

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATIONS**

cc: 14C  
Amend No. \_\_\_\_\_

Date prepared: October 19, 2009

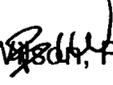
Council Meeting Date: December 1, 2009

**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:** Ben Wilson, P. E., Civil Engineer 

**SUBJECT:** Approve Contract Amendment No. 2 with J. Banicki, Inc. for Salt River Project (SRP) Irrigation construction services as a part of the Olive Avenue and Loop 101 Traffic Interchange Improvements (ACON55108, Solicitation No. P08-0096, Engineering Project No. P-0607, EN00219)

**RECOMMENDATION:**

Discussion and possible action to approve Contract Amendment No. 2 with J. Banicki, Inc. (Banicki) for construction services as a part of the Olive Avenue and Loop 101 Traffic Interchange Improvements project in the amount of \$595,946.

**SUMMARY:**

The Olive Avenue and Loop 101 Traffic Interchange (TI) Improvements project is a joint participation with the City of Peoria (City) and the Arizona Department of Transportation (ADOT). The improvements will include construction of three through lanes, right-turn lanes, and dual left-turn lanes in each direction. ADOT is the lead agency and will conduct all design, construction and construction administration for the actual widening project. As part of the cooperation with ADOT on this project, the City is responsible for completing utility relocations prior to construction of the project by ADOT. The City has been contracting with private utility companies and Banicki for design and construction services related to this work.

**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. # \_\_\_\_\_  
ACON# 55108P36 LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

## **ORIGINAL BANICKI CONTRACT**

On May 5, 2009 Council approved the design contract for noise mitigation walls, relocation of the Olive Commerce Park sign, relocation of the private irrigation facilities, City fiber line relocations and landscape removal design.

## **BANICKI CONTRACT AMENDMENT #1**

On October 6, 2009 Council approved Contract Amendment No. 1 for the construction work designed under the original contract for the construction of sound mitigation walls, relocate City fiber line, relocate the Olive Commerce Park sign, and relocate and restore private irrigation required prior to the ADOT administered widening project.

## **BANICKI CONTRACT AMENDMENT #2**

To fulfill the City's obligation of relocating utilities, the City entered into a separate design contract with SRP Irrigation for the relocation of their facilities. On September 20, 2009, the final plans were received by Staff. In the effort to obtain a better price for the SRP Irrigation work, Staff requested a proposal from Banicki. Proposed work as part of this contract amendment includes:

- Relocating SRP irrigation pipe
- Clearing of landscaping, sidewalk removal for the new trench work
- Provide for temporary asphalt sidewalk as needed
- Realignment of a 16" waterline in conflict with the new SRP Irrigation line
- Traffic Control

SRP Irrigation still requires a separate construction contract for the installation of their structures. This work must be self-performed per SRP Irrigation policy.

## **SUMMARY OF BANICKI CONTRACTS FOR OLIVE AVENUE WIDENING AT LOOP 101:**

|  |                   |
|--|-------------------|
| Design and Pre-construction Contract           | \$ 191,325        |
| Contract Amendment No. 1-Construction Contract | \$1,268,090       |
| Contract Amendment No. 2-SRP Irrigation Work   | <u>\$ 595,946</u> |
| Revised Contract Total                         | \$2,055,361       |

