.
17. CDM's BAFO Lump Sum Price for Other Ancillary under Task C1, Reservoir Slope Cover, was revised from $104,892 to $157,022 per Change Order SP644-009 based on modifications needed for the existing OGS-N compartment drain and inlet stem wall additions for the OGS-S and OGS-N compartments as specified by the December 16, 2005 Slope Cover Construction Drawings for the OGS Ponds.
18. CDM's original BAFO quantity for 80-mil liner for the Phase II Runoff Ditches, SCP Process Water Sump, and SCP ditches were revised from 225,000 sf and $154,125 to 400,350 sf and $ 321,644; from 485,000 sf and $332,225 to 496,908 sf and $391,062; and from 415,000 sf and $284,275 to 415,000 sf and $302,178 per Change Order SP644-010, based on updated quantities and fluctuation in liner resin costs.
19. CDM's original BAFO quantity for 60-mil liner for the Phase II Stormwater Pond was revised from 570,000 sf and $268,714 to 409,250 sf and $231,043 per Change Order SP644-010, based on updated quantities and fluctuation in liner resin costs.
20. CDM's original BAFO quantity for 40-mil liner for the SCP Cap area was revised from 3,200,000 sf and $1,267,200 to 3,200,000 sf and $1,321,513 per Change Order SP644-010, based on updated quantities and fluctuation in liner resin costs.
21. The Task Breakdown for Task C4b. was modified into Tasks C4b.1 and C4b.2 per the June 9, 2006 Dispute Resolution Agreement - Process Water Sump Cost Breakout. Task elements under Task C4b.1 and Task C4b.2 have been modified as specified under this June 9, 2006 agreement.
22. CDM's original BAFO earthwork quantity for the SCP was revised from 49,508 to 24,754 cy for SCP-S Phase II and SCP-N activity with the balance (I.e., 24,754 cy) being allocated and increased to 43,700 cy for the process water sump under SCP-S Phase I tasks per the June 9, 2006 Dispute Resolution Agreement - Process Water Sump Cost Breakout.
23. Task 5, Gypsum Fill Management, added in accordance with Change Order SP644-013, in order to provide for increased quantities of gypsum fill that needed to be either placed and compacted in addition to design quantities (Task C5a.), or material that needed to be stockpiled or placed (Task C5b.) for future works in relation to the Phase I gypsum/earthwork activities under the contract.
24. CDM's original BAFO quantity for Phase I (OGS) soil cover changed from 88,878 cy and $1,121,598 to 43,000 cy and $543,251 for the OGS ditches and 7,565 cy and $95,574 for the OGS Slope Pond per Change Order SP644-014.
25. CDM's original BAFO quantity for Phase II (NGS) soil cover changed from 77,681 cy and $981,402 to 81,200 cy and $1,025,860 per Change Order SP644-014.
26. CDM's original BAFO quantities for NGS-S Cap Area soil cover changed from 37,725 cy and $387,232 to 29,150 cy and $290,400; and CDM's original BAFO quantity for OGS Cap Areas changed from 34,000 cy and $348,996 to 33,600 cy and $344,479, based on the original BAFO lump sum with a unit rate of $11.29 / cy, per Change Order SP644-014.
27. CDM's original BAFO quantity for NGS-N Relief Ditch soil cover changed from 22,578 cy and $231,754 to 27,500 cy and $287,335, based on the original BAFO lump sum with a unit rate of $11.29 / cy, per Change Order SP644-014.
28. CDM's original BAFO quantity for Phase II Slopes gypsum fill/earthwork was revised from 94,319 cy and $194,351 to 72,995 cy and $150,411 per Change Order SP644-014.
29. CDM's original BAFO quantity and the Engineer's estimate for Phase II Slopes gypsum fill/earthwork did not include a quantity for imported soil fill that was needed in addition to local soil fill to complete construction of the Phase II ditch and stormwater pond system. The calculated imported soil fill/earthwork quantity (neat) of 25,313 cy and cost of $271,608 were added per Change Order SP644-014.
30. Task C3 was modified to include additional panel drains (as noted above), based on the Engineer's revised drawings, for a total cost of $37,938 per Change Order SP644-014.

CLOSURE TASK BREAKDOWN
PINEY POINT - ITN 2005002C

Item	Closure Construction Element	Engineer's Estimate	CDM BAFO Estimate	CDM BAFO PRICE	Computed Unit Rate	CDM BAFO Unit Rate	Totals

