

Mayor and Council Communication

DATE: 10/22/19

M&C FILE NUMBER: M&C 19-0263

LOG NAME: 20SIX POINTS URBAN VILLAGES STREETScape CHANGE ORDER NO. 4

SUBJECT

Authorize Change Order No. 4 to City Secretary No. 50411 with The Fain Group, Inc., in the Amount of \$200,152.66 for the Urban Villages Central Cluster Project in The Six Points Urban Village on Race Street between Grace Avenue to Holden Street for a Total Contract Amount of \$2,657,135.43 (COUNCIL DISTRICT 9)

RECOMMENDATION:

It is recommended that the City Council authorize Change Order No. 4 to City Secretary No. 50411 with The Fain Group, Inc., in the amount of \$200,152.66 for the Six Points Urban Village Project, plus 35 days, thereby increasing the total contract amount to \$2,657,135.43 (City Project No. 00705)

DISCUSSION:

On January 23, 2018, (M&C C-28544), the City Council awarded a construction contract with The Fain Group, Inc., in the amount of \$2,357,709.60, for the construction of improvements through the Urban Villages Central Cluster Project in the Six Points Urban Village between Grace Avenue and Holden Street.

Construction began on the project on April 23, 2018. As shown in the table below, there have been three change orders approved to date totaling under \$100,000 for various items. The purpose of this M&C is to authorize Change Order No. 4 to add the following items identified during construction.

Additional conduit was required along Race Street to accommodate AT&T utility relocation. The original amount in the bid proposal was insufficient to accommodate the relocation of AT&T overhead lines to buried underground lines due to pedestrian requirements. The conduit runs from the service pedestal located on the north side of Race Street approximately 500 feet east of N. Blandin Street to the irrigation controller which is located on the south side of Race Street nearly adjacent to the service pedestal.

As a result of the utility relocation work delay, additional quantities for temporary paving were needed and installed in four areas. The contractor could not complete all the concrete work where utility poles were located, hence the installation of temporary paving. The delays resulted in:

- The city not receiving the estimated cost for the relocation from AT&T in a timely manner
- The execution of the discretionary service agreement, and
- Issuing payment to AT&T in order for them to proceed with the design and the relocation work

In addition to the changes for the utility work, refinements were made to the landscaping plan that would revise the plant spacing to avoid over growth, as well as to the plant species to meet Park and Recreation Department requirements since they will assume responsibility of the maintenance after the two year establishing period.

The installation of two roof drains by an adjacent development were installed too low which resulted in water flowing and damaging the planting beds. The City corrected this issue by installing an area drain directly in front of the outfall, preventing the water from flowing directly into the planting beds.

There are various areas along the north side of Race Street that require a step one foot behind the curb to accommodate drainage and ADA compliant grades. The area between the step and the back of the curb was stained red to provide an increase in pedestrian awareness of the change in grade.

The following is a summary of all the Change Orders to date:

-	Amount	Days	M&C No.	Approved	Description
Original Contract	\$2,357,709.60	214	C-28544	1/23/2018	Original Contract
Change Order #1	\$14,714.44	0	Administrative	7/6/2018	Add Construction Staking
					Add new water meters and

Change Order #2	\$66,466.79	0	Administrative	10/4/2018	boxes, add ROW prep, provide temporary access to businesses in the area.
Change Order #3	\$18,091.94	30	Administrative	4/4/2019	Remove a quantity of the flex base, add Handrails, trench drain, relocate Metal fence and gate.
Change Order #4	\$200,152.66	35	-	Pending	Add conduit required for utility relocation, irrigation controllers, install temporary pavement required by AT&T delay, revised the landscaping plans, accommodate roof drains by developer, and add safety measures.
Total	\$2,657,135.43	279			

The TPW staff has reviewed and verified the quantities for the additional work under this Change Order No. 4. Additionally, to complete this work, staff recommends that the contract time be extended by a total of 35 calendar days.

M/WBE OFFICE: **THE FAIN GROUP, INC**, is in compliance with the City's DBE Program by committing to an additional 7% DBE participation on change order no. 4. The TxDOT DBE goal on the entire project is 7%.

These projects are included in the 2014 Bond Program. Available resources within the General Fund will be used to provide interim financing until debt is issued. Once debt associated with the project is sold, bond proceeds will reimburse the General Fund, in accordance with the statement expressing Official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance No. 21241-05-2014) and subsequent actions taken by the Mayor and City Council.

This project is located in COUNCIL DISTRICT 9.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendation, funds are available in the current capital budget, as appropriated, in the 2014 Bond Program Fund. Prior to any expenditure being incurred, the Transportation & Public Works Department has the responsibility to validate the availability of funds.

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