**CITY OF PEORIA, ARIZONA**
**COUNCIL COMMUNICATION**

**CC:** 11C
**Amend No.** _____

**Date Prepared:** **December 15, 2007** **Council Meeting Date:** **January 15, 2008**

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**TO:** Terry Ellis, City Manager

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

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

**PREPARED BY:** Karl Zook, Associate Engineer KZ

**SUBJECT:** Authorization for additional expenditure authority in the amount of $71,015.11 (Contract Amendment No. 1) to J. Banicki, Inc., utilizing the existing Job Order Contract No. 07-03, Transportation Related Construction services, between the City of Chandler and J. Banicki, Inc for the construction of the 89th Avenue, Deer Valley Road to Williams Road, Drainage and Roadway Improvement Project. (Project No. SS-0503, City of Chandler JOC Contract No. 07-03 February 5, 2007)

**RECOMMENDATION:**

That Mayor and Council authorize additional expenditure authority in the amount of $71,015.11 (Contract Amendment No. 1) to J. Banicki, Inc. for construction related costs associated with the 89th Avenue, Deer Valley Road, Drainage and Roadway Improvement Project. Funding is available within the current project budget in the Proposed GO Bond Fund Storm Drain System Account 4220-4220-543004-CIPDR-EN00017CO.

**SUMMARY:**

On August 21, 2007 Mayor and Council approved the expenditure of funds in the amount of $734,409.78 to J. Banicki, Inc., utilizing the existing Job Order Contract No. 07-03, Transportation Related Construction services, between the City of Chandler and J. Banicki, Inc for the construction of the 89th Avenue, Deer Valley Road to Williams Road, Drainage and Roadway Improvement Project. Currently the major construction items have been completed and the contractor is addressing punch list items compiled by the City Engineering Inspector

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**CITY CLERK USE ONLY:**

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

**ORD. #**_____ **RES. #**_____
**LCON#**_____ **LIC. #**_____
**Action Date:**_____

**REV. 07/05**

assigned to the project. Three Field Change Orders have been submitted to the City by J. Banicki over the construction phase resulting in the overall price increase The Field Change Orders are outlined below:

1.) Field Change Order #1, September 13, 2007
48" Storm Drain Pipe Material Credit – Approximately 200 linear feet of the required 274 linear feet of storm drain pipe required for the project was previously purchased in the PW 00162, SS-0801 83rd Avenue Williams Road to Calle Lejos Storm Drain project. J. Banicki provided a credit of -$7,563.51 for this material.

2.) Field Change Order #2, December 6, 2007
Construction Impact Repairs - Due to the spill way construction on the south side of Deer Valley Road at 89th Avenue and the impact to the cuts made into Deer Valley Road for the drain pipe to be installed, additional funds were requested by the City to repair and replace irrigation and landscaping impacted by construction. Additional striping and signage was also needed due to the work in this area. J. Banicki's cost for these items is $23,723.10

3.) Field Change Order #3, December 12, 2007
Construction Overages from Original Bid – J. Banicki's original bid for this project was based on a bid estimate from the construction plans dated August 8, 2007. Part of the paving costs were based on new driveways to the County residents along 89th Avenue and were conceptual compared to actual placement. Actual asphalt drive quantities ran over the original bid estimate. Also, additional sidewalk was required along the south side of Deer Valley Road where the spill way was constructed. The sidewalk in this area had been severely damaged in areas due to the utility relocations that had taken place prior to construction. J. Banicki's cost for these overages totaled $54,855.52.

Currently the overall construction budget for the EN00017 project is $922,749. With the above change orders, J. Banicki's contract value will total $805,424.89. Additional purchase orders awarded for the project recently include $6,920.00 to ACS/Conaid for Public Information and $16,850.00 to Ricker, Atkinson, McBee, Morman and Associates, Incorporate, (RAMM Inc.) for materials testing. A summary of the revised contract amount is provided below.

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|---|---|
| J. Banicki Original Contract | $734,409.78 |
| FCO#1 | $ -7,563.51 |
| FCO#2 | $ 23,723.10 |
| FCO#3 | $ 54,855.52 |
| Revised Contract Amount: | $805,424.89 |