31. Task C3b. was modified to provide a lump sum cost of $8,373 for repairs of the NGS-S South Slope solution cavities discovered during in the Phase II slope closures per Change Order SP644-015.
32. Task C3a. was modified to provide an agreed upon lump sum cost of $90,000 for deepening of the OGS-S South Slope seepage drain per Change Order SP644-015.
33. CDM's lump sum price for 80-mil HDPE liner under Task C2a. for the NGS-S reservoir was revised from $2,222,208 (as previously revised per Change Order SP644-005) to $2,200,476 to provide a credit of $21,732 for the Department's costs for the Engineer's professional services that were required in conjunction with liner repair work in the NGS-S compartment per Change Order SP644-015.
34. The lump sum cost for Other Ancillary items under Task C2b was modified from $53,851 to $47,593 based on Change Order SP644-016 for the Phase I outlet/piping changes.
35. The lump sum cost for Other Ancillary items under Task C2c was modified from $53,114 to $101,654 based on Change Order SP644-016 for the Phase I outlet/piping changes.
36. The lump sum cost for Other Ancillary items under Task C2d was modified from $39,686 to $144,059 based on Change Order SP644-016 for the Phase I outlet/piping changes.
37. The lump sum cost for Other Ancillary items under Task C3a was modified from $97,241 to $200,586 based on Change Order SP644-016 for the Phase I outlet/piping changes.
38. Task C3a. was modified to include $2,487 for the costs necessary to regrade (cut) the existing west slope of the NGS-N compartment to match design grades at the interface with the Phase I storm water ditch in accordance with Ardaman's 1/9/2006 directions per Change Order SP644-016.
39. CDM's quantity for Gypsum Fill for the NGS-N Relief Ditch, Task 2d., was revised from 28,100 cy and $167,855 to 37,860 cy and $226,122 per Change Order SP644-017.
40. Task C4b.2 was modified by Change Order SP644-018 to provide costs for initial invoicing for dredge mobilization, installation of the dredge line, and initial survey/site cleanup, subject to 25% retainage to be released following acceptance by the Engineer of works removing the SCP from the process watershed under Task C4b.2. Pursuant to Change Order SP644-018 the ancillary cost was increased by $134,500 from $50,479 to $184,979.
41. Task C4b.2 was modified per the March 19, 2007 Dispute Resolution Agreement - Remaining Cooling Pond Closures to include SCP Material Management costs for relocation of sludge material or fines to the NCP, as needed, to proceed with closure activities in accordance with the SCP Design Drawings. SCP Material Management costs are in addition to those previously provided under Change Order SP644-018 (see Note 40) and are subject to the same retainage release conditions.
42. Task quantity and lump sum amount modified per March 19, 2007 Dispute Resolution Agreement - Remaining Cooling Pond Closures
43. Earthwork Quantity to be adjusted based on the agreed upon amount realized in the SCP temporary Soil Mix Stockpile per the March 19, 2007 Dispute Resolution Agreement.
44. The design quantity and lump sum amount for the SCP drain, under Task C4b.2, was modifiified from 6,195 lf and $711,166 to 6,320 lf and $846,541 per Change Order SP644-019.
45. The design quantity amount for the slope cover grassing, under Task C1, was modifiified from 40 ac (for the NGS-N, OGS-S, and OGS-N) to breakout 6.7 ac as actually placed in the OGS-S reservoir compartment prior to this change order, and 33.3 ac remaining for the NGS-N and OGS-N slopes per Change Order SP644-020.
46. The design quantity and lump sum amount for crest road grassing (seed with sod aprons) for all the OGS-S, OGS-N, and NGS-N reservoir compartments, under Task C1, was changed from 4 ac and $9,400 to 3.5 ac and $8,225 per Change Order SP644-020.
47. The design quantity and lump sum amounts for crest road grassing (previously NGS-S west dike only) for all the NGS-S crest roads and the NGS-N ReliefDitch, under Task C2, was changed from 1 ac and $2,342 to 5.9 ac and $13,816 for the NGS crests and from 5 ac and $11,708 to 8.1 and $18,967 per Change Order SP644-020.
48. The design quantity and lump sum amounts for seed or sod grassing for all the NGS-S and OGS cap areas, under Task C2, were changed from 10.5 ac and $24,588 to 8.4 ac and $19,670 for the NGS-S and from 7.5 ac and $17,563 to 9.9 ac and $23,183 for the OGS cap areas per Change Order SP644-020.
49. The design quantity and lump sum amount for amended gypsum grassing for the NGS-N relief Ditch/NGS-S south dike slope areas, under Task C2, were changed from 10 ac and $66,636 to 6.6 ac and $43,980 per Change Order SP644-020.
50. The design quantity and lump sum amounts for grassing for the OGS stormwater ponds, the OGS runoff ditches, and amended gypsum grassing, under Task C3, were changed from 3 ac and $7,031 to 4.3 ac and $10,078, from 13 ac and $114,263 to 13.4 ac and $117,779, and from 23 ac and $153,264 to 19.3 ac and $128,608, respectively, per Change Order SP644-020.
51. The design quantity and lump sum amounts for grassing for the NGS stormwater pond, the NGS runoff ditches, and amended gypsum grassing, under Task C3, were changed from 13 ac and $30,469 to 15.3 ac and $35,859, from 6 ac and $52,737 to 12.3 ac and $108,111, and from 22 ac and $146,600 to 19.0 ac and $126,609, respectively, per Change Order SP644-020.
52. An additional ancillary lump sum amount was added under Task C3b. for additional structures included in the Phase II slope closure designs, per Change Order SP644-020.
53. An additional lump sum amount for Geocomposite materials/installation was added under Task C3b. for the modified Phase II drain design, per Change Order SP644-020.
54. An additional lump sum amount was added under Task C3b. based on the Engineer's field modifications and additional length of drain installation south of Station 150+70. along the east slope of the NGS for the Phase II slope closures, per Change Order SP644-020.
55. An additional lump sum amount was added under Task C4b.2 for installation of pipe connections between Basin No. 2 and Basin No. 1 , per Change Order SP644-020.
56. The design quantity and lump sum amount for crest road liner for all four reservoir compartments, under Task C1, was changed from 175,000 sf and $120,000 to 317,730 sf and $217,872, per Change Order SP644-020.
57. Earthwork quantity (at credit rate) is adjusted from 152,332 to 133,932 cy and the remaining earthwork quantity is increased by a like amount from 45,718 to 64,118 cy based on the amount realized in the SCP temporary Soil Mix Stockpile, per the March 19, 2007 Dispute Resolution Agreement and Change Order SP644-021.
58. Soil Cover Lump Sum cost adjusted from $3,370,390 to $3,671,965 based on an agreed upon shortage in the expected amount of locally available clean soil cover material of 32,638 cy, where the lump sum cost increase was calculated as 32,638 cy ($13.57 - 4.33/cy), or an agreed upon increase of $301,575 , per Change Order SP644-021.
59. Design quanity and lump sum amounts for the First 50% plant watershed areas closure are being specified to incorporate agreed upon quantities and lump sum costs in Attachment C per the April 30, 2008 Dispute Resolution Agreement - Part 1, CDM Claims for Additional Costs.
60. Agreed upon lump sum amount for installation of slurry wall, including all site and fence restoration as needed, to allow CDM to install a remedial drain located south of the OGS Phase I stack drains, for the purpose of collecting seepage to the stack system consistent with Rule 62-673.610(5)(a)4, F.A.C., per Change Order SP644-021.
61. Agreed upon lump sum amount for preparation of Outfall 001 to receive and monitor noncontact stormwater runoff from portions of the site consistent with the Engineer's closure plans, per Change Order SP644-021.
62. Modification of the NGS-N sprayfield to add pads to protect the reservoir liner per the Engineer's recommendation for continued use where portions of the sprayfield system may be floating on an intermittent basis, per Change Order SP644-021.
63. The lump sum cost for the optional reclosure of the NGS-N Relief Ditch, under Task C2e, has been removed from the Contract at the Department's option since performance of this task no longer necessary, per Change Order SP644-021.
64. The design quantity and lump sum amount for Soil Cover for the NGS-N, OGS-S & OGS-N, under Task C1, was modifiified to breakout 59,312 cy for the amount of soil cover previously placed during 2005 and early 2006 for the lined slopes of the OGS-S reservoir, per the April 30, 2008 Dispute Resolution Agreement - Part 1, CDM Claims for Additional Costs
65. The design quantities and lump sum amounts for Soil Cover for the Reservoir Modifications (MODS) for the OGS-S, OGS-N, and NGS-S, under Tasks C1 and C2a., was modifiified to specify the amount of soil cover and the lump sum to complete the reservoir closure modifications, per the April 30, 2008 Dispute Resolution Agreement - Part 1, CDM Claims for Additional Costs.
66. The design quantity and lump sum amount for Soil Cover for the NGS-S, under Task C1, was modifiified to breakout 5,445 cy for the crest road closure from the BAFO quantity of 140,000 cy for the NGS-S lined slopes/crest roads, and the breakout for the OGS-N pond east dike was not adjusted from 3,000 to 2,950 cy per the April 30, 2008 Dispute Resolution Agreement - Part 1, CDM Claims for Additional Costs.
67. The design quantity and lump sum amount for Drain Composite for all four reservoir compartments, under Task C1, was modifiified to specify a revised design quantity of 60,610 sy for the reservoir closure modifications from the original BAFO quantity of 85,000 sy, per the April 30, 2008 Dispute Resolution Agreement - Part 1, CDM Claims for Additional Costs.
68. The design quantity and lump sum amount for Drain Composite for the crest road closures, under Task C1, was modifiified to specify a revised design quantity of 24,390 sy for the reservoir closure modifications from the original BAFO quantity of 85,000 sy, per the April 30, 2008 Dispute Resolution Agreement - Part 1, CDM Claims for Additional Costs.
69. The lump sum amounts for sodding the OGS-S slope cover, under Task C1, the lump sum cost for Seed or Sod for the crest roads under Tasks C1 and C2a, and the seed or sod for for the NGS-N Relief Ditch were modified per the April 30, 2008 Dispute Resolution Agreement - Part 1, CDM Claims for Additional Costs.
70. Additional lump sum allowance of $100,000 for Closure Related Sludge Management for disposal of all sludges, fines, and any other materials to be cleaned, removed, or otherwise disposed from the NGS-N reservoir per the August 5, 2008 Dispute Resolution Agreement - Part 2, CDM Claims for Additional Costs. Except for sludges in Aeration Pond 1 and wastes/sludges in Clarifiers 1 and 2 of the Double Lime System, CDM explicitly agrees to be responsible for performing all waste management services identified under the Contract and that CDM will not seek or be granted any additional cost increases for waste management services under the Contract; including any management or disposal costs related to any sludges, fines, or any other process water related wastes, either existing onsite or generated by CDM actions related to this Contract, per the August 5, 2008 Dispute Resolution Agreement - Part 2, CDM Claims for Additional Costs.
71. Additional lump sum allowance of $1,153,701 for fill material adjustment based on management of soft materials and claim for increased fill quantities, per the August 5, 2008 Dispute Resolution Agreement - Part 2, CDM Claims for Additional Costs.
72. Adjustment of Phase I and Phase II drain lengths and costs, per the August 5, 2008 Dispute Resolution Agreement - Part 2, CDM Claims for Additional Costs.
73. Additional agreed upon lump sum allowance of $71,068, for contractor construction management costs based on drawing delivery dates, allocated for Tasks C2b, C2c, and C2d, per the August 5, 2008 Dispute Resolution Agreement - Part 2, CDM Claims for Additional Costs.
74. Additional agreed upon lump sum allowance of $71,068, for contractor construction management costs based on drawing delivery dates, for Task C3a, per the August 5, 2008 Dispute Resolution Agreement - Part 2, CDM Claims for Additional Costs.
75. Agreed upon lump sum allowance of $18,234 for construction related piping and water management, per the August 5, 2008 Dispute Resolution Agreement - Part 2, CDM Claims for Additional Costs.
76. Agreed upon lump sum allowance of $40,000 for remobilization of the liner subcontractor during Phase I and concurrent construction activities, per the August 5, 2008 Dispute Resolution Agreement - Part 2, CDM Claims for Additional Costs.
77. Additional agreed upon lump sum allowance of $208,000 for contractor construction management costs based on drawing delivery dates, for Task C3b, per the August 5, 2008 Dispute Resolution Agreement - Part 2, CDM Claims for Additional Costs.

