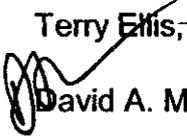


**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

cc: 14C
Amend No. _____

Date Prepared: April 21, 2008

Council Meeting Date: May 6, 2008

TO: Terry Ellis, City Manager
FROM:  David A. Moody, P.E., Engineering Director
PREPARED BY: Maher M. Hazine, P.E., CFM, Assistant City Engineer 
SUBJECT: Approve Contract Amendment No. 2 to the Construction Contract with Pierson Construction Corporation, Inc. for various change orders for the Park West Improvement District Project (Project No. ID-0601; Solicitation No. P07-0049)

RECOMMENDATION:

That Mayor and Council approve Contract Amendment No. 2 to the Construction Contract with Pierson Construction Corporation, Inc. for various change orders for the Park West Improvement District Project in the amount of \$74,476.01.

Payment will be from the Improvement District Bond Fund Street System Account No. 4400-4400-543001-CIPST-EN00500CO.

SUMMARY:

This Contract Amendment No. 2 is for a series of thirteen change orders that resulted from conflicts encountered in the field and adjustments to final quantities for a total change order amount of \$74,476.01. These change orders are subject to sales tax. The detailed list of changes is as follows:

1. SRP Delay - Delays incurred by the contractor from installing curb gutter, sidewalk and paving on 99th Avenue and Northern Avenue due to electrical conduit installation. Work was done on a time and materials basis. \$ 25,056.19

2. Additional survey time for the staking of the manholes and valves to be adjusted by the developer. Work was done on a time and materials basis. \$ 1,722.76

-
- Consent Agenda
 - Carry Over to Date: _____
 - Approved
 - Unfinished Business (Date heard previous: _____)
 - New Business
 - Public Hearing: No Action Taken

ORD. # _____ RES. # _____
LCON# 02107B LIC. # _____
Action Date: _____

Council Communication
Park West Improvement District
Contract Amendment No 2 – Pierson Construction
May 6, 2008
Page: 2

3. Additional cost to retest the sewer lines after the developer completed paving. Work was done on a time and materials basis. \$ 16,506.74
4. Additional cost to have an off-duty Police Officer direct traffic at the 99th Avenue and Northern Avenue intersection at the request of the City for safety reasons. Work was done on a time and materials basis. \$ 11,428.17
5. Additional cost to install a catch basin and pipe at the northeast corner of 99th Avenue per the revised plans. Work was done on a time and materials basis. \$ 11,420.39
6. Remove the existing storm drain pipe, backfill, compact and pave on Northern just east of 99th Avenue per revised plans. Work was done on a time and materials basis. \$ 14,420.66
7. Remove and relay storm drain pipe at Manhole #13 to install correct pipe class. Work was done on a time and materials basis. \$ 1,562.54
8. Remove and replace concrete sidewalk curb, gutter and driveways damaged by site contractors. Work was done on a time and materials basis. \$ 19,366.09
9. Redesign of the Flood Control trash gate per the Maricopa County redesign. Work was done on a time and materials basis. \$ 4,775.49
10. Striping modifications to 99th Avenue due to the engineers redesign. Work was done on a time and materials basis. \$ 4,948.72
11. Installation of a valley gutter at the intersection of 95th Avenue and Las Palmaritas due to ponding problems. Work was done on a time and materials basis. \$ 2,665.05
12. Cost saving to mill and overlay rather than remove and replace the asphalt concrete on a portion of Northern Avenue due to discovery of the existing paving being thicker than the remaining portion of Northern. Work was done on a time and materials basis. (\$ 5,619.35)
13. Itemized add/deducts for bid items including sales tax credits (\$33,777.44)

Payment for this Contract Amendment will be through the Improvement District Bond Account in the amount of \$74,476.01. Costs for these items will be assessed back to the District.

** PLACE HOLDER **



CONTRACT AMENDMENT Change Order

**Materials Management
Procurement**
8314 W. Cinnabar Ave.
Peoria, AZ 85345
Telephone: (623) 773-7115
Fax: (623) 773-7118
Buyer: Jennifer Miller

Solicitation No.: P07-0049 Page 1 of 1
Amendment No.: Two (2) Date: April 30, 2008

Project No.: _____ Agreement Date: _____
Project Description: Park West Improvement District 0601 Construction Completion Date: _____
Change Order Type: Owner Initiated Errors & Omissions Unknown Conditions Phased Award

The changes as shown on the attached sheet are hereby made to the contract.

