



City of Las Cruces®

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Council Action and Executive Summary

Item # 14

Ordinance/Resolution# 10-065

Council District: 4

For Meeting of August 17, 2009
(Adoption Date)

TITLE:

A RESOLUTION AUTHORIZING CHANGE ORDER NUMBER THREE TO THE CONTRACT BETWEEN THE CITY OF LAS CRUCES AND G. SANDOVAL CONSTRUCTION, INC., FOR THE CONSTRUCTION OF BURN LAKE IMPROVEMENTS - PHASE ONE, AS APPROVED BY CITY COUNCIL UNDER RESOLUTION NUMBER 07-08-291; AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT BY \$7,290.00; PLUS, NEW MEXICO GROSS RECEIPTS TAX OF \$542.19; FOR, A TOTAL CHANGE ORDER AUTHORIZATION OF \$7,832.19.

PURPOSE(S) OF ACTION:

Increase the contract amount for additional construction services at Burn Lake.

Name of Drafter: Cathy Mathews		Department: Facilities		Phone: 541-2592	
Department	Signature	Phone	Department	Signature	Phone
Facilities Department		541-2651	Budget		2300
			Assistant City Manager		2271
Legal		541-2128	City Manager		2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

On July 21, 2008, City Council approved a construction contract with G. Sandoval Construction, Inc. for the Burn Lake Improvements – Phase I, through Resolution Number 07-08-291. Construction is underway. Work covered under the contract includes new landscape irrigation and plantings, enhanced parking facilities, lighting, and enhanced storm water runoff control. Funding for the new facilities and improvements come from 2005 City Gross Receipts Tax Revenue Bonds, 2005 State Legislative appropriations, and Park Impact Fees

Two change orders have been issued for this project thus far. Change Order No. 1 covered the removal of additional wooden bollards and asphalt millings not addressed in the original plans. Change Order No. 2 included the installation of utility lines and hook-ups for the new restroom at Burn Lake.

The need for Change Order No. 3 is due to elevation and other discrepancies between the original survey of the site and the actual site conditions. Additional design work was required in order to complete the project in a safe and appropriate manner and to address the issues noted above. Concurrent with the design work, construction was allowed to continue in certain areas such as the utility connections for the new restrooms. Construction was then temporarily halted while required design work was completed.

The additional design work was completed at the end of July, 2009, and the contractor is ready to proceed with the remainder of construction under a revised scope of work to accommodate the design modifications. Some expenses involved with the revised scope include mobilization, traffic control and temporary fencing.

SUPPORT INFORMATION:

1. Resolution
2. Attachment - Change Order No. 1
3. Attachment - Change Order No. 2
4. Attachment - Cost Proposal from G. Sandoval Construction

Fund Name / Account Number	Amount of Expenditure	Budget Amount
2005 NM State Legislative 4012-40803010-854222-60302	\$1,239.95	\$1,239.95
2005 City GRT Revenue Bond 4023-40123040-854222-61R02	\$6,592.24	\$48,490.50

OPTIONS / ALTERNATIVES:

1. Vote "Yes" on the Resolution, authorizing City staff to allow completion of the Burn Lake Improvements - Phase One. This will allow grant funds to be expended in a timely manner and for the project to be completed by the end of this calendar year.
2. Vote "No" on the Resolution, and direct City staff to find other options to complete the Burn Lake Improvements - Phase One. This may delay completion of the project and potentially subject state legislative funding to reversion.
3. Vote to "Postpone" the Resolution and direct staff to review other options. This may delay completion of the project and potentially subject state legislative funding to reversion.

(Continue on additional sheets as required)

RESOLUTION NO. 10-065

A RESOLUTION AUTHORIZING CHANGE ORDER NUMBER THREE TO THE CONTRACT BETWEEN THE CITY OF LAS CRUCES AND G. SANDOVAL CONSTRUCTION, INC., FOR THE CONSTRUCTION OF BURN LAKE IMPROVEMENTS PHASE ONE, AS APPROVED BY CITY COUNCIL UNDER RESOLUTION NUMBER 07-08-291; AUTHORIZING AN INCREASE IN THE AMOUNT OF \$7,290.00; PLUS, NEW MEXICO GROSS RECEIPTS TAX OF \$542.19; FOR, A TOTAL CHANGE ORDER AUTHORIZATION OF \$7,832.19.

The City Council of the City of Las Cruces is informed that:

WHEREAS, in 2008 the City Council approved the award of a construction contract for Burn Lake Phase One Improvements, to G. Sandoval Construction, Contract Number 07-08-291; and

WHEREAS, Change Order No. 1 and Change Order No. 2 were previously approved for additional work; and

WHEREAS, design changes required a temporary halt to construction, which causes additional move-on expenses to be incurred by the contractor; and

WHEREAS, the proposal from G. Sandoval Construction for Change Order No. 3, is in the amount of \$7,290.00, plus \$542.19, for New Mexico Gross Receipts Tax (NMGRT).

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

(I)

THAT Change Order No. 3, to the contract for the Burn Lake Improvements Phase One, is hereby approved in the amount of \$7,832.19.

(II)

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

DONE and APPROVED this _____ day of _____, 2009.