CLOSURE TASK BREAKDOWN
PINEY POINT - ITN 2005002C

Item	Closure Construction Element	Engineer's Estimate	CDM BAFO Estimate	CDM BAFO PRICE	Computed Unit Rate	CDM BAFO Unit Rate	Totals

78. The lump sum pricing for the amount of materials realized in the SCP temporary Soil Mix Stockpile is adjusted to provide separate lump sum amounts for the stockpile work and the subsequent transportation and placement of the stockpiled materials for the NCP closure task, per the August 5, 2008 Dispute Resolution Agreement - Part 2, CDM Claims for Additional Costs.
79. The initial pricing for the Second 50% Plant Watershed Areas is specified, for Task C6b, per the August 5, 2008 Dispute Resolution Agreement - Part 2, CDM Claims for Additional Costs.
80. A lump sum cost for mobilization of soil cover importation and placement activities was incorporated in Task C4a, and the quantity and lump sum pricing for soil cover related materials under Task C4a was revised from 103,184 cy and $1,400,008 to 110,00 cy and $2,150,500, per the August 5, 2008 Dispute Resolution Agreement - Part 2, CDM Claims for Additional Costs.
81. The lump sum price for 80 mil liner under Task C1 for crest roads was modified per Changer Order SP644-022 from $217,872 to 273,708 based on contract provisions for the fluctuation in liner resin costs.
82. A lump sum price of $66,909 for 80 mil liner to be installed as specified by design drawings for the OGS-S and OGS-N compartment modifications under Task C1 is included per Changer Order SP644-022.
83. A lump sum price of $47,000 for modification of the OGS partition and OGS-N east dike crest roads and liner to allow for installation of HDPE overflow as specified by the Engineer under Task C1 per Change Order SP644-022.

CDM
2301 Maitland Center Parkway, Suite 300
Maitland, Florida 32751
tel: 407 660-2552
fax: 407 875-1161

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Bureau of
Mine Reclamation

September 03, 2008

Mr. John Coates
Contract Manager
Florida Department of Environmental Protection
Bureau of Mine Reclamation
2051 East Dirac Drive
Tallahassee, Fl 32310

RE: 2008 Liner Resin Cost Adjustment Revised Change Order Request
FDEP Contract Number SP644

Dear Mr. Coates,

CDM Constructors Inc. hereby submits the following revised change order request due to increases in liner resin costs since 2006. The change order has been calculated in accordance with the provisions of Attachment C "Payment and Deliverable Schedule." CDM has recalculated the liner areas for the OGS Modifications based on the May 29, 2008 Ardaman construction drawings and the overflow structure sketch distributed at the August 29, 2008 construction meeting. CDM is in agreement with the quantities presented by Ardaman in their email to the Department dated August 12, 2008 (see attached). The total of the change order is an increase of $70,989.93 to the contract amount. This change order applies to the liner work for the Crest Road Closures and OGS Reservoir Modifications.

Attached is a spreadsheet with the calculations showing how the change order amount was calculated along with the required supporting documentation from the liner manufacturers and resin suppliers.

Please advise if this change is acceptable to the Department. Feel free to call me at 407-660-6423 if you have any questions.

Sincerely,
CDM Constructors Inc.

Dean Carter
Senior Project Manager

Cc: Richard Cantrell, FDEP
Richard Slovarp, CDM
Michael Cruz, CDM
Rob Werner, Ardaman

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Mine Reclamation

Method 1 Change In Liner Sheet Unit Price

	Qty Estimate	GSE (80 mil HDPE)		
Crest Roads				
DBL Tex	317,730 SF	Nov '04	$0.3000	$95,319.00
OGS Modifications				
DBL Tex	77,670 SF	Nov '04	$0.3000	$23,301.00
Overflow Structure				
DBL Tex	8,560 SF	Nov '04	$0.3000	$2,568.00
	403,960 SF			$121,188.00
		Avg Cost	$0.3000	

Average Cost after adjusting for 3%/Yr from Nov 04 to May 08 = 3.5 Yrs $0.3315

	Qty Estimate	Agru (80 mil HDPE)		
Crest Roads				
DBL Tex	317,730 SF	Nov '04	$0.2815	$89,441.00
OGS Modifications				
DBL Tex	77,670 SF	Nov '04	$0.2815	$21,864.11
Overflow Structure				
DBL Tex	8,560 SF	Nov '04	$0.2815	$2,409.64
	403,960 SF			$113,714.74
		Avg Cost	$0.2815	

Average Cost after adjusting for 3%/Yr from Nov 04 to May 08 = 3.5 Yrs $0.3111

Crest Roads				
DBL Tex	317,730 SF	May '08	$0.4820	$153,145.86
OGS Modifications				
DBL Tex	77,670 SF	May '08	$0.4820	$37,436.94
Overflow Structure				
DBL Tex	8,560 SF	May '08	$0.4820	$4,125.92
	403,960 SF			$194,708.72
		Avg Cost	$0.4820	

Change in Unit Cost after accounting for 3% per year from November 2004 **$0.1709** per SF