Council Communication  
Olive Avenue and Loop 101 TI  
J. Banicki, Inc JOC – Construction Services Amendment No. 2  
December 1, 2009  
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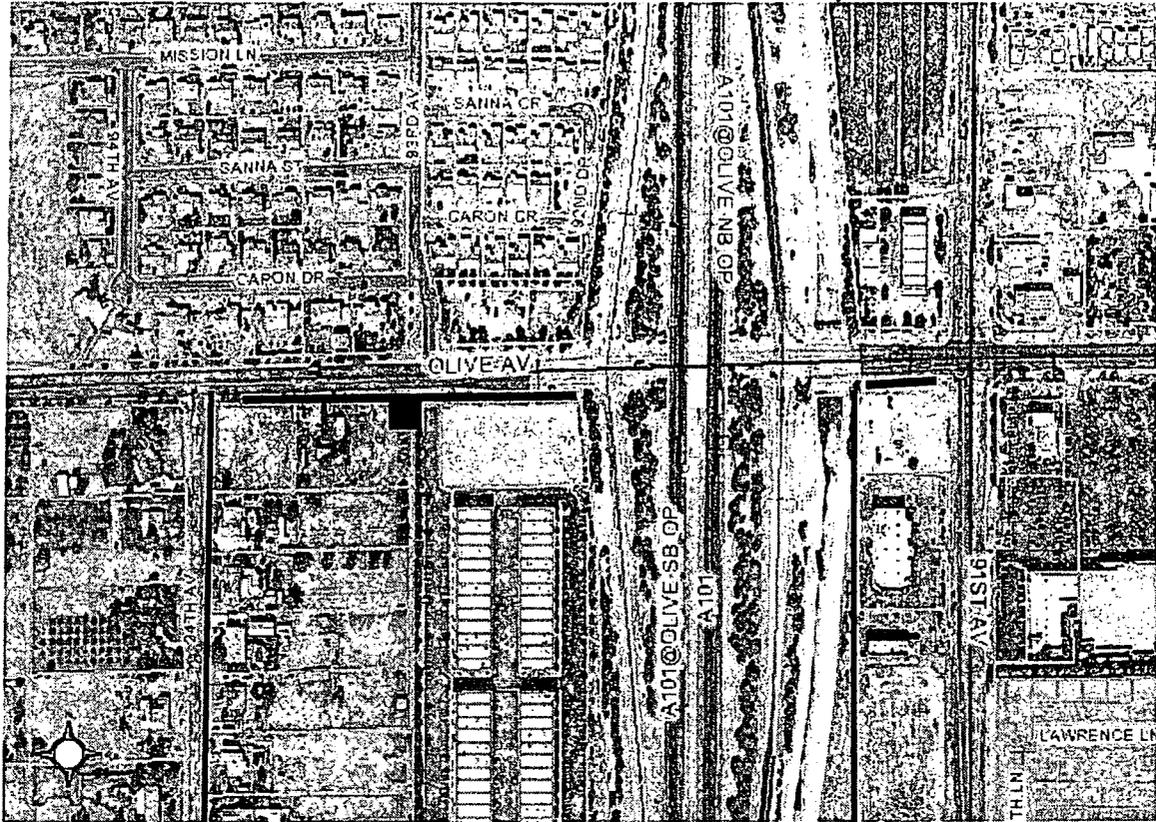
**FISCAL NOTE:**

Payment in the amount of \$595,946 will be from the Olive Avenue and Loop 101 TI Widening County Transportation Tax Capital Project Street System Account 4550-4550-543001-CIPST-EN00219CO.

**ATTACHMENT:**

1. Location Map

# Attachment 1: Location Map



Olive TI Road Widening Project Limits

- Location of SRP Irrigation Pipe Relocation
- Location of SRP Irrigation Structure Relocation



# CONTRACT AMENDMENT Change Order

Materials Management  
Procurement  
9875 N. 85<sup>th</sup> Ave.  
Peoria, AZ 85345  
Telephone: (623) 773-7115  
Fax: (623) 773-7118  
Buyer: Christine Finney

Solicitation No.: P08-0096AP3 Page 1 of 2

Amendment No.: Two (2) Date: October 22, 2009

Project No.: EN00219 Agreement Date: May 8, 2009

Project Description: Olive Ave TI Sound Wall Completion Date: March 31, 2010

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:  | \$191,325.00   |
| Total of previous change orders:                                  | \$1,268,090.00 |
| Original contract price plus previous change order(s):            | \$1,459,415.00 |
| The contract price due to this change order will be decreased by: | \$595,946.00   |
| The new contract price including this change order will be:       | \$2,055,361.00 |

### Contract Time Change:

The contract time will be increased by 100 calendar days.  
The new date for completion of all work will be 03/31/2010

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

|  |                 |                                 |                               |
|--|-----------------|---------------------------------|-------------------------------|
|  | <u>10/27/09</u> | <u>Jerry Banicki, President</u> | J. Banicki Construction, Inc. |
| Signature  | Date            | Typed Name and Title            | Company Name                  |

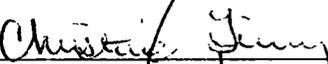
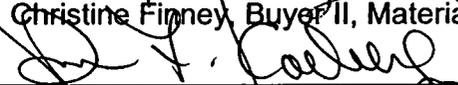
|                    |       |       |          |
|--------------------|-------|-------|----------|
| 6423 South Ash Ave | Tempe | AZ    | 85283    |
| Address            | City  | State | Zip Code |

Attested By:

Mary Jo Kief, City Clerk

14C-121109  
CC Number

ACON55108P3B  
Contract Number

|  |                 |
|--|-----------------|
|  | <u>10/22/09</u> |
| Dan Nissen, P.E., Assistant City Engineer  |                 |
|  | <u>10/22/09</u> |
| Christine Finney, Buyer II, Materials Management                                     |                 |
|  |                 |
| 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

Carl Swenson, City Manager