Contract Price Change:

Original Contract Price:	\$3,383,138.15
Total of previous change orders:	56,101.94
Original contract price plus previous change order(s):	3,439,240.04
The contract price due to this change order will be increased/decreased by:	74,476.01
The new contract price including this change order will be:	\$3,513,716.05

Contract Time Change:

The contract time will be increased by _____ days.

The new date for completion of all work will be _____

Contractor hereby acknowledges receipt and agreement. A signed copy shall be filed with the City of Peoria, Materials Management Division.

Pierson Construction

Signature	Date	Typed Name and Title.	Company Name
222. S. 52 nd St.		Tempe	AZ 85281
Address		City	State Zip Code

Attested By:

Mary Jo Kief, City Clerk

14C 050608
CC Number

LCON 02107B
Contract Number

City Seal
Copyright 2003 City of Peoria, Arizona

Official File

Maher Hazine, Assistant City Engineer

Jennifer Miller, Contract Officer

Approved By: Herman F. Koebergen, Materials Manager

Approved as to Form: Stephen M. Kemp, City Attorney
The above referenced Contract Amendment is hereby Executed
_____, _____, at Peoria, Arizona

Terrence L. Ellis, City Manager

City of Peoria, Arizona

CONTRACTORS CHANGE ORDER

PROJECT: Public Improvements for Parke West

TO: Pierson Construction Corporation
225 S. 52nd Street
Tempe, Arizona 85281

ENGINEER: Kimley-Horn and Associates

Modify the Contract per the following Change proposal Requests, which are attached to this Change Order:

Increase costs and credits due to various items, see attached = \$ 74,476.01

Original CONTRACT PRICE: \$ 3,383,138.15

Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$ 3,506,013.49

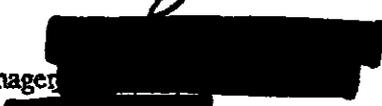
The CONTRACT PRICE due to this CHANGE ORDER will be increased by: \$ 74,476.01

The new CONTRACT PRICE, including this CHANGE ORDER will be: \$ 3,580,489.50

The CONTRACT TIME will be increased by 70 calendar days.

Accepted for Contractor by  Date: 4/1/08

Approved for Engineer by  Date: 4/9/08

Approved by Construction Manager  Date: 4/1/08

Approved for the Developer:  Date: 4-7-08

Approved for the City by:  Date: _____

Parke West Change Order No.4

Description:

1. Delays incurred by the contractor from installing curb gutter, sidewalk and paving on 99th Ave. and Northern Ave. due to electrical conduit installation.
2. Additional survey time for the staking of the manholes and valves to be adjusted by the developer.
3. Additional cost to retest the sewer lines after the developer finished his paving.
4. Additional cost to have an off-duty Police officer direct traffic at the 99th Avenue and Northern Ave. intersection at the request of the City
5. Additional cost to install a catch basin at N.E corner of 99th Ave. along with the connector pipe and Riprap per the revised plans
6. Remove the existing storm drain pipe, backfill, compact and pave on Northern just east of 99th Avenue per revised plans
7. Remove and Relay storm drain pipe at MH #13 to install correct pipe class.
8. Remove and replace concrete sidewalk curb, gutter and driveways damaged by others
9. Redesign of the Flood Control trash gate per the Maricopa County redesign
10. Striping modifications to 99th Avenue due to the engineers redesign.
11. Installation of a valley gutter at the intersection of 95th Avenue and Las Palmaritas due to ponding problems.
12. Cost saving to mill and overlay rather than remove and replace the asphalt concrete on a portion of Northern Avenue due to discovery of the existing paving being thicker than the remaining portion of Northern.
13. Increases and decreases in the bid quantities due to plan revisions and field changes.