Bold numbers represent the "*documented change in liner sheet unit price from at least two liner manufacturers (expressed in dollars per square feet)*"

Method 2 Change In Liner Resin Unit Price

Chevron **$0.68** per pound

Plastic News **$0.41** per pound

Bold numbers represent the "*documented change in liner resin unit price from at least two manufacturers (expressed in dollars per pound)*"

Adjustment for 3% Escalation per year 10.50% Increase in 3.5 Years
Liner Resin November 2004 Price $0.64 per pound $0.0672 Price Escalation per pound

Adjusted Liner Resin Increase $0.3378 per pound Used Plastic News Resin Price Index

Change in Unit Cost after accounting for 3% per year from November 2004 **$0.1493** per SF

Result
[($.3378/lb) x (.442 for 80 mil textured) x (multiplied by 403,960 sf Neat Lined Area)] x (multiplied by 1.10 for waste and overlap) = **$66,345.73**

CDM Markup **$4,644.20**

Total Calculated Change Order Amount **$70,989.93**

Carter, Dean

From: Coates, John [John.Coates@dep.state.fl.us]
Sent: Thursday, August 21, 2008 12:34 AM
To: Carter, Dean
Subject: FW: (requested liner resin adjustment) Scanned CDM Change Order Request

Follow Up Flag: Follow up
Flag Status: Completed

Dean,

Below are comments received by the Department's engineer on the requested resin cost adjustment. Please revise your submittal as we discussed earlier today.

Thanks so much. Please let me know if you have any questions.

John

-----Original Message-----
From: Fuleihan, N (Priority) [mailto:NFuleihan@ardaman.com]
Sent: Tue 8/12/2008 7:58 PM
To: Coates, John
Cc: Werner, Rob
Subject: RE: (requested liner resin adjustment) Scanned CDM Change Order Request

John,

I have reviewed CDM's request for a change order based on the contractual provisions that allow for increases in HDPE resin prices. CDM have analyzed the liner sheet price increase based on a quote from only one liner manufacturer (Agru) and the liner resin unit price increase based on information provided by one resin supplier (Chevron) and by one trade publication (Plastic News). In view of the fact that the change in liner resin price controls (i.e., it is lower than the change in liner sheet price), I find the information submitted in support of CDM's request adequate and the requested change in unit cost of about $0.149 per sq.ft reasonable (after accounting for inflation)and consistent with the contractual provisions. After multiplying the effective change in unit cost by a factor of 1.1 to account for waste and overlap as provided for in the contract, the adjusted unit price increase that would be applied to neat contractual quantities would be $0.164 per sq.ft.

CDM's estimate of liner quantities include 317,730 sq.ft for the crest roads (which is consistent with our estimate) and 63,500 sq.ft for the OGS modifications, or a total of 381,230 sq.ft. For that quantity, I calculate a change order amount of $66,898.24 (inclusive of CDM's 7% mark-up) which is essentially equivalent to the $66,995.47 requested by CDM.

Based on plan areas determined directly from the electronic CAD drawings (distributed 5/29/08) for the OGS & NGS-S Reservoir Modifications, the total neat plan area of 80-mil textured HDPE liner was calculated by Rob as follows: (i) OGS-S dredge discharge pad: 41,820 sf; (ii) OGS-N dredge discharge pad: 35,850 sf; and (iii) Depressed Liner at Proposed Overflow Pipe Locations: 8,560 sf. Hence, our estimated quantity for the OGS modifications is 86,230 sq.ft (compared to CDM's estimate of 63,500 sq.ft.).
It is suspected that the lower quantity reflected in CDM's liner resin adjustment

spreadsheet was derived from the preliminary design drawings that were available at the time of the 5/1/08 Dispute Resolution – Part 1 agreement. For our updated quantity estimate of 403,960 sq.ft (i.e., 317,730 sq.ft. plus 86,230 sq.ft.), I calculate a change order amount of $70,886.90 (inclusive of CDM's 7% mark-up). You may want to ask Dean Carter to recheck his liner quantity estimate for the OGS modifications using the CAD Drawings distributed on May 29, 2008.

In summary, CDM's request for the change in liner unit price is reasonable but their quantity estimate is slightly lower than ours.

Nadim F. Fuleihan, Sc.D., P.E.

Sr. Vice-President, Principal

Ardaman & Associates, Inc.

Tel: 407- 855-3860 Cell: 407- 467-1180

From: Coates, John [mailto:John.Coates@dep.state.fl.us]
Sent: Friday, August 08, 2008 9:46 AM
To: Fuleihan, N (Priority)
Cc: Werner, Rob
Subject: FW: (requested liner resin adjustment) Scanned CDM Change Order Request

Nadim,

CDM has forwarded the attached request for a change order based on the contractual provisions for increases to resin prices. Would you please review CDM's submittal and provide your recommendations to the Department on the adequacy of the submittal/documentation given timing and the contractual provisions for resin price adjustments.

Thanks so much for your assistance.

John

John A. Coates, P.E.

Chief

Bureau of Mining and Minerals Regulation

Office: (850) 488-8217, ext. 17

Fax: (850) 412-0714

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you.
Please take a few minutes to comment on the quality of service you received.
Simply click on this link to the DEP Customer Survey <http://survey.dep.state.fl.us/?refemail=John.Coates@dep.state.fl.us> . Thank you in advance for completing the survey.

From: Monahan, Marjane
Sent: Friday, July 18, 2008 10:43 AM
To: Coates, John
Subject: Scanned CDM Change Order Request

John - The liner resin cost adjustment change order request is attached. It is also located at:

X:\BMR\Admin\John Coates\CDM Constructors

Marjane Monahan

Administrative Assistant III

Division of Water Resource Management

Office of Deputy Director Richard W. Cantrell

Telephone: 850-488-8217

Fax: 850-488-1254

Marjane.Monahan@dep.state.fl.us

QUOTATION

Paul Moore
Comanco Environmental Corporation
4301 Sterling Commerce Drive
Plant City, FL 33566

Project Number: 080515110
Project Name: Piney Point CDM Palmetto
Location: Palmetto, FL
Terms: Net 45 days
Bid Date: May 15, 2008

Product	Quantity	Roll Size	F.O.B.	Unit Price	Total Price	Warranty
80 mil HDPE Microspike®	377,200 SF 50 rolls	7,544 SF	Palmetto, FL	$.482/sf	$181,810.40	20 Year

Note: Prices are valid for 30 days from date of quotation.

Exceptions/Clarifications and Special Requirements: This is a buried application.

Comments:

- Unless otherwise specified, Agru America standard material specification values and testing will apply for this quotation and the Customer agrees that Agru America standard values will be acceptable according to this quote.
- Agru America Standard Warranty shall apply.
- Agru America General Terms and Conditions will apply.
- If the material quantity changes from the above square footage, a revised quotation must be issued.
- Agru America reserves the right to pass along any verifiable resin increases from the resin supplier up to time of material shipment.
- Shipping dates are estimates only and Agru America will not be held liable for any delays due to shipping.
- Any costs associated with third party testing will be the responsibility of the customer.
- Interest will accrue on unpaid balances at 1 ½% per month and Purchaser is responsible for collection costs and attorney fees.

P. O. No.: _____ Signature: _____

Date: _____ Title: _____

PLEASE FAX TO:
Rick Cannon
Fax: 843-527-2738
Your material supplier – not your competition!

