

## Legislation Text

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**File #:** 2115, **Version:** 1

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**CC MEETING:**      **July 7, 2015**

**DATE:**                      July 1, 2015

**TO:**                              Leonard Martin, City Manager

**FROM:**                        Cesar J. Molina, Jr., P.E., Director of Engineering

Consider Authorizing The City Manager To **Approve Change Order No. 2 In The Amount Of \$50,290.34 With Schmoldt Construction Company To Accommodate A Design Change To The Fountain For The Town Square And Pioneer Park Project** For A Revised Contract Amount of \$853,898.92.

**BACKGROUND:**

The City Council awarded a contract on January 20, 2015 to Schmoldt Construction Company in the amount of \$815,923.16, which is comprised of a base bid of \$755,923.16 and a potential incentive amount of \$60,000 for the repurposing of Pioneer Park and to create a new park in the Historic Downtown square/gazebo parking lot. Pioneer Park includes removing the trees, crushed granite and circular concrete bench and planting grass and new trees and installing new benches. The Town Square project involves the removal of the existing parking lot and replacing it with a park consisting of trees, upgraded lighting and a water feature, surrounded by 35 parking spaces.

Change order no. 1 was approved on May 5, 2015 in the amount of \$73,985.42, which increased Schmoldt's contract amount by \$47,685.42 to \$863,608.58, and approved the city's procurement of fountain equipment in an amount not to exceed \$26,300.00. It included costs for four trees and to add the installation of two fountains to the north side of the Square where a water table sculpture was originally proposed. The fountain equipment includes pumps, pools, lights and accessories.

Change order no. 2 reflects a change in scope to accommodate a design change to the fountain, labor and materials to dewater the site due to excessive rainfall to permit concrete placement, removal of a fence, and for changes of unknown field conditions resulting in increased installation costs - the water line was encased in concrete and the sewer line was deeper than expected. This additional work will be done for \$50,290.34.

At this time there is no longer a need for the incentive payment as those terms have expired. The revised contract amount will now be \$853,898.92, which is the sum of the original contract (\$755,923.16) plus change order no. 1 (\$47,685.42) plus this change order (\$50,290.34). Per previous Council action on May 5, the total contract amount was increased to \$863,608.58 which was comprised of the base contract amount of \$803,608.58 plus a potential bonus of \$60,000.

**FINANCIAL IMPLICATIONS:**

Since the total contract amount is decreasing, funding is already available in Account Unit 854102-113840199 (Transit-Oriented Development Projects).

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends authorizing the City Manager to execute change order no. 2 to Schmoldt Construction Company in the amount of \$50,290.34 for a revised contract amount of \$853,898.92. This change order will result in a 1.12% decrease in the contract amount and an increase of the contract length by 42 calendar days.