

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATIONS**

CC: 14C
Amend No. _____

Date prepared: February 23, 2009

Council Meeting Date: April 7, 2009

TO: Carl Swenson, City Manager

THROUGH: Susan J. Daluddung, Deputy City Manager

FROM: Andrew Granger, P. E., Engineering Director

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

PREPARED BY: Richard Costa, Associate Engineer

SUBJECT: Contract Amendment No. 1 to J. Banicki Construction for a Guaranteed Maximum Price for the 87th Avenue; Olive Avenue to Hatcher Road roadway and drainage improvement project (Engineering Project No. P-0805, Solicitation No. P08-0078, P09-0006)

RECOMMENDATION:

Discussion and possible action to approve Contract Amendment No. 1, adding the Guaranteed Maximum Price (GMP No. 1) proposal for the 87th Avenue; Olive Avenue to Hatcher Road roadway and drainage improvement project to J. Banicki Construction in the not to exceed amount of \$176,181.30.

SUMMARY:

The purpose of this Capital Improvement Streets project is to widen the west half of 87th Avenue from Olive Avenue to Hatcher Road to Minor Collector Street Standards, and to install the down stream portion of the 87th Avenue regional storm drain identified in the Glendale/Peoria Areas Drainage Master Plan – Down Town Master Plan Update. The purpose of the storm drain is to mitigate a surface drainage ponding problem occurring at the southwest corner of 87th Avenue and Hatcher Road.

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. # _____
LCON# 19908 LIC. # _____
Action Date: _____

Once completed, this segment of 87th Avenue street improvements will be widened to accommodate one lane in each direction, bike lanes, and a center two-way left turn lane. In addition, sidewalks will be constructed on the west side of 87th Avenue. The project will also include installing video detection cameras on the existing traffic signal at 87th Avenue and Olive Avenue. No landscape improvements will be installed with the exception of the placement of decomposed granite along the west side of 87th Avenue, adjacent to the existing residences. No street lights will be required as the current street lighting system along 87th Avenue meets City requirements for collector streets. However, based upon field observations, it is anticipated that a number of public utilities and privately owned irrigation improvements will need to be relocated or adjusted, as a result of the proposed roadway widening and drainage improvements.

Staff recommended the construction of this project be completed by the Construction Manager at Risk (CM@R) alternative delivery method, rather than the conventional design-bid-build method. The CM@R method has been used successfully in recent area projects. The solicitation for the Construction Manager at Risk services was advertised and posted on the Materials Management web site. J. Banicki Construction was recommended by the selection committee as the best qualified contractor for pre-construction and construction services.

Staff previously recommended that the contract with J. Banicki Construction as the CM@R contractor be constructed in three phases. The first contract (Phase 1) was awarded by Council on November 18, 2008 which established the Pre-Construction Services at a not-to-exceed price of \$78,508. The pre-construction services allowed J. Banicki Construction to work with the design engineers to develop more complete drawings, eliminate any deficiencies, and suggest alternatives that will result in a complete and higher quality design. Other tasks included with Phase 1 were the selection and approval of subcontractors, competitive bidding for subcontracts, utility relocation coordination, 30% and 60% budget confirmation and basic project coordination with the City, the designer, and other stakeholders.

The second contract (Phase 2 - Contract Amendment No. 1, GMP No. 1), is to provide construction services in the amount of \$176,181.30 for the installation of video detection cameras at the intersection of Olive Avenue and 87th Avenue and to replace an existing open irrigation channel constructed along 87th Avenue south of Hatcher Road with a new underground pipe. The primary purpose of accelerating this phase of construction is to have this work completed prior to the start of the future and final phase of construction (Phase 3) for roadway and drainage improvements.

The third contract (Phase 3) is for construction services for all remaining improvements included in this project and will be presented to Council at a later date.

The anticipated project schedule is as follows:

| | | |
|---------|---|-----------------|
| Phase 1 | Design / Pre-construction | Sep 08 – Apr 09 |
| Phase 2 | Construction of private irrigation & signal modifications | Apr 09 – May 09 |
| Phase 3 | Construction of remaining improvements | Jun 09 – Sep 09 |

FISCAL NOTE:

Payment will be from the 87th Avenue; Olive Avenue to Hatcher Road Project, Transportation Sales Tax Fund, Street System Account No. 7010-7075-543001-CIPST-EN00001CO in the not to exceed amount of \$176,181.30.

