

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

cc: JAR
Amend No. _____

Date Prepared: May 11, 2009

Council Meeting Date: June 2, 2009

TO: Carl Swenson, City Manager
FROM: Stephen L. Bontrager, Utilities Director *SB*
THROUGH: Shawn V. Kreuzwiesner, Utilities Engineering Manager *(K)*
PREPARED BY: Javier Setovich, Construction Superintendent *JS*
SUBJECT: Stone Well Site Rehabilitation

RECOMMENDATION:

Discussion and possible action to approve the following items:

- (a) Award an individual Job Order Contract under existing Job Order Contract ACON23908 with Felix Construction for a Guaranteed Maximum Price (GMP) of \$1,374,734 for the Rehabilitation of the Stone Well, Capital Improvement Project UT00289, Stone Well Site Rehabilitation.
- (b) Award a direct select contract to Brown and Caldwell for an amount not to exceed \$62,900 to provide engineering services during construction of the Stone Well Site Rehabilitation, Capital Improvement Project UT00289.
- (c) Authorize a budget transfer in the amount of \$1,494,700 for the Stone Well Site Rehabilitation, Capital Improvement Project UT00289:
 - a. from the Water Resource contingency account (2169-2229-570000) to the WIFA Bond fund capital account (2224-2294-account lines provided in the Fiscal Summary) in the amount of \$1,480,000 of which \$7,366 is additional owner's project contingency.
 - b. from the Water Resource contingency account (2169-2229-570000) to the Water Operating capital account (2050-2140-525515) in the amount of \$14,700.

SUMMARY:

The Utilities Department has an ongoing program to update and modernize existing water production facilities to ensure that they remain operationally efficient and reliable. The City's Stone Street water facility consists of a well, reservoir and booster station that was originally constructed before 1970, and is in need of significant upgrades. The upgrades will consist of electrical, mechanical, security and general site improvements necessary to bring the site up to current City standards. The project will also include installing

CITY CLERK USE ONLY:

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

ORD. # _____ RES. # _____
LCON# 04309 LIC. # _____
Action Date: _____
ACON2390871

Supervisory Control and Data Acquisition (SCADA) control and monitoring equipment at the site to allow the City's Water System Control Room to operate the site more efficiently.

It is anticipated that on May 27, 2009, the Water Infrastructure Finance Authority (WIFA) Board will approve an American Recovery and Reinvestment Act (ARRA) loan for the City of Peoria in the amount of \$1,480,000 for this project. This will be a low interest loan estimated at 2 percent with a 20-year term. On May 5, 2009, Mayor and Council approved Resolution 09-50 to authorize the use of WIFA ARRA funding for this project.

The engineering plans and specifications for the upgrades were previously completed at a cost of \$221,638 and funded by Capital Improvement Project UT00206, Well & Reservoir Restoration Program. A new Capital Improvement Project UT00289, Stone Well Site Rehabilitation, has been created to track the construction phase to the project to ensure proper accounting of the ARRA funding. Also, new construction phase contracts will be issued to both Felix Construction, and Brown and Caldwell for the project to ensure proper accounting of the ARRA funding.

In addition to \$1,374,734 for the construction and materials testing contract with Felix Construction and the \$62,900 for the engineering services contract with Brown and Caldwell, the project budget will also fund legal fees associated with administering the WIFA loan public information services and ARRA administration fees. Along with these items, staff is requesting authorization to include an owner's project contingency of \$7,366 in this project. The authorization will allow staff to address unforeseen project issues promptly to ensure that the project scope is completed with the least disruption to local residents and businesses. The summary of the project budget and schedule are listed below.

<i>Uses by Budget Item</i>	WIFA Funding	Local Funding	Total By Use
Legal/Debt Authorization	\$10,000		\$ 10,000
Construction/Installation/Improvement	\$1,374,734		\$ 1,374,734
Inspection & Construction Management	\$62,900		\$ 62,900
Owners Project Contingency	\$7,366		\$ 7,366
Administration (ARRA Compliance)	\$25,000		\$ 25,000
Other (Arts)		\$14,700	\$ 14,700
<i>Total by Source</i>	\$1,480,000	\$14,700	
	<i>Total for Project</i>		\$ 1,494,700

<i>Task</i>	<i>Date</i>
Construction Commencement (<i>Issue Notice To Proceed</i>)	06/17/2009
Project Completion	June of 2010

FISCAL NOTE:

Staff is requesting that \$1,494,700 is moved from the FY2010 Capital Improvement Plan (CIP) to the current FY2009 in order to complete these improvements. The following is a listing for the project transfers. Payment in the amount of \$1,437,634 will be made to Felix Construction Company from WIFA Bond Fund, 2224-2294-543002-CIPWR-UT00289, Stone Well Site Rehabilitation. Also, payment in the amount of \$62,900 will be made to Brown and Caldwell from WIFA Bond Fund, 2224-2294-543002-CIPWR-UT00289, Stone Well Site Rehabilitation.

