

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATIONS**

cc: 14C
Amend No. _____

Date prepared: March 25, 2009

Council Meeting Date: May 5, 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 *rac*

SUBJECT: Contract Amendment No. 2, Guaranteed Maximum Price No. 2, to J. Banicki Construction for the 87th Avenue; Olive Avenue to Hatcher Road roadway and drainage improvement project (Engineering Project No. P-0805, Solicitation No. P09-0006A)

RECOMMENDATION:

Discussion and possible action to approve Contract Amendment No. 2, Guaranteed Maximum Price No. 2 (GMP No. 2), to J. Banicki Construction for Phase 3 of the 87th Avenue; Olive Avenue to Hatcher Road roadway and drainage improvement project in the not to exceed amount of \$1,351,096.

In addition, that Mayor and Council authorize the inclusion of a contingency in the amount of \$100,000.00 for additional owner requested construction items.

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 and to construct the southern portion of the 87th Avenue; Olive Avenue to Monroe Street storm drain.

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# 199082 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 second contract (Phase 2 - Contract Amendment No. 1, GMP No. 1), was approved by Council on April 7, 2009 for providing 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 third contract (Phase 3, Contract Amendment No. 2, GMP No. 2) is for construction services for all remaining improvements included in this project.

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

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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 (\$1,320,638) and the Outside Sources Fund, Street System Account No. 4810-4810-543001-CIPST-EN00001CO (\$30,458).

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>1,351,096.00</u>
Total Construction Contract	\$1,605,785.30

ATTACHMENTS:

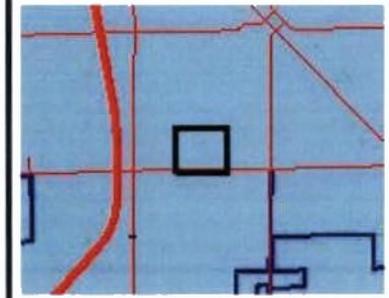
1. Location Map

City of Peoria GIS Map



LEGEND

- | | | | |
|--|--------------|--|----------------|
| | Freeway | | Parcels |
| | Major Street | | City Limit |
| | Minor Street | | Peoria |
| | Freeway Ramp | | County Island |
| | Railroad | | Outside Peoria |
| | Minor Street | | |



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



CONTRACT AMENDMENT Change Order

Solicitation No. P09-0006 Page 1 of 5

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

Amendment No. Two Date: April 11, 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: August 10, 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:	176,181.30
Original contract price plus previous change order(s):	254,689.30
The contract price due to this change order will be increased by:	1,351,096.00
The new contract price including this change order will be:	1,605,785.30

Contract Time Change:

The contract time will be increased by 46 days.

The new date for completion of all work will be: August 10, 2009

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

Signature

Date

Jerry Banicki, President
Typed Name and Title

J. Banicki Construction, Inc.
Company Name

6423 South Ash Ave

Tempe

Arizona

85283

Address

City

State

Zip Code

Attested By:

Mary Jo Kief, City Clerk

Department Richard Costa

14C
CC Number

Peggy Ferrin
Buyer Peggy Ferrin

LCON19908B

Approved by: Herman F. Koebergen, Materials Manager

Contract Number

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

_____ , _____ , at Peoria, Arizona

City Seal

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Official File

Carl Swenson, City Manager