



Legislation Details (With Text)

**File #:** 21-1433      **Version:** 1  
**Type:** Procurement Award      **Status:** Agenda Ready  
**File created:** 10/29/2021      **In control:** City Manager Procurement Awards  
**On agenda:** 12/1/2021      **Final action:**  
**Title:** Approve the award of Change Order #6 to Contract 21-141, Julian Street Improvements, to Copenhaver Construction for an amount not to exceed \$9,481.65 and a total award of \$3,198,385.63.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. CO6-Documents

Date	Ver.	Action By	Action	Result
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**CITY MANAGER AUTHORITY PROCUREMENT AWARDS**

**ACTION REQUESTED:**

Approve the award of Change Order #6 to Contract 21-141, Julian Street Improvements, to Copenhaver Construction for an amount not to exceed \$9,481.65 and a total award of \$3,198,385.63.

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** William J. Novack, Director

**BACKGROUND:**

The City Council awarded Contract 21-141 to Copenhaver Construction on May 4, 2021 for an amount not to exceed \$3,113,187.98 and a completion date of October 1, 2021 for the purpose of bringing Julian Street, from Gartner Road to Prairie Avenue, up to city collector street standards. This includes adding storm sewers to improve drainage, extending watermain and sanitary sewers, improving pedestrian connectivity by adding sidewalks, installing street lights, installing a box culvert, and installing curb and gutters. At the north end of the project, between Prairie Avenue and Porter, a 36-inch storm sewer will be installed to address flooding issues.

Since the May 2021 award, the city manager has approved the following five change orders:

1. Change Order #1 of Contract 21-141 to Copenhaver Construction on July 1, 2021 for an amount not to exceed \$6,910.00 and a total award of \$3,120,097.98.
2. Change Order #2 of Contract 21-141 to Copenhaver Construction on July 9, 2021 for an amount not to exceed \$3,994.00 and a total award of \$3,116,103.98.
3. Change Order #3 of Contract 21-141 to Copenhaver Construction on August 18, 2021 for an

amount not to exceed \$4,500.00 and a total award of \$3,120,603.98.

4. Change Order #4 of Contract 21-141 to Copenhaver Construction on August 20, 2021 for an amount not to exceed \$68,300.00 and a total award of \$3,188,903.98 and an additional 29 days which moved the substantial completion date from October 1, 2021 to October 30, 2021.
5. Change Order #5 of Contract 21-141 to Copenhaver Construction on October 19, 2021 for an additional 61 days which moved the final completion date from October 1, 2021 to December 1, 2021.

The amount of this change order exceeds the original contract amount by \$9,481.65.

**DISCUSSION:**

This change order is for the undercut item (Pay Item 8A), time and material related to the installation of the watermain at Parkside Road (Pay Item 69X), and for the installation of the headwall mounted fence located in the concrete culvert south of Parkside Road (Pay Item 70X). Refer below for detailed explanation of each.

Undercut Item (Pay Item 8A) - The quantity for this item was estimated by the engineer after review of the soil report during the design process. The line item was added to address the potential for poor soil quality during the excavation of the roadway. We have completed four of the five blocks of roadway reconstruction and have not identified the need for undercutting any unsuitable soils.

Parkside Road Watermain Installation (Pay Item 69X) - The attached time and material bills were generated due to three unforeseen watermains running along the south side of Parkside Road. The watermains conflicted with the proposed Julian Street storm sewer. The bills include the exploration trenching needed to expose the watermains, shut down the water and raise the watermains to an elevation above the proposed storm sewer.

Headwall Mounted Fence at the Creek (Pay Item 70X) - The proposed fencing was designed with shallow concrete foundations to anchor the fence between the sidewalk and headwall of the culvert crossing. The proposed foundations will conflict with the 42" concrete pipes below the roadway. To prevent damage to concrete pipes, the fencing will be mounted on top of the headwall using metal brackets with stainless steel bolts. These additional costs include stainless steel hardware, fabrication of the brackets, cutting of posts, welding and powder coating to match remaining fence.

I, Ray Fano, of TED certify that this work is necessary for successful completion of this project. I further certify that the circumstances said to necessitate the change in performance were not reasonably foreseeable at the time the contract was signed.

This contract was approved with contingency in the amount of 3% (\$93,395.64) of the original contract value and 29 days. Staff requests the use of contingency funds for the change order. A summary of the award and contingency information is provided in the tables below.

**Contract Award**

Original Contract Value	\$3,113,187.98
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Prior Cumulative Approved Change Orders	\$75,716.00
Subtotal	\$3,188,903.98
(+/-) This Change Order	\$9,481.65
Total Contract Value	\$3,198,385.63

**Contingency**

<i>Authorized Contingency</i>	<b>Days</b>	<b>Dollars</b>
<b>Original Amount</b>	29	\$93,395.64
(-) Previously Authorized	29	\$75,716.00
Subtotal	0	\$17,679.64
(-) This Change	0	\$9,481.65
Balance Left	0	\$8,197.99

**FISCAL IMPACT:**

CIP #:SC216 & SW038

Julian Street Improvements are expensed to the Infrastructure account listed below. A total of \$3,775,000 was budgeted for the construction portions of SC216 and SW038 in 2021. The requested change order is within the budgeted amount for this expense.

<b>Account Number</b>	<b>Fund Name</b>	<b>Total Budget Amount</b>
30282300-551502	Bond Fund	\$9,243,000