<i>Budget Item</i>	<i>Transfer From Water Resource Contingency Account</i>	<i>To WIFA Bond & Water Cash Fund Capital Accounts</i>	<i>Amount</i>
Construction/Installation/Improvement/ Inspection & Construction Management/ ARRA compliance / Project Contingency	2169-2229-570000	2224-2294-543002	\$ 1,470,000
Legal/Debt Authorization	2169-2229-570000	2224-2294-540000	\$ 10,000
Arts	2169-2229-570000	2050-2140-525515	\$ 14,700
Total for Project			\$ 1,494,700

ATTACHMENTS:

- A. Project Map
- B. Felix Construction Company Contract Proposal
- C. Contract Proposal from Brown & Caldwell



City of Peoria, Arizona Individual Job Order Contract



SOQ No: P08-0047

Project Number P08-0047B-P11

Job Description: Well Rehabilitation

Project Name: Stone Well Site Rehabilitation

Project No.: UT00289 - ARRA Funded Project

Location: City of Peoria, Materials Management

Contact: Lisa Houg, CPPB

Mailing Address: 8401 W. Monroe St., Peoria, AZ 85345

Phone: (623) 773-7191

OFFER

Contractor's
License Number: ROC070935 - ROC083020

Felix Construction Company

Job Order Contractor Name

Authorized Signature for Offer

309 East 10th Drive

Donald Felix

Address

Printed Name

Mesa, AZ 85210

President

City

State

Zip Code

Title

(480) 464-0011

(480) 464-0078

Telephone

Facsimile

ACCEPTANCE OF OFFER AND CONTRACT AWARD (For City of Peoria Use Only)

Your offer is hereby accepted. The Contractor is now bound to sell the construction services listed by the attached award notice based upon the solicitation, including all terms conditions, specifications, amendments, etc., of the contract and the Contractor's offer as accepted by the City. The Contractor is hereby cautioned not to commence any billable work or provide any material, service or construction under this contract until Contractor receives an executed Notice to Proceed and Purchase Order.

Attested by:

City of Peoria, Arizona

Mary Jo Kief, City Clerk

Eff. Date:

Approved as to form:

PKR - 6/2/2009

Stephen M. Kemp, City Attorney

CC

Awarded on _____

ACON23908P11

City Seal

Official File

Carl Swenson, City Manager

Item 19R

PLACEHOLDER



City of Peoria, Arizona Notice of Request for Proposal

Request for Proposal No: P09-0084 Proposal Due Date: NA
 Materials and/or Services: Construction Administration Proposal Time: 5:00 P.M. AZ Time
 Services for Stone Street Well Site Contact: Lisa Houg, CPPB
 Rehabilitation
 Project No: Location: City of Peoria, Materials Management Phone: (623) 773-7115
 Mailing Address: 8314 West Cinnabar Avenue, Peoria, AZ 85345

In accordance with City of Peoria Procurement Code competitive sealed proposals for the material or services specified will be received by the City of Peoria Materials Management at the specified location until the date and time cited above. Proposals shall be in the actual possession of the City of Peoria Materials Management on or prior to the exact date and time indicated above. Late proposals will not be considered, except as provided in the City of Peoria Procurement Code. **Proposals shall be submitted in a sealed envelope with the Request for Proposal number and the offeror's name and address clearly indicated on the front of the envelope.** All proposals shall be completed in ink or typewritten. Offerors are strongly encouraged to carefully read the *entire* Request for Proposal Package.

OFFER

To the City of Peoria: The undersigned on behalf of the entity, firm, company, partnership, or other legal entity listed below offers on its behalf to the City a proposal that contains all terms, conditions, specifications and amendments in the Notice of Request for Proposal issued by the City. Any exception to the terms contained in the Notice of Request for Proposal must be specifically indicated in writing and are subject to the approval of the City prior to acceptance. The signature below certifies your understanding and compliance with Paragraph 1 of the City of Peoria Standard Terms and Conditions (form COP 202) contained in the Request for Proposal package issued by the City.

