

Mayor and Council Communication

DATE: 06/14/22

M&C FILE NUMBER: M&C 22-0428

LOG NAME: 20W.FELIX ST BRIDGE AND PAVEMENT REHAB CO1

SUBJECT

(CD 9) Authorize Execution of Change Order No. 1 in the Amount of \$632,495.57 to the Contract with Rebcon Inc., for West Felix Street Bridge Deck and Pavement Rehabilitation for a Revised Contract Amount of \$4,621,767.97, Adopt Appropriation Ordinance, and Amend the Fiscal Years 2022-2026 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Change Order No. 1 in the amount of \$632,495.57 to City Secretary Contract No. 53640 with Rebcon Inc., for West Felix Street Bridge deck and pavement rehabilitation for a revised contract amount of \$4,621,767.97;
2. Adopt the attached appropriation ordinance adjusting estimated appropriations in the 2014 Bond Program Fund in the amount of \$700,000.00 by increasing appropriations in the West Felix Street Bridge Improvement Project (City Project No. 101385) and decreasing estimated appropriations in the 34014 Appropriation Only project (City Project No. U34014) by the same amount; and
3. Amend the Fiscal Years 2022-2026 Capital Improvement Program.

DISCUSSION:

On January 14, 2020, Mayor and Council Communication (M&C) 20-0020 awarded City Secretary Contract No. 53640 in the amount of \$3,989,272.40 to Rebcon, Inc., for West Felix Street Bridge Deck and Pavement Rehabilitation Project (City Project No. 101385). The project is performing bridge maintenance over an existing railroad. After award and for at least 18 months the UPRR would not honor the city's rights under its construction and maintenance agreement which prevented the contractor from getting started. In February 2022 UPRR relented and allowed work to begin.

Since the project was on hold, the market has seen unprecedented increases in the cost of materials, labor and operating expenses. As a result, the contractor has requested adjusted bid prices reflected in the proposed change order. As a general rule, staff denies price increase requests, however, this is a unique situation not created by the contractor. This M&C is to authorize execution of Change Order No. 1 with Rebcon, Inc. in the amount of \$632,495.57 for a revised contract amount of \$4,621,767.97. In addition \$67,504.00 will be needed for additional contingencies. Residual 2014 Bond Program funding from the completed Chapel Creek Bridge Project is being used to fund the change order for the West Felix Street Bridge Improvement Project.

Funding for the West Felix Street Bridge Deck and Pavement Rehabilitation is summarized in the table below:

Fund	Existing Funding	Additional Funding	Project Total
34014 - 2014 Bond Program Fund	\$392,000.00	\$700,000.00	\$1,092,000.00
34018 - 2018 Bond Program Fund	\$4,508,000.00	\$0	\$4,508,000.00
Project Total	\$4,900,000.00	\$700,000.00	\$5,600,000.00

Funding is available for appropriation in the 34014 Appropriation Only project in the 2014 Bond Program Fund for the purpose of funding the West Felix Street Bridge Improvement project. Approximately \$1,116,902.00 is available and the adoption of this \$700,000.00 appropriation ordinance will reduce the available amount to \$416,902.00.

Funding for this project was not included in the Fiscal Years 2022-2026 Capital Improvement Program (CIP) due to charges being incurred after the CIP was adopted. This action in this M&C will amend the Fiscal Years 2022-2026 Capital Improvement Program as approved in connection with Ordinance 25073-09-2021.

M/WBE OFFICE: Rebcon, Inc. agrees to maintain its initial M/WBE commitment of 11% made on the original agreement and extends and maintains that same M/WBE commitment of 11% to this amendment. Therefore, Rebcon, Inc. 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 the company.

The project is located in COUNCIL DISTRICT 9.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the FUND 34014 APPROP ONLY project within the 2014 Bond Program Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the 2014 Bond

Program Fund for the W. Felix St Bridge Improvement project to support the approval of the above recommendations and execution of the change order. Prior to an expenditure being incurred, the Transportation and Public Works department has the responsibility of verifying the availability of funds.

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

Originating Business Unit Head: William Johnson 7801

Additional Information Contact: Monty Hall 8662