

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

cc: IOC  
Amend No. \_\_\_\_\_

Date Prepared: March 19, 2009

Council Meeting Date: April 21, 2009

**TO:** Carl Swenson, City Manager

**FROM:** Stephen L. Bontrager, Utilities Director *B*  
Andrew Granger, City Engineer *AG*

**THROUGH:** Shawn V. Kreuzwiesner, Utilities Engineering Manager *SK*

**PREPARED BY:** Leisa Burdine, Civil Engineer *LB*  
Burton Charron, Senior Civil Engineer *BC*

**SUBJECT:** Award Contract Amendment No. 1 to Pulice Construction Inc.

**RECOMMENDATION:**

Discussion and possible action on the following three items:

(a) Authorize the merging of Capital Improvement Projects (CIP) UT00096, 91<sup>st</sup> Avenue 24-inch Waterline from Beardsley Road to Union Hills Drive and UT00145, Beardsley Road 24-inch Waterline from Lake Pleasant Road to 87<sup>th</sup> Avenue into Capital Improvement Project UT00145, Beardsley Road and 91<sup>st</sup> Avenue 24-inch Waterlines.

(b) Award Contract Amendment No. 1 to Pulice Construction Inc. for construction of the Westbrook Village (WBV) storm drain (EN00003, Westbrook Village Court Verdict Drainage Improvements) with additional authorization for City Engineering contingency of \$150,000; and three miles of 24-inch waterline (UT00145, Beardsley Road and 91<sup>st</sup> Avenue 24-inch Waterlines) with additional authorization for City Utility contingency of \$95,000 for the Guaranteed Maximum Price (GMP) of \$9,691,697; Solicitation No. P09-0005, LCON 00309.

(c) Approve a budget transfer within the project in the amount of \$800,000 from the Proposed GO Bond Fund, Land Acquisition Account 4240-4240-540000-CIPDR-EN00003LA to the Proposed GO Bond Fund, Storm Drain System Account 4240-4240-543004-CIPDR-EN00003CO.

**SUMMARY:**

On January 6, 2009, Council awarded a pre-construction services contract to Pulice Construction Inc. in the amount of \$136,951 for the WBV storm drain improvements and construction of three miles of 24-inch waterline. The initial contract included

**CITY CLERK USE ONLY:**

- Consent Agenda
- Carry Over to Date: \_\_\_\_\_
- Approved
- Unfinished Business (Date heard previous: \_\_\_\_\_)
- New Business

ORD. # \_\_\_\_\_ RES. # \_\_\_\_\_  
LCON# 00309A LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

constructability reviews, detailed cost estimates and value engineering services prior to the award of the GMP. At this time, Pulice Construction has completed the pre-construction services and has developed a construction cost proposal for the project. The project cost has been broken into two GMP's to account for available fiscal year funding. GMP No. 1 will include the construction on the storm drain and waterlines and is summarized below.

Department	GMP No. 1 Scope	Cost
Utilities- Combined UT00145	Construction of the 24-inch waterlines on Beardsley Road from Lake Pleasant Road to 87 <sup>th</sup> Avenue and on 91 <sup>st</sup> Avenue from Beardsley Road to Union Hills Drive	\$4,920,620
Engineering- EN00003	Construction of WBV storm drain for Beardsley Road and 91 <sup>st</sup> Avenue and basin modifications	\$4,771,077
<b>Contract Amendment No. 1 Total</b>		<b>\$9,691,697</b>

Staff will return to Council in Fiscal Year 2010 for the award of GMP No. 2 to fund a pavement overlay on 91<sup>st</sup> Avenue and Beardsley Road, which is estimated to cost \$1,255,000. Staff will also return to Council in May 2009 for additional project commitments associated with materials testing, public relations and construction management services with additional on-call/existing vendors.

The following is a summary of the phases and costs associated with Pulice Construction's contract with the City.