Reason:

1. Waiting for the developer to finish the dry utility installation along 99th Ave. and along Northern Ave. to start the curb and gutter and sidewalk installation and then the sub-grade prep and paving.
2. Developer was required to make manhole and valve adjustments after paving. Pierson Contracting was requested to do the staking for these adjustments since they had installed the lines.
3. Contractor was required to retest all of the sewer lines after the contractor paved.
4. The City requested an off-duty police officer to direct traffic at 99th Avenue and Northern.
5. Plan revisions were required for drainage at the northeast corner of 99th Avenue and Northern due to inadequate slope on the connector pipe as was designed. The new design required the connector pipe to the new catch basin to outfall to a drainage area in the development.
6. The existing connector pipe was called for removal, backfill and pavement replacement as part of the change in item 5 above. This removal was a change from the original plans.
7. Revision to the storm drain plans did not address this change. Removal and replacement was required for the correct class of pipe.
8. Contractor removed and replaced damaged concrete curb and gutter, sidewalks and driveways damaged by the developer's contractors.

9. Modifications were required to the trash rack to match the County Flood Control concrete headwall.
10. 99th Avenue south of Northern was striped per plans but it was discovered that the striping caused a conflict at the intersection so the striping was redesigned
11. The drainage did not work at the intersection of 99th Avenue and Las Palmaritas as designed. A valley gutter was added so that his new intersection would drain properly.
12. The contractor discovered that a portion of the existing pavement that was to be torn out on Northern Avenue was actually the required thickness. The contractor proposed milling and overlaying this section of Northern Avenue which resulted in a credit to the City.
13. Increases and decreases in bid quantities were due to changes in the field and revisions to the plans.

Cost Analysis:

1.	Work was done on a time and materials basis.	
	Add Item- SRP Delay	\$ 25,056.19
2.	Work was done on a time and materials basis.	
	Add Item- Additional Survey Services	\$ 1,722.76
3.	Work was done on a time and materials basis.	
	Add Item-Retest and Remandrel Sewer	\$ 16,506.74
4.	Work was done on a time and materials basis.	
	Add Item-Off duty Police Officers	\$ 11,428.17
5.	Work was done on a time and materials basis.	
	Add Item- Catch Basin Rev. 99 th and Northern	\$ 11,420.39
6.	Work was done on a time and materials basis	
	Add item- Remove storm drain pipe at 99 th and Northern	\$ 14,420.66
7.	Work was done on a time and materials basis.	
	Add Item -Pipe change at MH #13	\$ 1,562.54
8.	Work done on a time and materials basis	
	Item-Remove and Replace broken concrete	\$ 19,366.09
9.	Work was done on a time and materials basis	
	Add item- Trash Rack Modifications	\$ 4,775.49
10.	Work was done on a time and materials basis	
	Add item- Striping Modifications	\$ 4,948.72
11.	Work was done on a time and materials basis	
	Add item- Additional Valley Gutter	\$ 2,665.05
12.	Work was done on a time and materials basis	
	Add item- Paving Credit	\$ (5,619.35)
13.	Itemized add/deducts for bid items to follow.	
		\$ 108,253.45

Final Quantity Adjustments

Increase Item 5 – Remove Pavement: Increases due to removal of storm drain pipe at 99th Ave./Northern Ave., additional paving required at the SE and SW corners of 99th/Northern Ave. and revised replacement width at new south curb on Northern.

563 SY X \$2.00 = \$1,126.00

Decrease Item 20 – 4' Dia. Storm Drain Manhole: Decreased by 2 manholes at NE corner of 99th Ave./Northern Ave., change order to modify drainage to onsite retention.

2 EA X (\$3,200.00) = (\$6,400.00)

Decrease Item 28 – 24" Class V RCRCP Pipe: See Item 20 above.

24 LF X (\$95.00) = (\$2280.00)

Decrease Item 30 – 12" Ductile Iron Water Line: Eliminated 335' at 97th Ave. alignment per city approval.

335 FT X (\$52.00) = (\$17,420.00)

Increase Item 37 – 12" Gate Valve, Box and Cover: The plan quantity was listed incorrectly.

3 EA X \$2,450.00 = \$7,350.00

Increase Item 40 – Fire Hydrant: Fire hydrant added where water line was terminated.

1 EA X \$3,400.00 = \$3,400.00

Decrease Item 42 – 8" Curb Stop: Concurrent on-site development eliminated need for curb stops.

7 EA X (\$650.00) = (\$4,550.00)

Decrease Item 47 – 2" Air-vac Assembly: The quantity was reduced due to field changes that eliminated requirement.

