

# Mayor and Council Communication

**DATE:** 02/13/24

**M&C FILE NUMBER:** M&C 24-0131

**LOG NAME:** 60CFFMAINCO3-SJLOUIS

**SUBJECT**

(CD 9) Authorize Execution of Change Order No. 3, a Contract with S.J. Louis Construction of Texas, Ltd., in the Amount of \$455,160.44 After Deducts and Additional 140 Calendar Days for the Clear Fork Lift Station Force Main Project

**RECOMMENDATION:**

It is recommended that the City Council authorize execution of Change Order No. 3 in a net amount of \$455,160.44 after deducts and an additional 140 calendar days to City Secretary Contract No. 58320 with S.J. Louis Construction of Texas, Ltd. for the Clear Fork Lift Station Force Main project (City Project No. 100996) for a revised contract amount of \$30,284,976.15.

**DISCUSSION:**

On September 27, 2022, Mayor and Council Communication (M&C) 22-0785, the City Council authorized a contract with S.J. Louis Construction of Texas, Ltd. for construction of the Clear Fork Lift Station and Force Main project.

The contract was subsequently revised by Change Order No.1 with a net total amount of \$0.00 after deducts administratively authorized July 20, 2023 that primarily provided for modified sewer air release valves and vaults in lieu of the original valve and vaults and change order No.2 with net total amount of \$0.00 after deducts administratively authorized October 27, 2023 that provided for additional quantities of pavement milling and asphalt overlay.

Change Order No. 3 will provide increased or additional pay item quantities that are necessary on the project: 2-inch asphalt, 3-inch air release valve and vault, vertical adjustment to a segment of the force main to avoid previously unknown conflict, low strength modified back fill material in lieu of flowable fill material, effort expended to located identify numerous previously unknown utility and storm drain conflicts that were encountered during construction and subgrade cement stabilization / pavement pulverization for pavement restoration.

Funding for the Clear Fork Lift Station and Force Main project is depicted below:

<b>FUND</b>	<b>Existing Appropriations</b>	<b>Additional Appropriations</b>	<b>Project Total*</b>
W&S Capital Proj 2018 – Fund 56014	\$3,591,570.00	\$0.00	\$3,591,570.00
W&S Revenue Series 2022 - Fund 56020	\$13,917,999.00	\$0.00	\$13,917,999.00
W&S Rev Bond Series 2023 - Fund 56021	\$31,034,957.00	\$0.00	\$31,034,957.00
<b>Project Total</b>	<b>\$48,544,526.00</b>	<b>\$0.00</b>	<b>\$48,544,526.00</b>

\*Numbers rounded for presentation purposes.

Funding is budgeted in the Wastewater Department's W&S Rev Bonds Series 2023 Fund for the purpose of the Clear Fork LS and FM project, as appropriated.

Business Equity – S.J. Louis Construction of Texas, Ltd agrees to maintain its initial M/WBE commitment of 13 percent that it made on the original contract and extend and maintain that same M/WBE commitment of 13 percent to all prior change orders up to and inclusive of this Change Order No. 3. Therefore S.J. Louis Construction of Texas, Ltd remains in compliance with the City's M/WBE Ordinance and attests to its commitment by its signature on the Acceptance of Previous M/WBE Commitment form executed by an authorized representative of its company.

The project is located in COUNCIL DISTRICT 9.

**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the W&S W&S Rev Bonds Series 2023 Fund for the Clear Fork LS and FM project to support the approval of the above recommendation and execution of the change order. Prior to any expenditure being incurred, the Water Department has the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

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