

City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 9

Ordinance/Resolution# 12-13-302A

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of January 6, 2014
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL

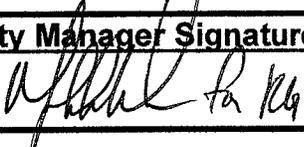
LEGISLATIVE

ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING CHANGE ORDER NUMBER ONE TO INCREASE THE CONTRACT WITH SMITH AND AGUIRRE CONSTRUCTION COMPANY, INC., FOR THE EL MOLINO PHASE VI RECONSTRUCTION PROJECT BY \$207,723.49, PLUS \$15,709.09 FOR NEW MEXICO GROSS RECEIPTS TAX FOR A TOTAL OF \$223,432.58.

PURPOSE(S) OF ACTION:

Change order to an existing contract.

COUNCIL DISTRICT: 4		
Drafter/Staff Contact: Louis Grijalva, P.E.	Department/Section: Public Works/Project Development	Phone: 528-3479
City Manager Signature: 		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

On October 15, 2012, City Council approved Resolution 12-13-302 to award the El Molino Phase VI Reconstruction Project to Smith and Aguirre Construction Company, Inc. The project consists of roadway, street lighting, and utility and drainage improvements to Alameda Boulevard from Main Street to Lohman Avenue, Compress Road from El Molino Street to Amador Avenue and Miranda Street from El Molino Street to Lohman Avenue.

During the installation of the 8-foot by 3-foot concrete storm drain box along Miranda Street, City staff realized a discrepancy between the construction drawings and the awarded bid quantities for the project. The engineer had unintentionally not accounted for 451 linear feet of the concrete box. Also, during construction it was decided that it would be best to replace the additional sections of curb and gutter and drive pads to be in compliance with the American Disabilities Act. Originally, the engineer had not included this replacement for cost saving reasons.

In an effort to expedite construction of the project and minimize delays, the Public Works Department is recommending approval of Change Order Number One. This change order includes additional costs to install 451 feet of the necessary 8-foot by 3-foot concrete storm drain box along Miranda Street, additional sections of curb and gutter and drive pads to the El Molino Phase VI Reconstruction Project. This action will also amend the total construction time, adding an additional

eight (8) working days. The additional construction will increase the contract amount by \$207,723.49, plus \$15,709.09 for New Mexico Gross Receipts Tax for a total contract increase of \$223,432.58.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Purchasing Manager's Request for Change Order
3. Exhibit "B", Change Order Number One.

SOURCE OF FUNDING:

Is this action already budgeted?	Yes	<input checked="" type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from:
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue?	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$ _____ for FY _____.
	No	<input checked="" type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Flood Control: 4400	44806010-854111-70G02	\$223,432.58	\$326,027.44	\$102,594.86	Other drainage projects.

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve Change Order Number One to increase the contract with Smith and Aguirre Construction Company, Inc., for the El Molino Phase VI Reconstruction Project

by \$207,723.49, plus \$15,709.09 for New Mexico Gross Receipts Tax for a total of \$223,432.58, including the addition of eight (8) working days to the contract.

2. Vote "No"; this will reject Change Order Number One to increase the contract with Smith and Aguirre Construction Company, Inc., for the El Molino Phase VI Reconstruction Project and delay the construction of the project.
3. Vote to "Amend"; this could reject Change Order Number One and provide an opportunity to re-scope and re-bid this portion of the project and delay the construction of the project.
4. Vote to "Table"; this could reject Change Order Number One and stop work on the existing project.

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

1. Resolution No. 12-13-302.

RESOLUTION NO. 12-13-302A

A RESOLUTION AUTHORIZING CHANGE ORDER NUMBER ONE TO INCREASE THE CONTRACT WITH SMITH AND AGUIRRE CONSTRUCTION COMPANY, INC., FOR THE EL MOLINO PHASE VI RECONSTRUCTION PROJECT BY \$207,723.49, PLUS \$15,709.09 FOR NEW MEXICO GROSS RECEIPTS TAX FOR A TOTAL OF \$223,432.58.

