

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

cc: 16c
Amend No. _____

Date Prepared: April 17, 2008

Council Meeting Date: May 6, 2008

TO: Terry Ellis, City Manager

FROM: *DM* David A. Moody, P. E., Engineering Director

THROUGH: *DN* Dan Nissen, P. E., Assistant City Engineer

PREPARED BY: Chris Kmetty, P. E., Senior Civil Engineer

SUBJECT: Approve Contract Amendment No. 3 to Carter and Burgess, Inc. for construction administration and design services for Happy Valley Road Widening from 75th Avenue to Lake Pleasant Parkway. (Engineering Project No. P-0111, Solicitation No. P07-0084, ACON37907B)

RECOMMENDATION:

That Mayor and Council approve Contract Amendment No. 3 to Carter and Burgess, Inc. in the not-to-exceed amount of \$764,814 for construction administration and design services associated with the construction of Happy Valley Road Widening from 75th Avenue to Lake Pleasant Parkway.

Also, that Mayor and Council approve the acceleration of project funds from FY09 to FY08 by authorizing a budget transfer in the amount of \$747,581 from the General Fund Contingency Account 1000-0300-570000 to the MDA Bond Fund Street Improvements Account 4230-4230-543001-CIPST-PW00146DS.

Per a developer agreement, Sunrise Mountain has deposited funds to design necessary water and sewer lines to serve this subdivision. To provide the budgetary authorization necessary to expend these developer contributed funds, staff recommends that Mayor and Council approve a budget transfer in the amount of \$17,233 from the General Fund Contingency Account 1000-0300-570000 to the Outside Sources Fund Water System Account 4810-4810-543002-CIPWR-UT00199DS

CITY CLERK USE ONLY:

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

ORD. # _____ RES. # _____
 ACON# 37907C LIC. # _____
 Action Date: _____

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Happy Valley Road; 75th Avenue to Lake Pleasant Parkway
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SUMMARY:

Today there are no continuous east-west corridors between Deer Valley Road and SR 74 due to the topography of the area and historically a low level of development in the area. The projected growth of the area and a shift in development trends towards the northwest area of the City of Peoria (City) has resulted in an increase in traffic volumes and the need for additional roadway capacity. Anticipating this need, Happy Valley Road has been identified as an east-west arterial street.

In August 2007, Council awarded the pre-construction services and design services contract to Carter-Burgess. In July, 2007, Council awarded the Construction Manager at Risk (CM@R) pre-construction services to Ames Construction. The contracts to these two firms are for the design and construction of the Happy Valley Road improvements between Terramar Blvd and Lake Pleasant Parkway; specifically, the three west bound lanes, bike lane, bridge over New River, street lights, and landscape improvements.

After careful analysis with staff, the consultant, the CM@R and the CIP Management Committee, it was determined that the project funding could support the design and construction of the south half street improvements of Happy Valley Road from 83rd Avenue to Terramar Boulevard. These improvements include the 3 east bound lanes, bike lane, bridge over New River with aesthetic treatments, additional right-of-way acquisition, signage and striping, traffic control, street lighting, traffic signal design, geotechnical and materials testing, additional survey, utility design and coordination and landscape design. These items had not been previously identified in the original scope of work or contract amendments.

In addition, the project has required a significant amount of time coordinating with proposed development along Happy Valley Road. One of the proposed developments known as Sunrise Mountain is responsible for the design and construction of a 12" sanitary sewer line located on the north side of Happy Valley between 91st Avenue and 85th Avenue. The sanitary sewer line needs to be constructed prior to paving of Happy Valley Road. After discussions with Sunrise Mountain Development Partners, LLC, it was agreed that the sanitary sewer line should be designed by the City's consultant and constructed by the City's contractor.

A separate development agreement is being established for the Sunrise Mountain Development Partners, LLC to pay the City of Peoria for the design and construction costs related to the sanitary sewer.

Carter-Burgess submitted a proposal for Contract Amendment No. 3 in the amount of \$764,814 for providing design services for the south half of Happy Valley Road from 83rd Avenue to 97th Avenue (El Paso Natural Gas Line); these improvements include the 3 east

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bound lanes and bike lane, additional right of way acquisition, signing, striping, traffic control, traffic signal design at 71st Avenue alignment, geotechnical testing services, additional survey services, utility design and coordination, landscape design, waterline design, construction administration services and post construction services.

A summary of the tasks to be performed by the consultant are identified below:

CONSULTANT REQUIREMENTS:

The Consultant shall perform all necessary duties and functions required by the City of Peoria to provide the following for the south side design of Happy Valley Road from 83rd Avenue to 97th Avenue (El Paso Natural Gas Line):

1. Design

- a. South Side 83rd Ave to 97th Ave
 - Roadway Design
 - Signing, Striping, Electrical Design
 - Right of Way Acquisition
 - Special Provisions
 - Utility Coordination
 - Landscape Design
- b. Roadway Design Options 93rd Ave to 95th Ave
- c. Traffic Design
 - Signal Design Terramar Elementary/Christ's Church of the Valley Shared Driveway
 - Modifications to the Signing and Striping near Terramar Elementary and Happy Valley Basic School
- d. 16" and 12" Waterline Design and Permit Coordination

2. Construction

- a. Materials Quality Control

A summary of the revised Carter Burgess Contract amount is provided below:

Original Contract

On June 26, 2007, a contract was awarded administratively to Carter and Burgess, Inc. in the amount of \$36,802 for conducting and attending project coordination meetings and providing CM@R coordination between June 13, 2007 and approval of Contract Amendment No. 1.

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Contract Amendment No. 1

On August 21, 2007, Council approved Contract Amendment No. 1 in the amount of \$2,097,386 for providing pre-design services, design services, construction administration services and post construction services.

Contract Amendment No. 2

On November 20, 2007, Council approved Contract Amendment No. 2 in the amount of \$979,902.46 for construction administration services and design services.

Original Contract Amount:	\$ 36,802.00
Contract Amendment No. 1	\$ 2,097,836.00
Contract Amendment No. 2	\$ 979,902.46
Contract Amendment No. 3	\$ <u>764,814.00</u>
Revised Contract Amount:	\$ 3,879,354.46

Placeholder

ORIGINAL



CONTRACT AMENDMENT

Change Order

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

Solicitation No.: P07-0084 Page 1 of 2
Amendment No.: Three (3) Date: April 23, 2008

Project No.: P-0111 Agreement Date: July 2, 2007
Project Description: Design & Construction Management Services for Happy Valley Road Completion Date: October 31, 2009
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:	\$36,802.00
Total of previous change orders:	\$3,077,738.46
Original contract price plus previous change order(s):	\$3,114,540.46
The contract price due to this change order will be increased/decreased by:	\$764,814.00
The new contract price including this change order will be:	\$3,879,354.46

Contract Time Change:

The contract time will be increased by N/A days.
The new date for completion of all work will be N/A

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

Fred S. Tallarico
Vice President / Associate
Principal

Carter Burgess
Company Name

Signature	Date	Typed Name and Title		Company Name
101 N. First Avenue, Ste 3100		Phoenix	Arizona	85003
Address		City	State	Zip Code

Attested By:

Mary Jo Kief, City Clerk

16C 050605
CC Number

ACON 37907 C
Contract Number

City Seal
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Official File

Dan Nissen, P.E., Assistant City Engineer

Christine Finney
Christine Finney, Buyer

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