Phase	Scope	Completion Date	Cost
Pre-Construction Services	Project administration to develop GMP No. 1	Mar-2009	Utilities- \$68,475
			Engineering- \$68,476
Construction GMP 1 (Amendment No. 1)	Construction of the 24-inch waterlines on Beardsley Road and 91 <sup>st</sup> Avenue, construction of the WBV storm drain and basin modifications	Dec-2009	Utilities- \$4,920,620
			Engineering- \$4,771,077
Construction GMP 2 (Amendment No. 2)	Pavement overlay with signing and striping (estimated at \$1,255,000)	May-2010	Utilities - \$502,000
			Engineering - \$753,000
<b>Estimated Contract Total</b>			<b>\$11,083,648</b>

The storm drain has a project savings in the land account due to not having to acquire several private detention basin areas. Construction costs have increased and with the upcoming commitments for materials testing, public relations and construction management. Staff requests to attribute the land savings of \$800,000 to the overall drainage project.

The Utilities Department has submitted an application to the Water Infrastructure Finance Authority (WIFA) for a loan associated with the American Recovery and Reinvestment Act (ARRA) for the 24-inch waterlines. If approved, staff will return to Council for approval of the use of these funds on the project.

**FISCAL NOTE:**

Payment in the amount of \$9,691,697 will be made from the following accounts:

- A project transfer in the amount of \$2,781,398 from Proposed Water Revenue Bonds account 2224-2294-543002-CIPWR-UT00096 to Proposed Water Revenue Bonds, 2224-2294-543002-CIPWR-UT00145, payment will be made from Proposed Water Revenue Bonds, 2224-2294-543002-CIPWR-UT00145 (\$4,920,620)
- A budget transfer in the amount of \$800,000 from Land Acquisition account 4240-4240-540000-CIPDR-EN00003LA to Storm Drain System account 4240-4240-543004-CIPDR-EN00003CO, payment will be made from Proposed GO Bond Fund, Storm Drain System Account 4240-4240-543004-CIPDR-EN00003CO (\$4,771,077)

**ATTACHMENTS:**

Contract Amendment No. 1  
Project Map



# CONTRACT AMENDMENT Change Order

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

Solicitation No.: P09-0005 Page 1 of 3

Amendment No.: One (1) Date: March 30, 2009

Buyer: Christine Finney

Project No.: EN00003, UT00145, UT00096

Agreement Date: January 13, 2009

Project Description: Westbrook Village Storm Drain & 24" Waterlines

Completion Date: December 9, 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: \$136,951.01

Total of previous change orders: \$0.00

Original contract price plus previous change order(s): \$136,951.01

The contract price due to this change order will be increased/decreased by: \$9,691,697.00

The new contract price including this change order will be: \$9,828,648.01

### Contract Time Change:

The contract time will be increased by 223 days.

The new date for completion of all work will be December 9, 2009

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

Signature: [Redacted] Date: 4-1-09 Typed Name and Title: Mark B. Soystra VP/ops Company Name: Pulice Construction, Inc.

2033 W. Mountain View Road Phoenix AZ 85021  
Address City State Zip Code

Attested By:

Mary Jo Kief, City Clerk

10C 4121109  
CC Number

LCON 00309 A  
Contract Number

Dan Nissen, P.E., Assistant City Engineer 3/31/09

Shawn Kreuzwiesner, Utilities Engineering Manager 3/31/09

Christine Finney, Buyer 3/31/09

Approved By: Herman P. Koebergen, Materials Manager

Approved as to Form: Stephen M. Kemp, City Attorney

The above referenced Contract Amendment is hereby Executed  
at Peoria, Arizona

Carl Swenson, City Manager

ORIGINAL

City Seal

Official File



# PROJECT MAP

**UT00145**  
**24" Waterline**  
**Beardsley Rd**  
**(Lake Pleasant Rd to 87th Ave)**

**EN00003**  
**Westbrook Village**  
**Verdict Implementation**  
**along Beardsley Rd**  
**(Storm drain project)**

**UT00145**  
**(previously UT00096)**  
**24" Waterline**  
**91st Av**  
**(Union Hills Dr to Beardsley Rd)**

**EN00003**  
**Westbrook Village**  
**Verdict Implementation**  
**along 91st Av**  
**(Storm drain project)**