The City Council is informed that:

WHEREAS, City Council approved Resolution 12-13-302 to award the El Molino Phase VI Reconstruction Project to Smith and Aguirre Construction Company, Inc.; and

WHEREAS, the project consists of roadway, street lighting, and utility and drainage improvements to Alameda Boulevard from Main Street to Lohman Avenue, Compress Road from El Molino Street to Amador Avenue and Miranda Street from El Molino Street to Lohman Avenue; and

WHEREAS, during installation of the 8 foot by 3 foot concrete storm drain box along Miranda Street, City staff realized a discrepancy between the construction drawings and the awarded bid quantities for the project. The engineer had unintentionally not accounted for 451 linear feet of the concrete box. Also, during construction it was decided that it would be best to replace the additional sections of curb and gutter and drive pads to be in compliance with the American Disabilities Act. Originally, the engineer had not included this replacement for cost saving reasons; and

WHEREAS, in an effort to expedite construction of the project and minimize delays, the Public Works Department is recommending approval of Change Order Number One; and

WHEREAS, Change Order Number One includes additional costs to install 451 feet of the necessary 8 foot by 3 foot concrete storm drain box along Miranda Street,

additional sections of curb and gutter and drive pads to the El Molino Phase VI Reconstruction Project. This action will also amend the total construction time, adding an additional eight (8) working days; and

WHEREAS, the additional construction will increase the contract amount by \$207,723.49 plus \$15,709.09 for New Mexico Gross Receipts Tax for a total contract increase of \$223,432.58.

NOW, THEREFORE, Be it resolved by the governing body of the City of Las Cruces:

(I)

THAT the City Manager is hereby authorized to approve Change Order Number One, increasing the contract with Smith and Aguirre Construction Company, Inc., for the El Molino Phase VI Reconstruction Project by \$207,723.49, plus \$15,709.09 for New Mexico Gross Receipts Tax, for a total contract increase of \$223,432.58, including the addition of eight (8) working days.

(II)

THAT the Purchasing Manager is authorized to increase the contract with Smith and Aguirre Construction Company, Inc. as outlined in the signed Exhibit "A", Purchasing Manager's Request for Change Order.

(III)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____, 2014.

APPROVED:

Mayor

ATTEST:

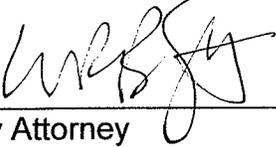
City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

Dmk

VOTE:

Mayor Miyagishima: _____

Councillor Silva: _____

Councillor Smith: _____

Councillor Pedroza: _____

Councillor Small: _____

Councillor Sorg: _____

Councillor Levatino: _____

CITY OF LAS CRUCES**PURCHASING MANAGER'S REQUEST FOR CHANGE ORDER**

For Meeting of: January 6, 2014

Resolution No.: 12-13-302A

**Change Order to Existing Contract For
El Molino Phase VI Reconstruction Project**

The Las Cruces City Council is provided the following information concerning this request:

BID/RFP SOLICITATION INFORMATION:

1. Original Bid/RFP & Due Date: **RFP No. 12-13-302 / August 28, 2012**
2. Description of Bid/RFP: **El Molino Phase VI Reconstruction Project**
3. Contract Award: **Resolution No. 12-13-302 / October 15, 2012**
4. Contract Revision:

Previous Award Amount Including Tax:	\$2,078,016.10
Change Order Amount Including Tax:	<u>\$223,432.58</u>
New Award Amount Including Tax:	\$2,301,448.68
5. Contractor: **Smith and Aguirre Construction Company, Inc.**
6. Using Department: **Public Works**
7. Contract Duration: **138 working days**

PROCUREMENT CODE COMPLIANCE:

The City of Las Cruces Procurement Code was administered in the conduct of this procurement and approval to change the above contract is hereby requested pursuant to **Section 24-228.**


11/21/13
 Purchasing Manager Date

CONFIRMATION OF FUND ENCUMBRANCE:

REQUISITION OR PURCHASE ORDER NUMBER:

14200132

CHANGE ORDER NUMBER ONE

THE CITY COUNCIL IS INFORMED OF THE FOLLOWING INFORMATION CONCERNING THIS CHANGE ORDER:

I. PROJECT NAME:

El Molino Phase VI Reconstruction, Project No. 12-13-302.

II. PROJECT SUMMARY:

Current Contract Amount:	\$1,829,301.24 plus NMGRT
Change Order #1:	\$207,723.49 plus NMGRT
Revised Project Cost:	\$2,037,024.73 plus NMGRT
Total Cost Increase:	11.36%

III. DESCRIPTION OF CHANGE:

Additional cost for the time and materials needed to construct the necessary 8 foot by 3 foot concrete storm drain box along Miranda Street and additional sections of curb and gutter and drive pads . Increase the total construction time by eight (8) working days.

IV. REASON FOR CHANGE:

The additional linear footage of the concrete box was unintentionally left out of the original bid quantities. The complete concrete conduit system along Miranda Street is needed to facilitate proper drainage in a storm event. Sections of curb and gutter and drive pads were intentional left out during the design but during the construction it was decided to replace to be in compliance to American Disabilities Act.