The estimated total cost for pre-construction and construction services is summarized below:

| | |
|------------------------------------|---------------------------------|
| • Pre-construction Services | \$ 78,508.00 |
| • Contract Amendment No. 1 (GMP 1) | 176,181.30 |
| • Contract Amendment No. 2 (GMP 2) | <u>1,487,311.00</u> (estimated) |
| Total Construction Contract | \$1,742,000.30 |

ATTACHMENTS:

1. Exhibit A – Task Summary
2. Exhibit B – Location Map

ATTACHMENT A

87th Avenue; Olive Avenue to Hatcher Road Roadway and Drainage Project

Task Summary

A summary of the pre-construction and anticipated construction services tasks are provided below:

Phase 1 (Pre-Construction Services)

- 1) Provide plan review and pre-construction activities tasks
- 2) Prepare Guaranteed Maximum Price (GMP) contract pricing for award of construction work
- 3) Attend meetings with design Consultant and City
- 4) Perform field services (refined utility locating)

Phase 2 (Construction Services)

- 1) Install video detection cameras at 87th Avenue and Olive Avenue intersection prior to Phase 3
- 2) Remove existing open irrigation channel and replace with new underground drainage pipe, including new irrigation service structures

Phase 3 (Construction Services)

- 1) Construct new regional and pavement drainage improvements within 87th Avenue from Olive Avenue to Hatcher Road
- 2) Widen the west side of 87th Ave from Olive Ave to Hatcher Rd to a 1-1-1 roadway section with bike lanes. Construction new curbs, gutter, sidewalks, and driveways



New curb return and CB at low spot where ponding occurs

New 48" Dia. storm drain will be plugged for future extension north to Mountain View.

West half of roadway widened to provide one lane each direction with a two way left turn lane and bike lanes.

No improvements to the east half of roadway with exception to pavement milling/resurfacing and catchbasin installation.

New Curb, Gutter, & Swk

New 48" Storm Drain & Catchbasins

Add Video Detection Cameras to Signals.

LEGEND

| | |
|---|---|
| <p>Streets</p> <ul style="list-style-type: none"> Freeway Major Street Minor Street Freeway Ramp Railroad Minor Street | <ul style="list-style-type: none"> Parcels City Limit Peoria County Island Outside Peoria |
|---|---|

This map is based on imprecise source data, subject to change, and for general reference only.



CONTRACT AMENDMENT Change Order

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

Solicitation No. P09-0006 Page 1 of One

Amendment No. One Date: March 10, 2009

Buyer: Peggy Ferrin, ext 7780

Project No.: P09-0006 Agreement Date: November 26, 2008

Project Description: 87th Ave Olive to Hatcher CM@Risk Completion Date: June 25, 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.

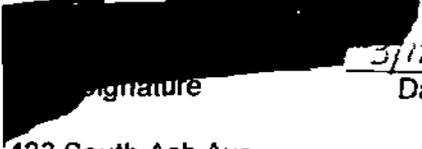
Contract Price Change:

| | |
|---|------------|
| Original Contract Price: | 78,508.00 |
| Total of previous change orders: | |
| Original contract price plus previous change order(s): | 78,508.00 |
| The contract price due to this change order will be increased/decreased by: | 176,181.30 |
| The new contract price including this change order will be: | 254,689.30 |

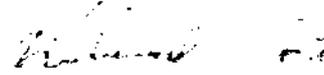
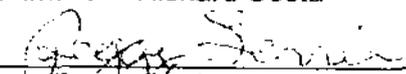
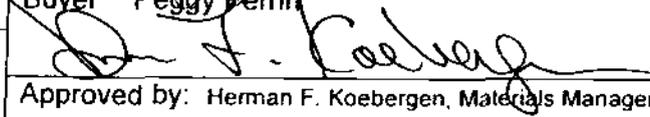
Contract Time Change:

The contract time will be increased by 65 days.
The new date for completion of all work will be: June 25, 2009

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

| | | | | |
|--|----------------|---------------------------------|--------------------------------------|--|
|  | <u>3/12/09</u> | <u>Jerry Banicki, President</u> | <u>J. Banicki Construction, Inc.</u> | |
| Signature | Date | Typed Name and Title | Company Name | |
| <u>423 South Ash Ave</u> | <u>Tempe</u> | <u>Arizona</u> | <u>85283</u> | |
| Address | City | State | Zip Code | |

Witnessed By:

| | |
|--|---|
| Witnessed By: Cary Jo Kief, City Clerk |  |
| | Department: Richard Costa |
| | 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 |
| | Official File: Carl Swenson, City Manager |

14C

CC Number

LCON19908A

Contract Number