GSE Lining Technology, Inc.
GSE Domestic Sales Department
19103 Gundle Road
Houston, Texas 77073
Phone: 800-435-2008
Fax: 281-230-8650

GSE Project Number: 516150
GSE Customer Number: 119253
GSE Quote Number: 38772 CS
Customer Reference: 516150

SALES QUOTATION

Quote To: Comanco Environmental Corp.
7911 Professional Place
Tampa FL 33637

Phone: 813 988-8829
Fax: 813 988-8779

Project: Piney Point Stack Closure, PH 3
3095 Highway 640
Mulberry FL 33860

Phone:
Fax:

Payment Terms: Subject to approved credit
Shipping Terms: F.O.B. Jobsite

Delivery Instructions: Must deliver by 12/31/04

Line No.	Quote Date	Quote Expiration	Description	Item Number	UOM	Quantity	Unit Price	Extended Price
11	11/22/04	12/22/04	80 mil Avg GSE Wide Edge Text. Blk, HDT, 2 Side Tex, 22.5'	HDT080AW00	SF	1,425,000	.3900	557,500.00
12	11/22/04	12/22/04	80 mil Avg GSE HD Blk, HD, Smooth, 22.5'	HDSD80A000	SF	1,430,000	.2760	357,540.00
13	11/22/04	12/22/04	80 mil Avg GSE HD Textured Blk, HD, 1 Side Tex, 22.5'	HST080A000	SF	480,000	.2880	138,240.00

80 mil

Special Conditions:

Quote Total US$: 1,023,280.00

Price Expiration: The prices for products are firm for 30 days from the date of this Quotation. A purchase order from the Customer must be received within the 30 day period on Customer shall have the right to take delivery of products at the 30 days of issuance of a GSE Order Acknowledgement, or the prices for those products will be subject to change in the following provisions:
a. Prices for GSE resin based products are subject to escalation clause as changed in the price list now or published in Plastic News on the first Friday Publication in March, March and September. Quoted prices are based on resin prices at the time of quote only, and are not to be changed when Plastic News publishes a higher change. If the March or September price list publication is not in Plastic News' courses, Price changes will be applied accordingly to each product based on that product's baseline) weight per unit.
b. Prices for non-GSE supplied materials are subject to price changes based on supplier's quotations.

Material Warranty: All products are sold with GSE's Standard Limited Warranty. GSE will "pass through" the original manufacturer's warranty for all products and manufactured by GSE.

Material Specifications: Unless otherwise agreed in writing by a GSE authorized representative, GSE's standard materials specifications and recommendations apply to the material, quality.

Shipping Policy: GSE Standard Procedure calls for shipment of delivery (FOB Plant) within days after a GSE Order Acknowledgement is issued by Customer. All shipments are governed by GSE's Shipping Policy in effect at the date of shipment. Delivery on flatbed trailers will be FOB Plant with freight collect.

Substitution of Products: GSE reserves the right to substitute materials and products of equal or better quality at GSE's option for materials specified in the Quotation or Order.

Acceptance of Order Conditions: Any changes in quantities, specifications, or conditions by Customer will require a revised Acknowledgement. Customer waives its terms and conditions of purchase unless made in writing and accepted by GSE. GSE shall have the right to accept or decline to perform any such terms.

Applicable Taxes: All prices are exclusive of taxes, duties, or fees that may be levied by governmental authority. Customer shall be responsible for all taxes and duties.

Taxes: Taxes are calculated at the time of invoicing based on GSE's nexus determination. Customer is responsible for providing GSE with a valid exemption certificate prior to invoicing if Customer claims exemption from applicable taxes.

Terms and Conditions: GSE General Terms and Conditions of Sale, attached hereto, shall apply to all transactions. Acceptance of this Quotation is expressly limited to Customer's acceptance of GSE General Terms and Conditions of Sale.

NOTE: GSE Lining Technology, Inc. is an Equal Opportunity Employer.

Comments:

CONFIDENTIAL
The information provided on this quotation is GSE's property and is considered confidential information. Customer agrees not to disclose this information to any third party without GSE's written consent.

GSE 1/2 007

Accepted by:

Name - Date

~~08/27/04~~

AUGUST 2004

QUOTATION

Joe Heinz
Comanco

FAX #: 863-428-7405

Project Number: 040827101
Project Name: Piney Point Stack Closure
Location:
Application:
Bid Date: August 27, 2004
Terms:
Taxes: Excluded

Product	Quantity	Roll Size (ft)	F.O.B.	Unit Price	Total Price	Warranty	
80 mil HDPE Smooth	3,219,525 SF 349 rolls	22.5' x 410'	Palmetto, FL	.2543/sf	$818,725.21	Agru Standard	.2543
80 mil HDPE Microspike ® Double Sided	3,008,170 SF 319 rolls	23' x 410'	Palmetto, FL	.2815/sf	$846,799.86	Agru Standard	.2815
80 mil HDPE Microspike ® Single-Sided	405,490 SF 43 rolls	23' x 410'	Palmetto, FL	.2694/sf	$109,239.00	Agru Standard	.2694
60 mil HDPE Smooth	1,256,850 SF 133 rolls	22.5' x 420'	Palmetto, FL	.1922/sf	$241,566.57	Agru Standard	
60 mil HDPE Microspike ®	1,255,800 SF 130 rolls	23' x 420'	Palmetto, FL	.2134/sf	$267,987.72	Agru Standard	
40 mil HDPE Smooth	2,598,125 SF 205 rolls	22.5' x 650'	Palmetto, FL	.1302/sf	$390,355.88	Agru Standard	
40 mil HDPE Microspike ®	3,001,500 SF 261 rolls	23' x 500'	Palmetto, FL	.1453/sf	$436,117.95	Agru Standard	
5mm HDPE Weld Rod	11,000 lb	22 lb Spools	Palmetto, FL	$2.00	$22,000.00	Agru Standard	

Note: *Prices are for shipments by end of September, 2004*
Exceptions/Clarifications and Special Requirements: Specifications are under review.

3,110,795

Comments:

- Unless otherwise specified, Agru America standard material specification values and testing will apply for this quotation and the Customer agrees that Agru America standard values will be acceptable according to this quote.
- Agru America Standard Warranty shall apply.
- Agru America General Terms and Conditions will apply.
- If the material quantity changes from the above square footage, a revised quotation must be issued.
- Agru America reserves the right to pass along any verifiable resin increases from the resin supplier up to time of material shipment.

Chevron Phillips Chemical Company LP

November 15, 2007

Dear Valued Customer:

Due to extraordinary trends in the global energy markets, Chevron Phillips Chemical Company LP will implement a five cent ($0.05) per pound price increase for all polyethylene products effective December 15, 2007. This price increase is in addition to the 5 cent ($0.05) per pound price increase which was implemented on November 1, 2007 and the 6 cent ($0.06) per pound price increase which will be implemented effective November 15, 2007.

We appreciate your business and thank you for your continued support of Marlex®, Marflex®, and mPact™ resins. Your Chevron Phillips polyethylene sales representative will contact you to answer any questions you may have regarding this increase and provide further information on polyethylene market conditions.

