

# City of Las Cruces®

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 4

Ordinance/Resolution# 13-14-364A

For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)

For Meeting May 19, 2014  
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL

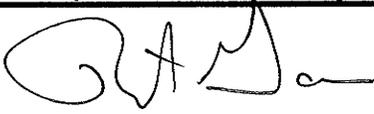
LEGISLATIVE

ADMINISTRATIVE

**TITLE:** A RESOLUTION AUTHORIZING CHANGE ORDER NUMBER ONE TO INCREASE THE CONTRACT WITH BURN CONSTRUCTION COMPANY, INC., FOR THE PAVEMENT REPLACEMENT 2013-2014 PROJECT BY \$113,300.60, PLUS \$8,568.36 FOR NEW MEXICO GROSS RECEIPTS TAX, FOR A TOTAL AUTHORIZATION OF \$121,868.96.

**PURPOSE(S) OF ACTION:**

Change order to an existing contract.

<b>COUNCIL DISTRICT: 3</b>		
<b><u>Drafter/Staff Contact:</u></b> Louis Grijalva, P.E.	<b><u>Department/Section:</u></b> Public Works/Project Development	<b><u>Phone:</u></b> 528-3479
<b><u>City Manager Signature:</u></b>		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

On February 18, 2014, the Las Cruces City Council approved Resolution No. 13-14-364 to award the Pavement Replacement 2013-2014 Project to Burn Construction Company, Inc. As part of the project, staff has implemented a new construction method that is stretching the City's street maintenance funding while still providing an excellent driving surface. The method involves asphalt surface removal using a milling process. The asphalt millings will be removed and stock-piled in a City yard for use by the Transportation Department. The existing base course is then re-compacted and the new asphalt is placed on top of the base course. Project Development staff estimates this method could save up to 50% of the full reconstruction cost.

The Pavement Replacement Program, in coordination with the City's Utilities Department and field reviews, identified an original list of streets to include the following: Evan Drive, Doral Court, Kansas Avenue, East Court Avenue, Winton Court, Walden Drive, Columbia Avenue, Highridge Drive, South Tornillo Street, Sheryl Way, Cindy Place, Hermosillo Court, Hermosillo Drive, La Posada Lane, Sexton Street, Dyer Street, Lunarridge Street, Alamo Street, Cottonwood Street, and Desert Drive.

During the design of the project, it was identified by Utilities staff that Columbia Avenue, Lunarridge Street, Highridge Drive, Sheryl Way, and Cindy Place needed the water service lines to be replaced, prior to the new pavement being installed.

All water service lines have been successfully replaced, with the exception of Sheryl Way and Cindy Place. Once water service corporation stops along Sheryl Way and Cindy Place were exposed, it was discovered they were severely corroded with minerals and needed to be replaced. Also, the existing asbestos cement six (6) inch water main was inspected and determined it should be replaced with an eight (8) inch PVC C-900 water main, as well.

In an effort to expedite construction of the project and minimize delays, staff is recommending approval of Change Order Number One. This change order includes additional costs to install 1400 feet of eight (8) inch PVC C-900 waterline, fittings, and 50 water service taps along Cindy Place and Sheryl Way. This action will also amend the total construction time, adding an additional twenty (20) working days. The additional construction will increase the contract amount by \$113,300.60, plus \$8,568.36 for New Mexico Gross Receipts Tax for a total contract increase of \$121,868.96.

**SUPPORT INFORMATION:**

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

**SOURCE OF FUNDING:**

<b>Is this action already budgeted?</b>	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.
<b>Does this action create any revenue?</b>	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
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**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Street Utility Rehab Water: 5350	53538280-854300	\$121,868.96	\$639,356.86	\$517,487.90	Other utility projects.

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will approve Change Order Number One to increase the contract with Burn Construction Company, Inc., for the Pavement Replacement 2013-2014 Project by \$113,300.60, plus \$8,568.36 for New Mexico Gross Receipts Tax for a total of \$121,868.96, including the addition of twenty (20) working days to the contract.
2. Vote "No"; this will reject Change Order Number One to increase the contract with Burn Construction Company, Inc., for the Pavement Replacement 2013-2014 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. 13-14-364.