For clarification of this offer contact:

Name: [REDACTED] Telephone: 602-567-4000 Fax: 602-567-4001

Brown and Caldwell	
Company Name	Authorized Signature for Offer
201 East Washington Street, Suite 500	Mike Roeder
Address	Printed Name
Phoenix, AZ 85004	Senior Vice President
City State Zip Code	Title

ACCEPTANCE OF OFFER AND CONTRACT AWARD (For City of Peoria Use Only)

Your offer is accepted by the City, subject to approval of each written exception that your proposal contained. The contract consists of the following documents: 1.) Request for Proposal Issued by the City; 2.) Your offer in Response to the City's Request for Proposal; 3.) This written acceptance and contract award.

As the contractor, you are now legally bound to sell the materials and/or services listed by the attached award notice, based on the solicitation of proposals, including all terms, conditions, specifications, amendments and your offer as now accepted by the City. The Contractor shall not commence any billable work or provide any material, service or construction under this contract until the Contractor receives an executed Purchase Order or written Notice to Proceed.

Attested by:
 Mary Jo Kief, City Clerk

cc: 19R 6/2/2009

Contract Number:
LCON04309

City Seal Official File: _____

City of Peoria, Arizona. Effective Date: _____

Approved as to form:

 Stephen M. Kemp, City Attorney

Contract Awarded Date _____

Carl Swenson, City Manager



City of Peoria

GIS



WIFA # DW-181-2009

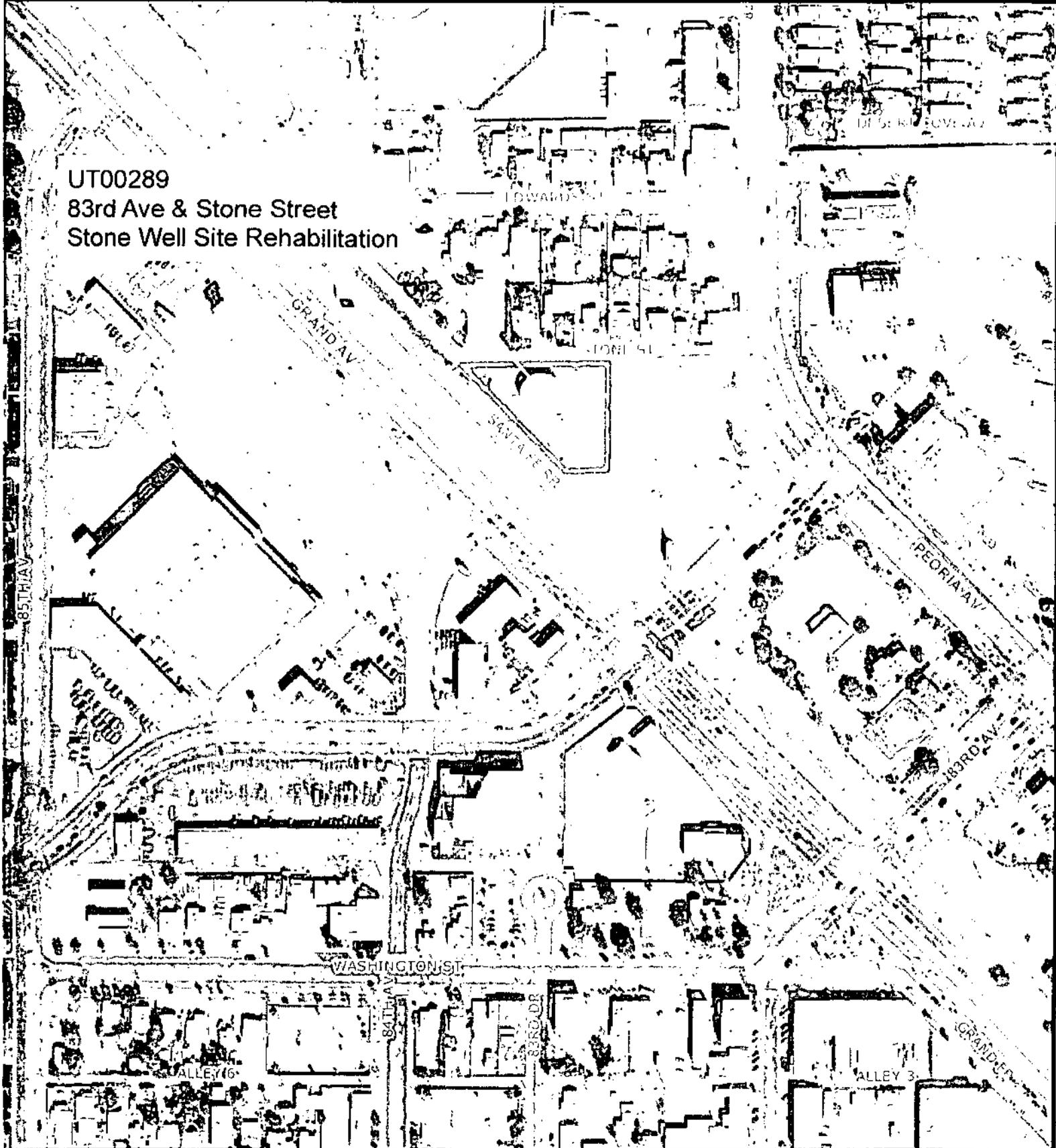
CIP # UT00289

Attachment A

Stone Well Site Rehabilitation



UT00289
83rd Ave & Stone Street
Stone Well Site Rehabilitation



Attachment B

Felix Construction Company

SOQ # P08-0047

1455.09 - JOC Cost Summary
Stone Well Booster Station
 May 13, 2009

Amount % of Total G&A O&P

Project Cost Range - Over \$500,000

Direct Cost of the Work

Labor	215,210	15.65%	4.7%	10.0%
Company Equipment	81,318	5.92%	4.7%	7.5%
Rental Equipment	4,380	0.32%	4.7%	5.0%
Materials	316,981	23.06%	4.7%	5.0%
Subcontractors	437,208	31.80%	4.7%	3.0%
Other Direct Costs	34,180	2.49%	4.7%	5.0%
ARRA - Davis-Bacon & Buy American				
Total Direct Cost Of the Work	1,089,277	79.24%		

Indirect Cost of the Work

Consulting Engineer Services		0.00%		
General & Administrative Expense	51,196	3.72%		