2 EA X (\$3,800.00) = (\$7,600.00)

Increase Item 48 – Pavement Replacement: Actual pay width per MAG, plan quantity not accurate.

100 SY X \$133.00 = \$13,300.00

Decrease Item 49 – Adjust Existing Valve Box: Valve shown on plans did not exist.

1 EA X (\$300.00) = (\$300.00)

Increase Item 50 – 8” SDR35 Sanitary Sewer: Increased to replace 8” Ductile Iron, which was determined by the engineer to be acceptable due to field conditions.

580 LF X \$36.00 = \$20,880.00

Decrease Item 52 – 8” Ductile Iron Sanitary Sewer: See Item 50.

580 LF X (\$68.00) = (\$39,440.00)

Increase Item 56 – 8” Sewer Encasement: Sewer did not have required clearance, requiring encasement.

10 LF X \$50.00 = \$500.00

Decrease Item 57 – Adjust Existing Sewer/SD Manhole: Two manholes shown on the plans do not exist.

2 EA X (\$330.00) = (\$660.00)

Decrease Item 61 – Install 24” Pipe Plug (SRP): Deleted by SRP.

1 EA X (\$200.00) = (\$200.00)

Increase Item 64 – Subgrade Prep: Additional due to increased paving width at Northern Ave. south curb and at SE & SW corners of 99th Ave./Northern.

563 SY X (\$2.50) = \$1407.50

Increase Item 65 – Roadway Excavation: Additional due to increased paving width at Northern Ave. south curb and at SE & SW corners of 99th Ave./Northern.

188 CY X (\$3.00) = \$564.00

Increase Item 66 – 5” Asphalt Concrete C-3/4: Additional paving required at the SE and SW corners of 99th/ Northern Ave. and revised replacement width at new south curb on Northern.

563 SY X \$31.50 = \$17,734.50

Decrease Item 78 – Street Light 27’ Pole: SRP did not require a fee to install lights.

1 EA X (\$800.00) = (\$800.00)

Decrease Item 79 – Street Light 31’ Pole: SRP did not require a fee to install lights.

12 EA X (\$800.00) = (\$9,600.00)

Decrease Item 80 – SRP #5 Pull Boxes: Developer’s subcontractor supplied and installed pull boxes.

13 EA X (\$700.00) = (\$9,100.00)

Total bid adjustments:

(\$32,088.00)

Sales tax:

(\$1,689.44)

Total changes, Item 1-12:

\$ 108,253.45

Total Change Order #4

\$ 74,476.01

Owner
 Owner Address
 Owner City, State ZIP

City of Peoria
 99th Avenue and Northern
 Peoria, AZ

PCC Project NO.:

7245 CITY OF Peoria Parke West

Item

Cost Code

RETEST AND REMANDREL SEWER LINE

Period Thru 9-4-07 TO 11-6-07

LABOR EMPLOYEE	DATE	JOB DESCRIPTION	START TIME	STOP TIME	HOURS	HOURLY BURDEN RATE	WRKG HRS MULTIPLIER	FACTORED RATE	AMOUNT	TOTAL	ITEM TOTAL
Dan Carr	10-22-07 thru 10-25-07	Superintendent			45.00	\$83.20	1.00			\$3,744.00	
Jesus Castaneda	10-22-07 thru 10-29-07	Pipelayer			32.00	\$25.00	1.00			\$800.00	
Chad Gates	10-22-07 thru 10-29-08	Laborer			40.00	\$23.50	1.00				
										\$4,544.00	

EQUIPMENT	DATE	VENDOR	STOCK #	AMOUNT	HOURS	IDLE/RENTAL RATE/HOUR	OPERATING COST/HOUR	TOTAL COST HOUR	AMOUNT	TOTAL	ITEM TOTAL
2005 Ford F-450	10-22-07 thru 10-29-07	PCC	1-62		40.00	\$8.08	\$14.15	\$20.23		\$809.20	
2007 Nissan titan	10-22-07 thru 10-29-08	PCC	99-20		45.00	\$3.86	\$10.95	\$14.81		\$666.45	
										\$1,475.65	