**RESOLUTION NO. 13-14-364A**

**A RESOLUTION AUTHORIZING CHANGE ORDER NUMBER ONE TO INCREASE THE CONTRACT WITH BURN CONSTRUCTION COMPANY, INC., FOR THE PAVEMENT REPLACEMENT 2013-2014 PROJECT BY \$113,300.60, PLUS \$8,568.36 FOR NEW MEXICO GROSS RECEIPTS TAX, FOR A TOTAL AUTHORIZATION OF \$121,868.96.**

The City Council is informed that:

**WHEREAS**, On February 18, 2014, the Las Cruces City Council approved Resolution No. 13-14-364 to award the Pavement Replacement 2013-2014 Project to Burn Construction Company, Inc.; and

**WHEREAS**, the Pavement Management Program identified the original list, and, after coordination with the City's Utilities Department and field reviews, the list was finalized to include: Evan Drive, Doral Court, Kansas Avenue, East Court Avenue, Winton Court, Walden Drive, Columbia Avenue, Highridge Drive, South Tornillo Street, Sheryl Way, Cindy Place, Hermosillo Court, Hermosillo Drive, La Posada Lane, Sexton Street, Dyer Street, Lunarridge Street, Alamo Street, Cottonwood Street, and Desert Drive; and

**WHEREAS**, once water service lines along Cindy Place and Sheryl Way were exposed, it was discovered the existing corporation stops were in poorer condition than anticipated and needed to be replaced. Also the existing asbestos cement six (6) inch water line was inspected and was determined it should be replaced as part of the project; and

**WHEREAS**, in an effort to expedite construction of the project and minimize delays, staff is recommending approval of Change Order Number One. This change order includes additional costs to install 1400 feet of eight (8) inch PVC C-900 waterline, fittings, and 50 water service taps along Cindy Place and Sheryl Way. This action will

also amend the total construction time, adding an additional twenty (20) working days. The additional construction will increase the contract amount by \$113,300.60, plus \$8,568.36 for New Mexico Gross Receipts Tax for a total contract increase of \$121,868.96.

**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, Burn Construction Company, Inc., of Las Cruces, New Mexico, for the Pavement Replacement 2013-2014 Project by \$113,300.60, plus \$8,568.36 for New Mexico Gross Receipts Tax for a total of \$121,868.96, including the addition of twenty (20) working days, as outlined on Exhibit "A", attached hereto and made part of this resolution.

**(II)**

**THAT** the Purchasing Manager is authorized to contract with Burn Construction Company, Inc., as outlined in the signed Exhibit "B", Purchasing Manager's Request for Change Order, attached hereto and part of this resolution.

**(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 \_\_\_\_\_, 20\_\_\_\_.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

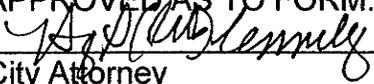
\_\_\_\_\_  
City Clerk

(SEAL)

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

VOTE:

Mayor Miyagishima: \_\_\_\_\_

Councillor Silva: \_\_\_\_\_

Councillor Smith: \_\_\_\_\_

Councillor Pedroza: \_\_\_\_\_

Councillor Small: \_\_\_\_\_

Councillor Sorg: \_\_\_\_\_

Councillor Levatino: \_\_\_\_\_

## CHANGE ORDER NUMBER ONE

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

- I. PROJECT NAME:  
Pavement Replacement 2013-2014, Project No. 13-14-364.
  
- II. PROJECT SUMMARY:  

Current Contract Amount:	\$1,010,000.85 plus NMGRT
Change Order #1:	\$113,300.60 plus NMGRT
Revised Project Cost:	\$1,123,301.45 plus NMGRT
Total Cost Increase:	11.22%
  
- III. DESCRIPTION OF CHANGE:  
Additional cost for the time and materials needed to construct the necessary 1400 feet of 8 inch PVC C-900 waterline, fittings and services lines along Cindy Place and Sheryl Way. Increase the total construction time by twenty (20) working days.
  
- IV. REASON FOR CHANGE:  
The additional linear footage of the water main is necessary to keep the existing utility customers with service and will eliminate the need of future water rehabilitations along Cindy Place and Sheryl Way.

**CITY OF LAS CRUCES**

**PURCHASING MANAGER'S REQUEST FOR CHANGE ORDER**

**For Meeting of: May 19, 2014**

**Resolution No.: 13-14-364A**

**Change Order to Existing Contract For  
Pavement Replacement 2013-2014 Project**

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

**BID/RFP SOLICITATION INFORMATION:**

- 1. Original Bid No. & Due Date: **13-14-364 / January 14, 2014**
- 2. Description of Bid/RFP: **Pavement Replacement 2013-2014 Project**
- 3. Contract Award: **Resolution No. 13-14-364 / February 18, 2014**
- 4. Contract Revision:
  - Previous Award Amount Including Contingency and Tax: **\$1,140,827.10**
  - Change Order Amount Including Tax: **\$121,868.96**
  - New Award Amount Including Contingency and Tax: **\$1,262,696.06**
- 5. Contractor: **Burn Construction Company, Inc.**
- 6. Using Department: **Public Works**
- 7. Contract Duration: **100 work 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.**

  
 Purchasing Manager Date

**CONFIRMATION OF FUND ENCUMBRANCE:**

REQUISITION OR PURCHASE ORDER NUMBER:	<b>14202075</b>
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