Sincerely,

Joseph W. Locke
Sales Manager
Polyethylene

Joseph W. Locke
Sales Manager
Polyethylene

10001 Six Pines Drive
The Woodlands, TX 77380

P. O. Box 4910
The Woodlands, TX 77387-4910

Phone: 832-813-4457
Fax: 832-813-4410
lockejw@cpchem.com

www.cpchem.com

12/15/07 0.05 Increase

Total Increase

12/15/07	0.05
11/15/07	0.06
11/1/07	0.05
9/12/07	0.05
8/1/07	0.04
6/1/07	0.05
1/15/07	0.07
1/1/07	0.06
	0.43

Previous Increase Per Co #10

0.25

0.68

Chevron Phillips Chemical Company LP

Joseph W. Locke
Sales Manager
Polyethylene

10001 Six Pines Drive
The Woodlands, TX 77380

P. O. Box 4910
The Woodlands, TX 77387-4910

Phone: 832-813-4457
Fax: 832-813-4410
lockejw@cpchem.com

www.cpchem.com

October 17, 2007

Dear Customer:

Due to extraordinary trends in the global energy markets, Chevron Phillips Chemical Company LP will implement a six cent ~~($0.06)~~ per pound price increase for all polyethylene products effective ~~November 15, 2007~~. This price increase is in addition to the previously announced 5 cent ($0.05) per pound price increase which will be implemented, without delay, effective November 1, 2007.

We appreciate your business and thank you for your continued support of Marlex®, Marflex®, and mPact™ resins. Your Chevron Phillips polyethylene sales representative will contact you to answer any questions you may have regarding this increase and provide further information on polyethylene market conditions.

Sincerely,

Joseph W. Locke
Sales Manager
Polyethylene

11/1/07 0.05 increase
11/15/07 0.06 increase

Chevron Phillips Chemical Company LP

Joseph W. Locke
Sales Manager
Polyethylene

10001 Six Pines Drive
The Woodlands, TX 77380

P. O. Box 4910
The Woodlands, TX 77387-4910

Phone: 832-813-4457
Fax: 832-813-4410
lockejw@cpchem.com

www.cpchem.com

August 16, 2007

Dear Customer:

Chevron Phillips Chemical Company LP will implement a five cent ($0.05) per pound price increase for all polyethylene products effective September 17, 2007. This price increase is in addition to previously announced price increases in 2007.

Given the tight market conditions, acceptance of orders will be based on historical purchases and product supply. Your CPChem sales rep will contact you regarding your resin requirements.

We appreciate your business and thank you for your continued support of Marlex®, Marflex®, and mPact™ resins. Your Chevron Phillips polyethylene sales representative will contact you to answer any questions you may have regarding this increase and provide further information on polyethylene market conditions.

Sincerely,

Joseph W. Locke
Sales Manager
Polyethylene

9/17/07 0.05 increase

Chevron Phillips Chemical Company LP

Joseph W. Locke
Sales Manager
Polyethylene

10001 Six Pines Drive
The Woodlands, TX 77380

P. O. Box 4910
The Woodlands, TX 77387-4910

Phone: 832-813-4457
Fax: 832-813-4410
lockejw@cpchem.com

www.cpchem.com

June 26, 2007

Al Jackson
Printpack, Inc.
2800 Overlook Parkway NE
Atlanta, GA 30339

Dear Al Jackson:

Chevron Phillips Chemical Company LP will implement a four cent ($0.04) per pound price increase for all polyethylene products effective August 1, 2007. This price increase is in addition to previously announced price increases in 2007.

Given the tight market conditions, especially in HDPE, acceptance of orders will be based on historical purchases and product supply. Your CPChem sales rep will contact you regarding your third quarter resin requirements.

We appreciate your business and thank you for your continued support of Marlex®, Marflex®, and mPact™ resins. Your Chevron Phillips polyethylene sales representative will contact you to answer any questions you may have regarding this increase and provide further information on polyethylene market conditions.

Sincerely,

Joseph W. Locke
Sales Manager
Polyethylene

8/1/07 0.04 Increase

Chevron Phillips Chemical Company LP

Joseph W. Locke
Sales Manager
Polyethylene

10001 Six Pines Drive
The Woodlands, TX 77380

P. O. Box 4910
The Woodlands, TX 77387-4910

Phone: 832-813-4457
Fax: 832-813-4410
lockejw@cpchem.com

www.cpchem.com

April 19, 2007

Dear Customer:

Chevron Phillips Chemical Company LP will implement a five cent ($0.05) per pound price increase for all polyethylene products effective June 1, 2007. This increase is in addition to the previously announced increases effective April 1, 2007.

PE demand has been very strong with HDPE inventories at historic lows after five consecutive months of near record sales. Cost pressures from feedstocks, transportation, raw materials and utilities as well as co-monomer availability are also significant and growing market factors as North America enters what is typically the highest demand part of the year.

Given the tight market conditions, especially in HDPE, acceptance of orders will be based on historical purchases and product supply. Your CPChem sales rep will contact you regarding your second quarter resin requirements.

We appreciate your business and thank you for your continued support of Marlex®, Marflex®, and mPact™ resins. Your Chevron Phillips polyethylene sales representative will contact you to answer any questions you may have regarding this increase and provide further information on polyethylene market conditions.

Sincerely,

Joseph W. Locke
Sales Manager
Polyethylene

6/1/07 0.05 Increase

Chevron Phillips Chemical Company LP

Joseph W. Locke
Sales Manager
Polyethylene

10001 Six Pines Drive
The Woodlands, TX 77380

P. O. Box 4910
The Woodlands, TX 77387-4910

Phone: 832-813-4457
Fax: 832-813-4410
lockejw@cpchem.com

www.cpchem.com

December 15, 2006

Dear Customer:

Chevron Phillips Chemical Company LP will implement a seven cent ($0.07) per pound polyethylene price increase effective January 15, 2007. This price increase is in addition to the previously announced six cent ($0.06) per pound polyethylene price increase which will be implemented January 1, 2007.

Acceptance of orders will be based on historical purchases and product supply.

We appreciate your business and thank you for your continued support of Marlex®, Marflex®, and mPact™ resins. Your Chevron Phillips polyethylene sales representative will contact you to answer any questions you may have regarding this increase and provide further information on polyethylene market conditions.

Sincerely,

Joseph W. Locke
Sales Manager
Polyethylene

1/1/07 0.06 increase
1/15/07 0.07 increase

Chevron Phillips Chemical Company LP

November 9, 2006

Joseph W. Locke
Sales Manager
Polyethylene

10001 Six Pines Drive
The Woodlands, TX 77380

P. O. Box 4910
The Woodlands, TX 77387-4910

Phone: 832-813-4457
Fax: 832-813-4410
lockejw@cpchem.com

www.cpchem.com

Dear Customer:

Chevron Phillips Chemical Company LP will implement a six cent ($0.06) per pound polyethylene price increase effective December 1, 2006.

Acceptance of orders will be based on historical purchases and product supply.

We appreciate your business and thank you for your continued support of Marlex®, Marflex®, and mPact™ resins. Please contact your Chevron Phillips polyethylene sales representative if you have any questions or need further information regarding polyethylene market conditions.

Sincerely,

Joseph W. Locke
Sales Manager
Polyethylene
Chevron Phillips Chemical Company LP

12/1/06 0.06 increase

LOCATE IN CAROLINA
The right environment for Plastics.
Comprehensive Transportation Network

Site search
GO
REDUCES COST SAVES MONEY

Resin pricing

Commodity Thermoplastics

HDPE
Extrusion Film MMW
Annual volumes greater than 20 million pounds.