MATERIAL/SUBS	DATE	VENDOR	INVOICE #	Invoice AMOUNT	P.O. #	Quantity	U/M	Unit \$	Quantity AMOUNT	TOTAL	ITEM TOTAL
Video Camera/Hydro Vac	10-22-07 thru 10-25-07	SW Environmental	100758	\$7,155.00	07245-020					\$7,155.00	
										\$7,155.00	

	Subtotal	\$13,174.65
Construction Fee	15.000%	\$1,976.20
	SUBTOTAL	\$15,150.85
Performance Bond & Insurance	3.500%	\$530.28
	SUBTOTAL	\$15,681.13
Taxes	5.265%	\$825.61
	TOTAL	\$16,506.74

Change Order for Parke West

Revised 8/24/07

Revised 9/12/07

Remove Storm Drain Pipe

Location 99th & Northern

Sheet 17/60 - Rev.# 3

Remove 77 LF of Existing 24" SD Pipe
Haul-off & Dispose of Material
Saw Cut & Remove AC
Install New AC
Repair & Plug Existing CB
Additional Traffic Control S. Side
* Working Around New Existing Utilities

Unit	Qty	Unit Cost	Total Cost
LF	77	\$ 50.00	\$ 3,850.00
LS	1	\$ 385.00	\$ 385.00
SY	26	\$ 40.00	\$ 1,040.00
SY	26	\$ 125.00	\$ 3,250.00
LS	1	\$ 1,800.00	\$ 1,800.00
LS	1	\$ 2,500.00	\$ 2,500.00
Sub Total :			\$ 12,825.00

Bond & Insurance @ 3.5%: 624.05

Gross Receipts Tax @ 5.265%: \$ 971.61

Total \$ 14,420.66

Owner
 Owner Address
 Owner City, State ZIP

City of Peoria
 99th Avenue and Northern
 Peoria, AZ

PCC Project NO.:

7245 CITY OF Peoria Parke West

Item Cost Code 19007 Pipe Change MH #13

Period Thru 7-02-07 Revised 8-8-07

LABOR EMPLOYEE	DATE	JOB DESCRIPTION	START TIME	STOP TIME	HOURS	HOURLY BURDEN RATE	WRKG HRS MULTIPLIER	FACTORED RATE	AMOUNT	TOTAL	ITEM TOTAL
Sergio Chavez	6-13 & 7-02	Leadman			2	\$30.40	1.00			\$60.80	
Mark Dandoy	6-13 & 7-02	Operator			2	\$32.00	1.00			\$64.00	
Rene Delod	6-13 & 7-02	Pipelayer			2	\$28.80	1.00			\$57.60	
Ruben Martinez	6-13 & 7-02	Pipelayer			2	\$25.50	1.00			\$51.00	
Jose Nava	6-13 & 7-02	Operator			2	\$40.00	1.00			\$80.00	
Ignacio Rosa	6-13 & 7-02	Pipelayer			2	\$27.20	1.00			\$54.40	
Rufus Vittatoe	6-13 & 7-02	Operator			2	\$36.80	1.00			\$73.60	
Humberto Berrelleza	6-13 & 7-02	Laborer			2	\$19.75	1.00			\$39.50	
Raul Rios	6-13 & 7-02	Pipelayer			2	\$25.70	1.00			\$51.40	
										\$532.50	

EQUIPMENT	DATE	VENDOR	STOCK #	AMOUNT	HOURS	IDLE/RENTAL RATE/HOUR	OPERATING COST/HOUR	TOTAL COST HOUR	AMOUNT	TOTAL	ITEM TOTAL
Case 590SM	6-13 & 7-02	Pierson	3-35		2	\$21.25	\$20.80	\$42.05		\$84.10	
Hitachi Trackhoe ZX450LC	6-13 & 7-02	Pierson	4-22		2	\$88.70	\$72.95	\$159.65		\$319.30	
Volvo 460 Excavator	6-13 & 7-02	Pierson	4-34		2	\$71.36	\$67.25	\$138.61		\$277.22	
Pipe Laser	6-13 & 7-02	Pierson	7-12		2	\$0.00	\$9.25	\$9.25		\$18.50	
48" ESCO	6-13 & 7-02	Pierson	8-39		2	\$0.00				\$0.00	
24" Bucket for Hitachi 200	6-13 & 7-02	Pierson	8-62		2	\$0.00				\$0.00	
9 Yard Bedding Box	6-13 & 7-02	Pierson	8-83		2	\$0.00	\$7.75	\$7.75		\$15.50	
24" Compaction Wheel	6-13 & 7-02	Pierson	8-89		2	\$0.00				\$0.00	
Plate Tamper	6-13 & 7-02	Pierson	8-98		2	\$0.00				\$0.00	
										\$714.62	

