

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATIONS**

CC: 20R  
Amend No. \_\_\_\_\_

Date prepared: December 26, 2008

Council Meeting Date: January 20, 2009

**TO:** Carl Swenson, City Manager  
**FROM:** William J. Mattingly, Public Works Director *WJM*  
**PREPARED BY:** Ed Striffler, Design & Construction Manager

**SUBJECT:** Contract Amendment No. 1 to Layton Construction Company for a Guaranteed Maximum Price for the construction of the Municipal Court expansion under the current design build contract; construction administration; and authorize expenditure of City paid project expenses.

**RECOMMENDATION:** Discussion and possible action to approve Contract Amendment No. 1 to Layton Construction Company design/build contract LCON 00708 for a Guaranteed Maximum Price (GMP) of \$8,400,000 for construction of the Municipal Court expansion (CIP Project PW00360); \$145,460 to Layton Construction Company for Construction Administration; and authorize expenditure of City paid project related expenses up to \$1,134,349. Funding is available in the current Capital Improvement Plan in accounts 4220-4220-540500-CIPOF-PW00360, 7940-7940-540500-CIPOF-PW00360, and 1210-0350-CIPOF-540500-PW00320.

**SUMMARY:** In January 2008, the Mayor and City Council awarded Layton Construction Company a contract for the design and preconstruction services phase of the Municipal Court expansion project, PW00360. Key project components include:

- An increase in building size from 17,000 square feet to 37,000 square feet.
- Remodel and ADA compliance upgrades of two existing courtrooms;
- Addition of a new ADA compliant traffic courtroom;
- Addition of a new ADA compliant hearing room;
- Provisions for large jury assembly & large audience training;
- Customer focused counter operations (inquiries, payments, records requests, etc);
- Major remodels to staff work areas to accommodate estimated 15-20 year Court and City Attorney staff growth projections;
- Site landscaping and drainage improvements;
- A pedestrian bridge from the east campus parking garage upper deck to the main Municipal Court entry;
- Improved Municipal Court identity along 83<sup>rd</sup> Avenue;

**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# 00708A LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

- Security and technology enhancements.

Contractor mobilization and selective demolition will begin in February 2009 ramping up to full construction in March 2009 upon receipt of all requisite City of Peoria permits. The total anticipated construction duration of this multi-phase project is 24 months (February 2011), with United States Green Building Council Leadership in Energy & Environmental Design (LEED) certification anticipated 4 months thereafter (June 2011).

This action includes a two part award to Layton Construction Company: 1) the award of a Guaranteed Maximum Price (GMP) contract for construction in the amount of \$8,400,000; and 2) an award of \$145,460 for construction administration professional services from the design team during the construction phase of the project.

Expenditure authority is being requested in the amount of \$ 1,134,349 for estimated City paid project expenses and contingency incurred as per the following breakdown:

\$ 157,295	Permit, utility fees, impact fees, Cox/Qwest capital charges, and soft costs contingency;
\$ 421,000	IT network and CATV cabling, network equipment, construction webcam, and cell phone repeater system expenditures utilizing State of Arizona contracts and small dollar direct purchases;
\$310,000	Audio Visual systems utilizing Level 3 Audio Visual via State of Arizona contract EPS060125-2-A6, small dollar (<\$50k competitive quotes), and small dollar procurements;
\$ 250,000	Refurbishment & related services by Goodmans Interior Structures via State of Arizona contract EPS070122-1-A1. Existing systems furnishings in City Hall will be refurbished for use in the Municipal Court Expansion. Subsequently vacated Municipal Court furnishings will be refurbished and returned to City Hall for use;
\$107,242	LEED required solid waste recycling services via the City of Peoria Solid Waste Division; building start-up expenses including allowances for plants, artwork, trash cans, and Automated External Defibrillators (AEDs); building occupant move/relocation expenses; temporary campus and construction notification signage;
\$ 75,000	Owner's construction phase contingency held outside the GMP;
\$ 207,843	Internal funds transfers for Engineering and Public Works charge backs and Percent for the Arts assessments;
\$ (394,031)	Prior Council award of expenditure authority (1/15/08).
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\$ 1,134,349	Net expenditure authority granted this action

**FISCAL NOTE:** Funding is available in the current Capital Improvement Plan in the following accounts:

**CIP Project # PW00360 (Municipal Court Expansion)**

GO Bonds (4220-4220-540500-PW00360)	\$ 5,231,216
Gen Gov Dev Fees (7940-7940-540500-PW00360)	\$4,323,593

**CIP Project # PW00320 (City Hall Renovations)**

Half Cent (1210-0350-540500-PW00320)	<u>\$ 125,000</u>
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<b>Total</b>	<b>\$ 9,679,809</b>
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# CONTRACT AMENDMENT Change Order

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

Solicitation No. P07-00110 Page 1 of 1

Amendment No. One (1) Date: 12/24/08

Buyer: Athena Bonner

Project No.: PW00360 Agreement Date: January 16, 2008  
Project Description: Municipal Court Expansion Completion Date: June 16, 2011  
Change Order Type:  Owner Initiated  Errors & Omissions  Unknown Conditions  Phased Award

The changes as shown on the attached sheets are hereby made to the contract.

### Contract Price Change:

Original Contract Price:	\$1,101,160.00
Total of previous change orders:	\$0
Original contract price plus previous change order(s):	\$1,101,160.00
The contract price due to this change order will be increased/decreased by:	\$8,545,460.00
The new contract price including this change order will be:	\$9,646,620.00

### Contract Time Change:

The contract time will be increased by 261 days.  
The new date for completion of all work will be: June 16, 2011

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

	12/30/08 Date	CRAIG BERLSTROM EXEC. VICE PRES Typed Name and Title	Layton Construction Co. Company Name
4686 E. Van Buren Ste. 100 Address	Phoenix City	AZ State	85008 Zip Code

Attested By:

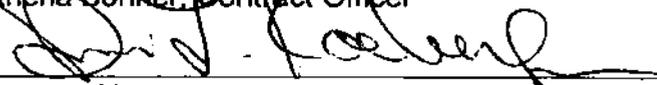
Mary Jo Kief, City Clerk

  
Ed Striffler, Design and Construction Manager

20R 012009  
CC Number

  
Athena Bonner, Contract Officer

LCON00708A

  
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  
, 2009 , at Peoria, Arizona

Official File

Carl Swenson, City Manager