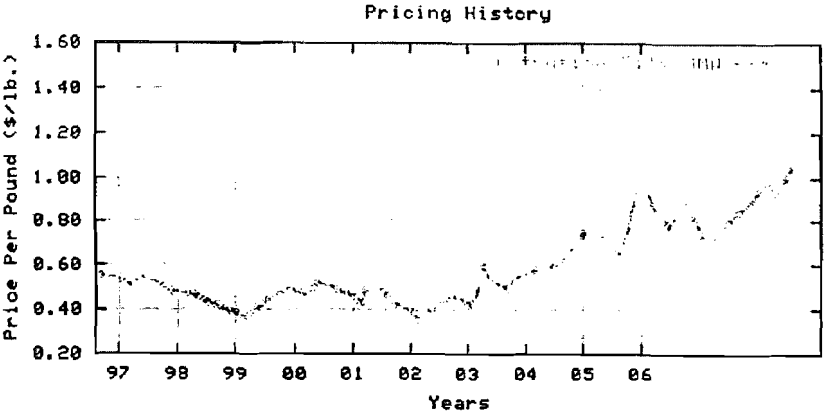
All prices are estimated U.S. market prices, in cents per pound, for prime resin, unfilled, natural color, FOB supplier, unless otherwise indicated.

"Change Date" represents issue dates when *Plastics News* published a change in our weekly price chart, as well as the week when the file was updated most recently. Our published prices indicate when we became aware of and confirmed with North American buyers and suppliers that prices actually changed in the market.

Change Date	Low	High	Avg
12-Aug-96	55.0	56.0	55.5
09-Dec-96	53.0	54.0	53.5
17-Feb-97	51.0	52.0	51.5
14-Apr-97	54.0	55.0	54.5
11-Aug-97	52.0	53.0	52.5
08-Sep-97	50.0	51.0	50.5
27-Oct-97	48.0	49.0	48.5
09-Feb-98	47.0	48.0	47.5
16-Mar-98	46.0	47.0	46.5
13-Apr-98	45.0	46.0	45.5
11-May-98	44.0	45.0	44.5
08-Jun-98	43.0	44.0	43.5
13-Jul-98	42.0	43.0	42.5
17-Aug-98	41.0	42.0	41.5
21-Sep-98	40.0	41.0	40.5
19-Oct-98	39.0	40.0	39.5
30-Nov-98	38.0	39.0	38.5
21-Dec-98	37.0	38.0	37.5
01-Feb-99	36.0	37.0	36.5
01-Mar-99	38.0	39.0	38.5
12-Apr-99	41.0	42.0	41.5

19-Apr-99	**40.0**	**41.0**	**40.5**
07-Jun-99	**44.0**	**45.0**	**44.5**
23-Aug-99	**47.0**	**48.0**	**47.5**
01-Nov-99	**49.0**	**50.0**	**49.5**
10-Jan-00	**47.0**	**48.0**	**47.5**
14-Feb-00	**46.0**	**47.0**	**46.5**
20-Mar-00	**49.0**	**50.0**	**49.5**
17-Apr-00	**52.0**	**53.0**	**52.5**
07-Aug-00	**49.0**	**50.0**	**49.5**
04-Sep-00	**48.0**	**49.0**	**48.5**
16-Oct-00	**47.0**	**48.0**	**47.5**
20-Nov-00	**46.0**	**47.0**	**46.5**
18-Dec-00	**44.0**	**45.0**	**44.5**
29-Jan-01	**43.0**	**44.0**	**43.5**
12-Feb-01	**48.0**	**49.0**	**48.5**
19-Mar-01	**51.0**	**52.0**	**51.5**
11-Jun-01	**48.0**	**49.0**	**48.5**
02-Jul-01	**45.0**	**46.0**	**45.5**
13-Aug-01	**42.0**	**43.0**	**42.5**
12-Nov-01	**40.0**	**41.0**	**40.5**
17-Dec-01	**38.0**	**39.0**	**38.5**
14-Jan-02	**35.0**	**36.0**	**35.5**
11-Mar-02	**38.0**	**39.0**	**38.5**
15-Apr-02	**40.0**	**41.0**	**40.5**
17-Jun-02	**43.0**	**44.0**	**43.5**
12-Aug-02	**45.0**	**46.0**	**45.5**
04-Nov-02	**44.0**	**45.0**	**44.5**
23-Dec-02	**42.0**	**43.0**	**42.5**
20-Jan-03	**47.0**	**48.0**	**47.5**
10-Mar-03	**59.0**	**60.0**	**59.5**
07-Apr-03	**53.0**	**54.0**	**53.5**
16-Jun-03	**51.0**	**52.0**	**51.5**
04-Aug-03	**49.0**	**50.0**	**49.5**
29-Sep-03	**54.0**	**55.0**	**54.5**
26-Jan-04	**57.0**	**58.0**	**57.5**
17-May-04	**59.0**	**60.0**	**59.5**
16-Aug-04	**63.0**	**64.0**	**63.5**
27-Sep-04	**68.0**	**69.0**	**68.5**
15-Nov-04	**73.0**	**74.0**	**73.5**

29-Nov-04	74.0	75.0	74.5
02-May-05	72.0	73.0	72.5
06-Jun-05	68.0	69.0	68.5
11-Jul-05	64.0	65.0	64.5
08-Aug-05	70.0	71.0	70.5
12-Sep-05	76.0	77.0	76.5
19-Sep-05	83.0	84.0	83.5
10-Oct-05	88.0	89.0	88.5
07-Nov-05	96.0	97.0	96.5
16-Jan-06	92.0	93.0	92.5
06-Feb-06	88.0	89.0	88.5
27-Feb-06	84.0	85.0	84.5
10-Apr-06	80.0	81.0	80.5
15-May-06	76.0	77.0	76.5
22-May-06	79.0	80.0	79.5
03-Jul-06	82.0	83.0	82.5
21-Aug-06	87.0	88.0	87.5
16-Oct-06	82.0	83.0	82.5
13-Nov-06	78.0	79.0	78.5
18-Dec-06	72.0	73.0	72.5
22-Jan-07	69.0	70.0	69.5
19-Feb-07	72.0	73.0	72.5
09-Apr-07	75.0	76.0	75.5
21-May-07	79.0	80.0	79.5
30-Jul-07	84.0	85.0	84.5
22-Oct-07	88.0	89.0	88.5
19-Nov-07	93.0	94.0	93.5
04-Feb-08	96.0	97.0	96.5
10-Mar-08	93.0	94.0	93.5
28-Apr-08	96.0	97.0	96.5
26-May-08	99.0	100.0	99.5
[redacted]	[redacted]	105.0	104.5



The information provided is based on sources believed to be reliable but its accuracy or timeliness is not guaranteed and no warranties of any kind are provided. *Plastics News* does not intend to specify the price of the materials listed. For price quotes on specific materials, contact the supplier.

Be sure to check this site's current Resin pricing page for the latest resin pricing news.

For pricing information on virgin thermoplastic resins, call *Plastics News* reporter Frank Esposito at (330) 865-6156, or fax him at (330) 836-2322.

