

DEPARTMENT
OF UTILITIES

ENGINEERING
SERVICES DIVISION

CITY OF SACRAMENTO
CALIFORNIA

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May 5, 2005

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: U&S STREET IN-LINE STORAGE PROJECT (PN:XM79) - APPROVAL OF CONTRACT CHANGE ORDER #1 WITH T & S CONSTRUCTION AND RESTORATION OF CITY MANAGER AUTHORITY.

LOCATION AND COUNCIL DISTRICT:

The subject project is located in Council District 4. See attached location map.

RECOMMENDATION:

Staff recommends that City Council:

- Authorize and direct City Manager to execute Change Order #1 with T&S Construction (contract #2004-149) for \$187,185;
- Restore the City Manager's authority to issue change orders on this contract.

**CONTACT PERSON: Dave Brent, Engineering Manager, 808-1420
Bill Zehnder, Supervising Engineer, 808-1411**

FOR COUNCIL MEETING OF: May 31, 2005

SUMMARY:

City Council approved award of the construction contract to T&S Construction on September 28, 2004 for \$4,565,640. Work is currently underway. Change Order 1 is required in order to comply with the Caltrans encroachment permit for the project. Caltrans did not approve the use of fiberglass pipe for the I-5 undercrossing. This Change Order substitutes reinforced concrete pipe for the as-bid fiberglass pipe.

COMMITTEE/COMMISSION ACTION:

None.



BACKGROUND INFORMATION:

The U & S Street project involves construction of new combined sewer lines for in-line storage plus modifications to Sump 1A. The project will increase system reliability; mitigate back-up of sewage laden stormwater and reduce odors in the downtown combined sewer system; facilitate extension of the City's communication loop west of I-5; and increase curb inlet drainage capacities in the project area.

A Caltrans encroachment permit was applied for and the project was bid based on using fiberglass pipe for the microtunnel under I-5. Although Caltrans had previously approved fiberglass pipe in other districts, it wasn't approved for this project. Caltrans staff indicated that standard reinforced concrete microtunnelling pipe could be approved without delay, but if the City appealed for a waiver to use fiberglass, the appeal might delay the project several months. Caltrans offered no guarantee that a waiver appeal would be successful, i.e., they were under no obligation to approve a pipe that was not already one of their standard options. Rather than risk further project delay, Department of Utilities staff opted to negotiate with the contractor to use concrete pipe for the microtunnel crossing.

Change Order #1 is attached as Exhibit 1. The Change Order reflects increased costs for freight, larger construction cranes, and larger jacking forces to install the heavier and higher friction resistance concrete pipe.

FINANCIAL CONSIDERATIONS:

No action is required at this time. Total approved project budget, including pending budget transfers, is \$5,990,068. As of May 3, 2005, there was \$494,440 in remaining unobligated project funds. The unobligated funds are sufficient to fund Change Order #1.

ENVIRONMENTAL DETERMINATION:

City Council approved the Mitigated Negative Declaration, and adopted the Mitigation Monitoring and Reporting Plan for the project concurrent with award of the construction contract. The project and Change Order work are in compliance with Section 15070(B)1 of the California Environmental Quality Act (CEQA) guidelines and the Mitigated Negative Declaration,

POLICY CONSIDERATIONS:

This project is consistent with the City's Strategic Plan Goals of "improvement and expansion of public safety" and "achieve sustainability and livability". Approval of this Change Order and restoration of the City Manager's authority is consistent with City Code Title 3, Chapter 3.60.210 for Change Orders.

City Council
U&S Street In-Line Storage Project (PN:XM79)-Approval of Change Order 1
May 5, 2005

ESBD CONSIDERATIONS:

There were EPA and federal "good faith" MBE/WBE requirements on this project, with no specific construction participation levels for Emerging and Small Business Enterprises. T&S Construction submitted documentation of compliance with the federal "good faith" MBE/WBE requirements.

Respectfully submitted,




David L. Brent
Engineering Manager

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

APPROVED:



