



City of Rialto

Legislation Details (With Text)

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On agenda: 7/12/2016 **Final action:**
Title: Request City Council to Approve Contract Change Order No. 3 in the Amount of \$28,926.30 for the Metrolink Parking Lot Expansion Project, City Project 120808.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment 1 - Change Order No. 1, 2. Attachment 2 - Change Order No. 2, 3. Attachment 3 - Change Order No. 3

Date	Ver.	Action By	Action	Result
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For City Council Meeting [July 12, 2016]

TO: Honorable Mayor and City Council

APPROVAL: Michael E. Story, City Administrator

FROM: Robert G. Eisenbeisz, P.E., Public Works Director/City Engineer

Request City Council to Approve Contract Change Order No. 3 in the Amount of \$28,926.30 for the Metrolink Parking Lot Expansion Project, City Project 120808.

BACKGROUND:

On April 28, 2015, the City Council awarded a construction contract to KASA Construction, Inc., in the amount of \$1,394,944.50 for the Metrolink Parking Lot Expansion Project, City Project 120808.

On May 10, 2016, the City Council approved Contract Change Order (CCO) No. 1 in the amount of \$3,946.39. CCO No. 1 included both a change due to an unforeseeable condition (catch basin modification due to an unknown subsurface utility conflict) and an additional work item (necessary tree removals not included in the construction documents). Included as **Attachment 1**.

On May 10, 2016, the City Council also approved CCO No. 2 in the amount of \$3,391.64. CCO No. 2 covered work resulting from unforeseeable conditions (repair of irrigation lines that were partially encased in concrete that required removal, the removal of buried debris, and a storm drain culvert modification due to unknown subsurface utility conflicts). Included as **Attachment 2**.

ANALYSIS/DISCUSSION:

At the time of the award, there was no delegation of authority to the City Administrator to approve contract change orders. During construction, the need for contract change orders arose for two primary reasons. The first was unforeseeable subsurface conditions encountered during construction. Secondly, there were additional work items that were not addressed in the construction

documents. In order to avoid the potential delay costs associated with stopping the work and to ensure delivery of an acceptable final product, staff directed the contractor to proceed with several work items not covered by the awarded contract.

CCO No. 3 covers costs associated with the final bid item quantities actually constructed in different amounts than estimated in the project bid schedule. These final quantities were based on actual field measurements. The original bid schedule quantities were based on engineering estimates. The impacted bid items include additional quantities for sidewalk removal, crushed aggregate base, asphalt concrete, rubber polymer modified slurry (slurry seal), curb and gutter, and detectable warning surfaces. Included as **Attachment 3**. CCO No. 3 is not the final contract change order for the project. A final contract change order will be prepared and brought before City Council once staff reviews and approves the contractor's supporting documentation for the remaining outstanding items of work.

The cost of each CCO is listed in Table 1 below:

Table 1

CCO No.	Amount
1	\$3,946.39
2	\$3,391.64
3	\$28,926.30
Total Amount	\$36,264.33

The total amount of all CCO's to date is 2.60% of the awarded contract amount.

ENVIRONMENTAL IMPACT:

On November 12, 2013, the City Council, acting as Lead Agency pursuant to the California Environmental Quality Act (CEQA), adopted Resolution No. 6360 approving a Mitigated Negative Declaration for the Project. In accordance with CEQA Guidelines, a Notice of Determination (NOD) was filed with the San Bernardino County Clerk on November 14, 2013.

The Federal Transit Agency, acting as Lead Agency pursuant to the National Environmental Policy Act (NEPA) determined that the Project qualifies as a Categorical Exclusion under 23 CFR Part 771.117(d)(4) as set forth in a letter dated January 17, 2012.

GENERAL PLAN CONSISTENCY:

This action is consistent with Guiding Principle 3A in the General Plan:

Our City government will lead by example, and will operate in an open, transparent, and responsive manner that meets the needs of the citizens and is a good place to do business.