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For information about this web site contact webmaster@plasticsnews.com

Coates, John

From: Fuleihan, N (Priority) [NFuleihan@ardaman.com] **Sent:** Wed 9/17/2008 10:11 AM
To: Coates, John
Cc: Werner, Rob
Subject: RE: CDM Liner Resin Cost adj. revised change order request
Attachments: CDM_Letter_2008Liner_Resin_Cost_Adj_REVISED_Change_Order_Request.pdf(543KB)

John,

As a follow-up to my August 12, 2008 comments on CDM's original submittal, and after review of their revised submittal appended to your e-mail below, I find CDM's revised request for a change order reasonable and consistent with contractual provisions.

Nadim F. Fuleihan, Sc.D., P.E.

Sr. Vice-President, Principal

Ardaman & Associates, Inc.

Tel: 407- 855-3860 Cell: 407- 467-1180

From: Coates, John [mailto:John.Coates@dep.state.fl.us]
Sent: Wednesday, September 17, 2008 7:59 AM
To: Fuleihan, N (Priority); Werner, Rob
Subject: Fw: CDM Liner Resin Cost adj. revised change order request

Nadiim,

Attached is an revised change order request from CDM for liner quantity and resin cost adjustment following your comments on CDM's initial submittal. Would you provide the Department with your recommendation on the revised request that should be attached. If there are questions for this revised submittal, please call me at your convenience.

Thanks so much.

John

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on this link to the DEP Customer Survey. Thank you in advance for completing the survey.

From: Monahan, Marjane
To: Coates, John
Sent: Thu Sep 11 11:03:38 2008
Subject: CDM Liner Resin Cost adj. revised change order request

John – This is also located at:

X:\BMR\Admin\John Coates\CDM Constructors

Marjane Monahan

Administrative Assistant III

Division of Water Resource Management

Office of Deputy Director Richard W. Cantrell

Telephone: 850-488-8217

Fax: 850-488-1254

Marjane.Monahan@dep.state.fl.us

2301 Maitland Center Parkway, Suite 300
Maitland, Florida 32751
tel: 407 660-2552
fax: 407 875-1161

RECEIVED
SEP 23 2008
Bureau of
Mine Reclamation

September 19, 2008

Mr. John Coates
Contract Manager
Florida Department of Environmental Protection
Bureau of Mine Reclamation
2051 East Dirac Drive
Tallahassee, Fl 32310

RE: Installation of Two Lined Reservoir Overflow Structures Revised Cost Proposal
FDEP Contract No. SP644

Dear Mr. Coates,

CDM Constructors Inc. hereby submits the following revised cost proposal for the work associated with the installation of the two lined overflow structures in the interior dikes of the OGS-S, OGS-N and NGS-S in accordance with the Overflow Pipe Excavation Schematic prepared by Ardaman and Associates and distributed at the August 29, 2008 construction meeting and in accordance with the Reservoir Modification Drawings dated May 2008 by Ardaman and Associates.

The scope of the proposed work is as follows:

1. Existing cover soil, vegetation (if present) will be removed from the area to be excavated and used to provide a thicker work surface for equipment performing the work.
2. The existing liner will be cut and removed.
3. The gypsum dikes will be excavated and gypsum material will be loaded into an off-road truck for transport to either the crest road area for use as fill under the liner or to the north cooling pond for stockpiling for future use.
4. After the excavation is rough graded the surveyor will layout final grades and the seepshield trench area.
5. The excavation will be final graded and compacted to smooth out the gypsum surface prior to liner installation. We have not included the cost of compacting or moisture conditioning of the gypsum to achieve any compaction specification requirements. The surveyor will perform and submit an as built survey of the final grades for approval before liner installation.
6. The 80 mil textured liner will be installed by Comanco. We have assumed there will be no anchor trenches required for the liner installation.

7. Final cleanup will consist of cleaning of the liner surfaces where gypsum may have spilled during the excavation process. The liner in the reservoirs will be cleaned manually using plastic shovels and buckets to collect gypsum that may spill during the excavation process.
8. The overflow structures will be left as bare liner to allow for installation of the overflow piping, structures and tie in of the seepshields to the liner.
9. We have not included any costs for cover soil over the liner.

The total proposed cost for the above described scope of work is $47,000.00. Attached is a spreadsheet provides a detailed cost estimate for the proposed work.

Please advise if this change order request is acceptable to the Department. If you have any questions feel free to contact me at 407-660-6423.

Sincerely,
CDM Constructors Inc.

Dean Carter
Senior Project Manager

Cc: Mike Cruz
Richard Slovarp
Rob Werner – Ardaman
Project File

Piney Point Project # 44810

Installation of Two Lined Overflow Structures

Description of Work	Total Amount
Liner Removal and Installation	$28,462.00
Excavation, Fine Grading and Cleanup	$18,585.14
Total Proposed Cost	**$47,047.14**

Liner Removal and Installation - Comanco

Description	Units	Unit Cost	Total
Remove Existing Liner and New Install 80 Mil Liner	2	$13,300.00	$26,600.00
		Total Liner Cost	**$26,600.00**
		CDM Markup 7%	$1,862.00
			$28,462.00

Excavation, Fine Grading and Cleanup

Gypsum Excavation (2 Locations)

Description	Hours	Hourly Rate	Total
Foreman	16.00	$32.10	$513.60
Operator	16.00	$26.20	$419.20
Truck Driver	16.00	$26.20	$419.20
Excavator	16.00	$89.00	$1,424.00
Off Road Truck	16.00	$76.00	$1,216.00
Dozer	8.00	$67.50	$540.00
Fuel	40.00	$40.00	$1,600.00
Survey Crew	4.00	$165.00	$660.00
Survey Office Calculations	2.00	$75.00	$150.00
		TOTAL	**$6,942.00**

Fine Grade & Compact

Description	Hours	Hourly Rate	Total
Foreman	16.00	$32.10	$513.60
Operator	16.00	$26.20	$419.20
Laborers	16.00	$19.25	$308.00
Excavator	16.00	$89.00	$1,424.00
Fuel	16.00	$40.00	$640.00
Plate Compactor	16.00	$10.00	$160.00
Survey Crew	4.00	$165.00	$660.00
Survey Office Calculations	2.00	$75.00	$150.00
		TOTAL	**$4,274.80**

Clean Up

Description	Hours	Hourly Rate	Total
Foreman	8.00	$32.10	$256.80
Operator	8.00	$26.20	$209.60
Laborers (4)	32.00	$19.25	$616.00
Loader	8.00	$46.50	$372.00
Fuel	8.00	$40.00	$320.00
		TOTAL	**$1,774.40**

Site Supervision	Hours	Hourly Rate	Total
Dean Carter	8	$76.52	$612.16
Mike Cruz (2 Weeks 25%)	20	$47.63	$952.60
Jean Wilson (2 Weeks 20%)	16	$36.34	$581.44
			$2,146.20

CDM Site Equipment	Rate	HRS	Total Cost
Pickup Trucks (Carter, Cruz, Wilson)	$8.50	44	$374.00
Cell Phones (Carter, Cruz, Wilson)	$1.00	44	$44.00
Pickup Trucks (Foreman, Operator)	$9.50	40	$380.00
Cell Phones (Foreman, Operator)	$1.00	40	$40.00
			$838.00
		TOTAL	**$15,975.40**
CDM G & A Cost		5.76%	$920.18
		Subtotal	**$16,895.58**
CDM Overhead and Profit		10%	$1,689.56
		Total Cost	**$18,585.14**