

Mayor and Council Communication

DATE: 10/15/24

M&C FILE NUMBER: M&C 24-0900

LOG NAME: 2024 FY 2018 SRTS CHANGE ORDER 1

SUBJECT

(CD 2 and CD 11) Authorize Execution of Change Order No. 1 in the Amount of \$395,459.54, the Addition of 135 Calendar Days to the Construction Contract with Urban Infraconstruction, LLC for Construction of the Fiscal Year 2018 Safe Routes to School Improvements Project for a Revised Contract Amount of \$4,237,506.10

RECOMMENDATION:

It is recommended that the City Council authorize execution of Change Order No. 1 in the amount of \$395,459.54 and the addition of 135 calendar days to the construction contract (City Secretary Contract No. 57190) with Urban Infraconstruction, LLC for the construction of the Fiscal Year 2018 Safe Routes to School Improvements project (City Project No. 101264) for a revised contract amount of \$4,237,506.10.

DISCUSSION:

On December 14, 2021, the City Council authorized a contract with Urban Infraconstruction, LLC, for the construction of the Fiscal Year (FY) 2018 Safe Routes to School Improvements project in the amount of \$3,842,046.56 via Mayor and Council Communication (M&C) 21-0975. This M&C will authorize the execution of Change Order No. 1.

The scope of the FY 2018 Safe Routes to School Improvements project includes the construction of new and reconstruction of existing sidewalks, curb ramps, driveways, curb and gutter, small retaining walls, signs, crosswalks and pavement markings within an approximate quarter-mile radius of all three of the Bonnie Brae, W. J. Turner and Diamond Hill Elementary School campuses.

Change Order No. 1, accounts for overages and underages in quantities for items in the original contract that occurred throughout the project duration as requested by the City's project manager and construction inspector. The prices for these overage and underage items are the prices included in the original bid and match the original contract with no changes. The overage items generally include the following items: removal of additional concrete paving, driveways and curb and gutter, construction of additional asphalt, concrete curb and gutter and sidewalks, adjustment of water valve boxes, tree removals and erosion protection measures.

Change Order No. 1, also accounts for additional items not included in the original contract or changes to the original contract including concrete retaining walls, concrete steps, electrical conduit, electrical conductor, an electrical ground box, adjustment of a wastewater lateral cleanout, water meter boxes, use of portable message signs and change of a traffic signal control cabinet at the request of the City. Prices for these items were provided by the Contractor during construction and were deemed to be reasonable after a comparison of the proposed pricing with recent Texas Department of Transportation (TxDOT) average bid prices as found on the TxDOT website.

Finally, as part of Change Order No. 1, the Contractor is being allowed 135 extra contract days. The extra days include 97 days for additional work, 18 days for repair of work performed by a subcontractor and 20 days for replacement of a subcontractor who was not paying its employees and was fired from the job.

The following table summarizes previous contract actions and change orders:

Construction Contract	M&C	Date	Amount
Original Contract	21-0975	12/14/2021	\$3,842,046.56
Change Order No. 1	This M&C	10/15/2024	\$395,459.54
Revised Contract Amount			\$4,237,506.10

Change Order No. 1 will be funded from the 2018 Bond Program Fund for the purpose of funding the 2018 Safe Routes to School project.

This project also received federal funds in the amount of \$1,529,155.00 for the construction of the project as part of an Advance Funding Agreement (CSC No. 57190) approved by Council with M&C 20-0114 on March 3, 2020.

No additional funding is needed for this change order. The table below summarizes past appropriations, sources, and the estimated total cost of the project at completion:

Fund	Existing Funding	Additional Funding	Project Funding Total
34014- 2014 Bond Program	\$1,500,000.00	\$0.00	\$1,500,000.00

34018- 2018 Bond Program	\$3,332,407.00	\$0.00	\$3,332,407.00
31001- Grants Cap Projects Federal	\$1,911,444.00	\$0.00	\$1,911,444.00
Grand Total	\$6,743,851.00	\$0.00	\$6,743,851.00

Funding for this project was included in the Fiscal Years (FY) 2024-2028 Capital Improvement Program in the Amount of \$6,743,851.00.

DVIN-BE: Urban Infraconstruction, LLC agrees to maintain its initial DBE commitment of 83% that it made on the original contract and extend and maintain that same DBE commitment of 83% to this first change order. Therefore, Urban Infraconstruction, LLC remains in compliance with the City's Business Equity Ordinance and attests to its commitment by its signature on the Acceptance of Previous DBE Commitment form executed by an authorized representative of its company.

This project is located in COUNCIL DISTRICT 2 and COUNCIL DISTRICT 11.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the 2018 Bond Program Fund for the 2018 Safe Routes to School project to support the approval of the above recommendation and execution of the change order. Prior to any expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds.

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