Job Order Contractor's Fee (profit)	58,513	4.26%		
Insurance	1,518	0.11%		
Payment and Performance Bonds	13,206	0.96%		
Tax: State + County + Peoria	63,902	4.65%	Rate:	8.10%
Tax: Exemption Credit				
Total Indirect Cost of the Work	188,335	13.70%		

Total Cost of the Work

	1,277,612	92.94%		
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Contingencies/Allowances

Contractor's Contingency/Allowance	64,240	4.67%		
Owner's Contingency/Allowances	32,882	2.39%		
		0.00%		
		0.00%		

Total Contingencies/Allowances

	97,122	7.06%		
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Total Job Order Amount

	1,374,734	100.00%		
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Attachment C



May 14, 2009

Subject: Project No. P07-0062 - Stone Street Booster Station Construction Services

Javier Setovich
8401 W. Monroe St.
Peoria, AZ 85345

Mr. Setovich;

Included for your use is a list of construction services to be provided for the Stone Street Well and Booster Pump Station Project. It is understood that the following preliminary scope of services is to be provided for a fee not to exceed \$62,900, invoiced on a time and material basis.

- Engineering review of limited critical submittals (List to be provided by Felix Construction) (Review of commodity submittals is waived)
- RFI review and comment
- Special Structural Concrete and Reinforcing steel Inspections of footings, walls, slabs on grade for occupied spaces
- Intermittent inspection required for:
 - County Approval of Construction Submission
 - Development of Record Drawings
- Final Inspection mechanical, structural and electrical inspection for project acceptance
- Commissioning of well and booster station after completed contractor testing (commissioning shall be limited to 5 days maximum)
- Record Drawings development and delivery to City of Peoria
- Material testing shall be performed by others
- Programming shall be performed by Brown and Caldwell under a separate contract

This work is to be performed on a time and material basis and the definitive contract scope and fee schedule will be forthcoming.

Page 2
Javier Setovich
8401 W. Monroe St.
Peoria, AZ 85345

Attachment C

Please feel free to contact me at (602) 567-3962 if you have any questions.

Thank you,

Craig Tweed
Construction Services Manager
Brown and Caldwell Engineering
602-567-3962