MATERIAL/SUBS	DATE	VENDOR	INVOICE #	INVOICE AMOUNT	P.O. #	Quantity	U/M	Unit \$	Quantity AMOUNT	TOTAL	ITEM TOTAL
										\$0.00	
										\$0.00	
										\$0.00	
										\$0.00	
										\$0.00	
										\$0.00	

	Subtotal	\$1,247.12
Construction Fee	15.000%	\$187.07
	SUBTOTAL	\$1,434.19
Performance Bond & Insurance	1.50%	\$50.20
	SUBTOTAL	\$1,484.38
Taxes	5.265%	\$78.15
	TOTAL	\$1,562.54

Owner
 Owner Address
 Owner City, State ZIP

City of Peoria
 99th Avenue and Northern
 Peoria, AZ

PCC Project NO.: 7245 CITY OF Peoria Parke West

Item Cost Code 19024 VALLEY GUTTER

Revised 1-2-08

LABOR EMPLOYEE	DATE	JOB DESCRIPTION	START TIME	STOP TIME	HOURS	HOURLY BURDEN RATE	WRKG HRS MULTIPLIER	FACTORED RATE	AMOUNT	TOTAL	ITEM TOTAL
Jack Poeling	12/20/07	Superintendent			3.00	\$68.00	1.00			\$204.00	
Jason Audlett	12/20/07	Leadman			3.00	\$37.75	1.00			\$113.25	
Francisco Garcia	12/20/07	Pipelayer			3.00	\$28.89	1.00			\$86.67	
Armando Sida	12/20/07	Operator			3.00	\$30.20	1.00			\$90.60	
											\$493.92

EQUIPMENT	DATE	VENDOR	STOCK #	AMOUNT	HOURS	IDLE/RENTAL RATE/HOUR	OPERATING COST/HOUR	TOTAL COST HOUR	AMOUNT	TOTAL	ITEM TOTAL
											\$0.00

MATERIAL/SUBS	DATE	VENDOR	INVOICE #	Invoice AMOUNT	P.O. #	Quantity	UNIT	Unit \$	Quantity AMOUNT	TOTAL	ITEM TOTAL
Traffic Control	12/20/07	Highway Tech	275932-001	\$208.16	07245-027					\$208.16	
Saw Cut	12/20/07	Modern Concrete	5371	\$85.00	07245-026					\$85.00	
Pour Concrete	12/20/07	Concrete Placement	5994	\$1,340.00	07245-028					\$1,340.00	
											\$1,633.16

	Subtotal	\$2,127.00
Construction Fee	15.000%	\$319.08
	SUBTOTAL	\$2,446.14
Performance Bond & Insurance	3.500%	\$85.61
	SUBTOTAL	\$2,531.76
Taxes	5.265%	\$133.30
	TOTAL	\$2,665.05

WEST PARKE

Proposal to furnish a 5-inch mill & overlay from station 67+47.78 to 64+00 on Northern Ave.

With the ADOT R/W permit only allowing a working window from 9:00 AM to 3:00 PM, this will not allow enough time to complete the work involved per the plans and specifications.

However, Pierson would like to propose the following, so we don't have to resubmit to ADOT, which may cause an additional delay in trying to modifying ADOT's permit.

* Mill 5-inches of the existing asphalt, and overlay with a High Volume as submitted. Please see the attached diagram.

Costs:

		Per Tim & Boone: Use (300*30)/9 = 1.000 SY	Field Measured
Credit to the City:	1000.0 SY x \$ 31.50 per SY		\$ (31,500.00)
5-inch Mill & Fill	Mill 5" of existing asphalt	1000.00 SY x \$ 3.45/SY	\$ 3,350.00
	Haul-off millings Use 140#/CF	262.50 Tons+/- @ \$4.50 /Ton	\$ 1,180.65
	Pave back 5-inches of High Volum mix @	\$ 21.35 / SY	\$ 21,350.00

Overall Credit to the COP: \$ (5,619.35)