APPROVED:

Mayor

ATTEST:

City Clerk
(SEAL)

Moved by: _____

Seconded by: _____

VOTE:

Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Connor:	_____
Councillor Archuleta:	_____
Councillor Small:	_____
Councillor Jones:	_____
Councillor Thomas:	_____

APPROVED AS TO FORM:

Denise


City Attorney

CHANGE ORDER

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OWNER

ARCHITECT

CONTRACTOR

FIELD

OTHER

PROJECT:	Burn Lake Improvements Phase One	CHANGE ORDER NUMBER: One (1)
(name, address)	P.O. Box 20000	DATE: January 14, 2009
	Las Cruces, NM 88004	
TO CONTRACTOR:	G. Sandoval Construction	ARCHITECT'S PROJECT NO.:
	2000 E Lohman Ste B	CONTRACT DATE: July 31, 2008
	Las Cruces, NM 88001	CONTRACT FOR: General Construction

The Contract is changed as follows:

Per attached cost proposal, provide the following for Project:

- | | | | | | | |
|----|---|-----|----|------------|-----|------------|
| 1. | LA7 Removal of asphalt millings | 373 | cy | @15.00/cy | Add | \$5,595.00 |
| 2. | LA13 Remove & dispose of existing wood bollards | 94 | sy | @ 50.00/sy | Add | \$4,700.00 |

Total Change to Contract Sum (Excludes NMGRT) \$10,295.00

Not valid until signed by the Architect, Contractor, and Owner

The original Contract Sum was	\$363,969.71
Net change by previously authorized Change Orders	\$0.00
The Contract Sum prior to this Change Order was	\$363,969.71
The Contract Sum will be (increased) (decreased) (unchanged) by this Change Order in the amount of	\$10,295.00
The new Contract including this Change Order will be	\$374,264.71
The Contract Time will be (increased) (decreased) (unchanged) by	(0) days.
The date of Substantial Completion as of the date of this Change Order therefore is:	unchanged

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time, or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

<u>G. Sandoval Construction</u>	<u>City of Las Cruces</u>	<u>City of Las Cruces</u>
CONTRACTOR	FACILITIES/PROJECT MGMT.	OWNER
<u>2000 E Lohman Ste B</u>	<u>P.O. Box 20000</u>	<u>P.O. Box 200000</u>
Address	Address	Address
<u>Las Cruces, NM 88001</u>	<u>Las Cruces, NM 88004</u>	<u>Las Cruces, NM 88004</u>

BY _____	BY _____	BY _____
DATE _____	DATE _____	DATE _____

CHANGE ORDER

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OWNER _____
 ARCHITECT _____
 CONTRACTOR _____
 FIELD _____

PROJECT: (name, address)	The Construction of Burn Lake Improvements Phase One 361 Burn Lake Road Las Cruces, NM 88001	CHANGE ORDER NUMBER: Two (2) DATE: February 9, 2009
TO CONTRACTOR:	G. Sandoval Construction Inc. 2000 E. Lohman Ave. Ste. B Las Cruces, NM 88004	PROJECT NO. CONTRACT DATE: October 3, 2008
		CONTRACT FOR: General Construction

The Contract is changed as follows:
 Per drawings and cost proposal, provide the following at Burn Lake:

Provide 2 inch diameter water service from old Burn Lake Restrooms to new Restrooms (220 l.f.)	\$ 4,150.00
Connect sewer of new Burn Lake Restrooms to sewer line servicing the old existing restrooms Includes installing a sewer grinder pump per specs supplied.	\$ 8,015.00
Provide electrical service from the existing El Paso Electric pole with an underground service to the New restrooms (157 l.f.)	\$ 6,720.00

Subtotal	\$ 18,885.00
O&P	\$ 0.00
TOTAL CONTRACT CHANGE	\$ 18,885.00
NMGRT @ 7.375%	\$ 1,392.77
TOTAL CHANGE ORDER COST	\$ 20,277.77

Original Contract Sum was	\$423,000.00
Net change by previously authorized Change Orders	\$ 10,295.00
The Contract Sum prior to this Change Order was	\$ 433,295.00
The Contract Sum will be (increased) (decreased) (unchanged) by this Change Order in the amount of	\$ 20,277.77
The new Contract including this Change Order will be	\$ 453,572.77
The Contract Time will be (increased) (decreased) (unchanged) by	(000) days.
The date of Substantial Completion as of the date of this Change Order therefore is:	_____
Liquidated Damages in the amount allowed by contract will apply if work is delayed beyond the Substantial Completion date of:	_____

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time, or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

Not valid until signed by the Architect/Project Manager, Contractor, and Owner

ARCHITECT/PROJECT MANAGER Cathy Mathews / Miguel Samaniego	CONTRACTOR G. Sandoval Construction Inc.	OWNER City of Las Cruces
Address 1501 E. Hadley Las Cruces, NM 88001	Address 2000 E. Lohman Ave. Ste. B Las Cruces, NM 88004	Address P.O. Box 20000 Las Cruces, NM 88004
BY _____	BY _____	BY _____
DATE _____	DATE _____	DATE _____

