

# Mayor and Council Communication

DATE: 09/27/22

M&C FILE NUMBER: M&C 22-0764

LOG NAME: 602011AWSMDP2CO3-WOODY

**SUBJECT**

(CD 2) Authorize Execution of Change Order No. 3 in the Amount of \$236,072.00 and the Addition of 120 Calendar Days to the Contract with Woody Contractors Inc., for Water and Sanitary Sewer Replacement Contract 2011 Water and Sanitary Sewer Maintenance (WSM) Project, for a Revised Contact Amount of \$3,182,098.50, 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. 3 in the amount of \$236,072.00 to City Secretary Contract No. 56582 with Woody Contractors Inc., for Water and Sanitary Sewer Replacement Contract 2011 Water and Sanitary Sewer Maintenance (WSM) project for a revised contract amount of \$3,182,098.50;
2. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the General Capital Projects Fund by increasing receipts and appropriations in the 2011 Water Line & Sanitary Sewer Replacement WSM project (City Project No. C01929) in the amount of \$236,072.00, and decreasing estimated receipts and appropriations in the Contract Street Maintenance Programmable Project (City Project No. P00020) by the same amount; and
3. Amend the Fiscal Years 2022-2026 Capital Improvement Program.

**DISCUSSION:**

On September 28, 2021, Mayor and Council Communication (M&C) 21-0763 the City Council authorized a contract with Woody Contractors Inc., in the amount of \$2,946,026.50 for the Water and Sanitary Sewer Replacement Contract 2011 WSM Project.

The contract was subsequently revised by Change Order No. 1 with a zero net total amount administratively authorized on March 17, 2022 that provided for a 24-inch concrete/ductile iron pipe connection and Change Order No. 2 with a zero net total amount administratively authorized on June 17, 2022 that provided for the installation of an alternate 8-inch water pipe material to avoid delays involved with the delivery of the original 8-inch poly vinyl chlorine pipe.

This M&C is to authorize execution of Change Order No. 3 in the amount of \$236,072.00 to City Secretary Contract No. 56582 with Woody Contractors Inc., for Water and Sanitary Sewer Replacement Contract 2011 WSM project for a revised contract amount of \$3,182,098.50. Change Order No. 3 will provide increased pay item quantities of curb/gutter removal, curb/gutter installation, concrete sidewalk removal, concrete sidewalk installation, anchored erosion matting, barrier ramp installation and type III barricade that are necessary to complete paving improvements on the project streets.

The staff has reviewed and verified the quantities for the additional work under this Change Order No. 3. Additionally, to complete this work, staff recommends that the contract time be extended by 120 calendar days.

The action in this M&C will amend the Fiscal Year 2022 Adopted Budget as approved in connecton with Ordinance 25073-09-2021, Section 6. Capital Improvements, as listed on page 23:

Capital Fund Name	Project Name	FY2022 CIP Appropriations	Authority	Budget Adjustment	Revised FY2022 Budget
30100-General Capital Projects Fund	P00020-Contract Street Maintenance	\$20,441,000.00	M&C 21-0827	(\$1,050,034.00)	\$19,390,966.00
			M&C 22-0036	(\$311,148.00)	(\$311,148.00)
			M&C 22-0127	(\$603,254.00)	(\$603,254.00)
			M&C 22-0323	(\$1,403,324.00)	(\$1,403,324.00)
			M&C 22-0541	(\$1,000,000.00)	(\$1,000,000.00)
			M&C 22-0630	(\$200,000.00)	(\$200,000.00)
			This M&C	(\$236,072.00)	(\$236,072.00)
	<b>Total P00020-Contract Street Maintenance</b>	<b>\$20,441,000.00</b>		<b>(\$4,803,832.00)</b>	<b>\$15,637,168.00</b>

602011WSMDP2CO3-WOODY

Capital Fund Name	Project Name	FY2022 CIP Appropriations	Authority	Budget Change (Increase/Decrease)	Revised FY2022 Budget
General Capital Projects – Fund 30100	C01929 - W&S Repl Ct. 2011 WSM	\$0.00	This M&C	\$236,072.00	\$236,072.00

Appropriations for the 2011 Water & Sanitary Sewer Replacement WSM project are as depicted below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
Water Capital Fund 59601	\$223,997.85	\$0.00	\$223,997.85
Sewer Capital Legacy Fund 59607	\$2,486,567.66	\$0.00	\$2,486,567.66
W&S Capital Projects Fund 56002	\$3,383,462.00	\$0.00	\$3,383,462.00
General Capital Projects Fund 30100	\$0.00	\$236,072.00	\$236,072.00
<b>Project Total</b>	<b>\$6,094,027.51</b>	<b>\$236,072.00</b>	<b>\$6,330,099.51</b>

\*Numbers rounded for presentation purposes.

Funding is budgeted in the Contract Street Maintenance programmable project within the TPW Dept Highway & Streets Department's General Capital Projects Fund for the purpose of funding the W&SS REPL Contract 2011 WSM project within the General Capital Projects Fund.

Business Equity: Woody Contractors Inc. agrees to maintain its initial M/WBE commitment of four percent that it made on the original contract and extend and maintain that same M/WBE commitment of four percent to all prior change orders up to and inclusive of this Change Order No. 3. Therefore Woody Contractors 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 its company.

This project is located in COUNCIL DISTRICT 2.

**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the Contract Street Maintenance Project within the General Capital Projects Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the General Capital Projects Fund for the W&SS Repl. Contract 2011 WSM project to support the approval of the above recommendations and execution of the change order to the contract. Prior to any expenditure being incurred, the Water and Transportation and Public Works Departments have the responsibility of verifying the availability of funds.

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

**Originating Business Unit Head:** Chris Harder 5020

**Additional Information Contact:** Suby Varughese 7803

Expedited