Approval of this action also complies with the City of Rialto General Plan Goal and Policies:

Goal 4-7: Achieve optimum use of regional rail transit.

Policy 4-7.1: Support Metrolink regional rail services, and work with the Southern California

Regional Rail Authority to expand services.

Policy 4-7.2: Achieve better integration of all transit and multimodal options at the Rialto Metrolink Station.

Policy 4-7.3: Promote activity centers and transit-oriented development projects around the Rialto Metrolink Station and in Downtown.

LEGAL REVIEW:

The City Attorney has reviewed and approved this staff report and Contract Change Order No. 3.

FINANCIAL IMPACT:

Funds are budgeted and available in the Special Grant Fund Account No. 223-500-4408-3001-120808-05 for the increase of \$28,926.30 for the Metrolink Parking Lot Expansion Project, shown in **Table 2**. It should be noted that all costs associated with this project will be reimbursed by grant funding through Omnitrans and San Bernardino Associated Governments (SANBAG).

Table 2 - Funding and Expense Information

	Original Budget Approved as of 04-28-2015	Revised Budget Approved as of 05-10-2016	Proposed Budget Allocation	Revised Budget	Expended To Date
Total Sources of Funds	\$ 5,720,215.00	\$ 5,720,215.00	\$ -	\$ 5,720,215.00	\$ -
30 SANBAG - PROP1B-PTMISEA (LTF)	\$ 2,300,000.00	\$ 2,300,000.00		\$ 2,300,000.00	
54 BROWNFIELD HAZARDOUS SUBSTANCES	\$ 74,615.00	\$ 74,615.00		\$ 74,615.00	
55 US Dept Transit Authority/Omnitrans	\$ 3,345,600.00	\$ 3,345,600.00		\$ 3,345,600.00	
Total Uses of Funds	\$ 5,124,559.50	\$ 5,131,897.53	\$ 28,926.30	\$ 5,160,823.83	\$ 1,989,219.23
Total Available Remaining Funds (Phase 2)	\$ 595,655.50	\$ 588,317.47		\$ 559,391.17	
Engineering and ROW Acquisition	\$ 3,034,615.00	\$ 3,034,615.00	\$ -	\$ 3,034,615.00	\$ 352,292.08
Engineering Design and Environmental	\$ 409,615.00	\$ 409,615.00		\$ 409,615.00	\$ 298,385.90
ROW Acquisition	\$ 2,625,000.00	\$ 2,625,000.00		\$ 2,625,000.00	\$ 53,906.18
Construction Management	\$ 695,000.00	\$ 695,000.00	\$ -	\$ 695,000.00	\$ 241,905.70
Staff Management	\$ 135,000.00	\$ 135,000.00		\$ 135,000.00	\$ 35,498.26
Construction Management	\$ 150,000.00	\$ 150,000.00		\$ 150,000.00	\$ 60,557.64
Construction Support	\$ 250,000.00	\$ 250,000.00		\$ 250,000.00	\$ 94,573.80
Overhead Allocation	\$ 160,000.00	\$ 160,000.00		\$ 160,000.00	\$ 51,276.00
Construction	\$ 1,394,944.50	\$ 1,402,282.53	\$ 28,926.30	\$ 1,431,208.83	\$ 1,395,021.45
Construction (Phase 1)	\$ 1,394,944.50	\$ 1,394,944.50		\$ 1,394,944.50	\$ 1,395,021.45
CCO No. 1		\$ 3,946.39		\$ 3,946.39	
CCO No. 2		\$ 3,391.64		\$ 3,391.64	
CCO No. 3	\$ -	\$ -	\$ 28,926.30	\$ 28,926.30	\$ -

RECOMMENDATION:

Staff recommends that the City Council Approve Contract Change Order No. 3 in the amount of \$28,926.30 for the Metrolink Parking Lot Expansion Project, City Project 120808, and authorize the City Administrator to execute Contract Change Order No. 3.