Gary A. Reents
Director of Utilities

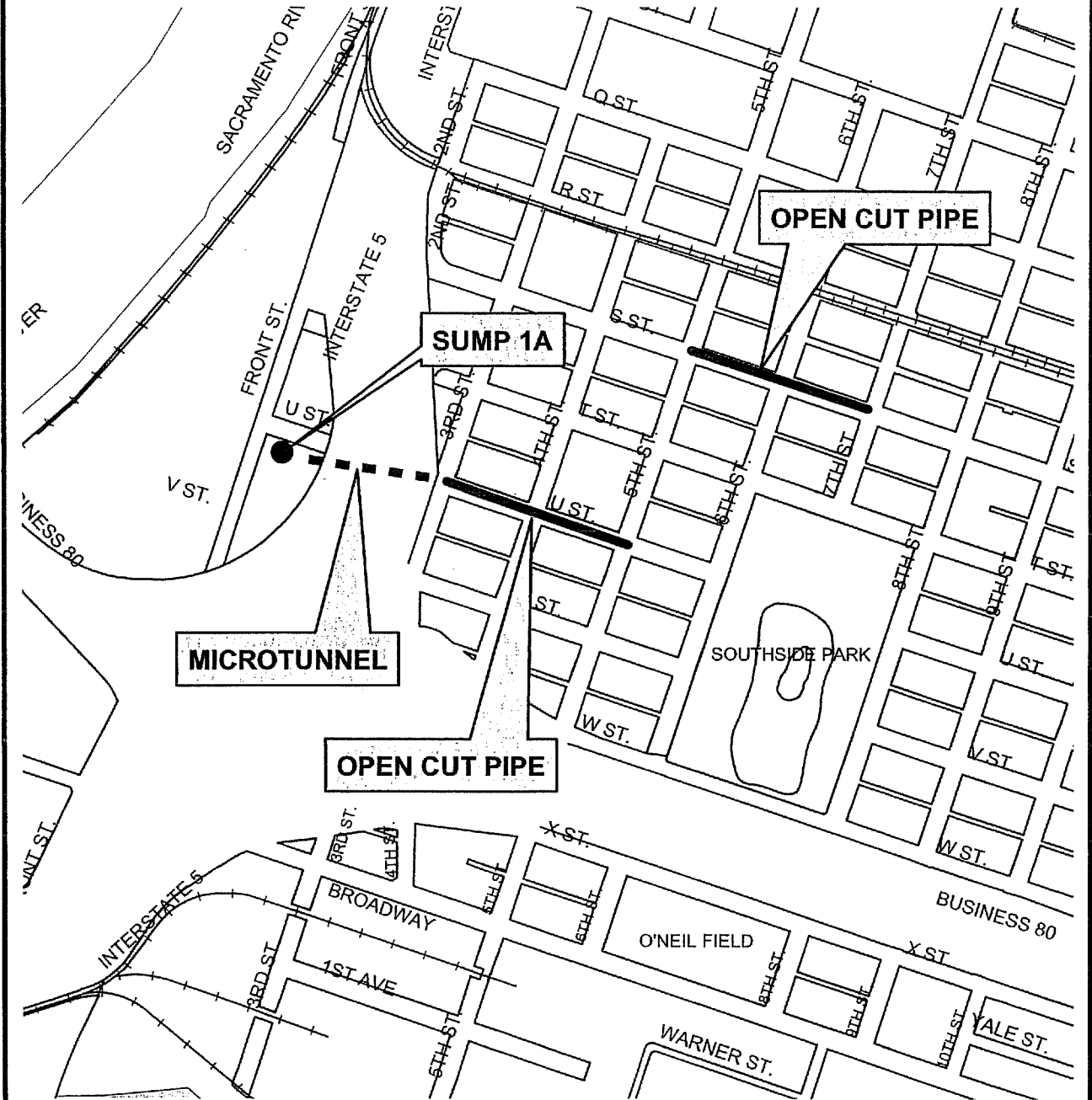
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VICINITY MAP

U & S STREET IN-LINE STORAGE

PN: XM79



Map Prepared By
City of Sacramento
Department of Utilities

File: XM79.mxd R. Jordan 10/16/03

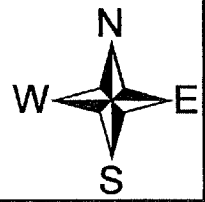


Exhibit 1
ENGINEERING SERVICES DIVISION
City of Sacramento
CHANGE ORDER

Contract # & Date: 2004-149 02/11/05

Budget #: 414-500-XM79-4820

Purchase Order #: 3XM7903051

Change Order No: 1

Sacramento, California

April 29, 2005

TO: T&S Construction, Inc., Contractor

CONTRACT FOR: U & S Street In Line Storage Project

Upon mutual acceptance of this document by the City of Sacramento, hereinafter referred to as "CITY", and your firm, hereinafter referred to as "CONTRACTOR", in accordance with the terms and conditions of the original contract documents, you are hereby directed to make the following change or changes for the consideration set forth below:

Description: SEE ATTACHED EXHIBIT A

The original contract sum was	\$ <u>4,565,640.00</u>
Net change by previous change orders	\$ <u>-0-</u>
The contract sum prior to this change order was	\$ <u>4,565,640.00</u>
The contract sum will be increased by the c.o.	\$ <u>187,185.00</u>
New contract sum including all Change Orders	\$ <u>4,752,825.00</u>

CONTRACTOR agrees that the amount of increase or decrease in the contract sum specified in this change order shall constitute full compensation for the work required by this change order, including but not limited to all compensation for the additional costs, if any, which may accrue to the CONTRACTOR by reason of any change in work schedules, other Contract work or cost of the project in any way made necessary by this Change Order. The time for performance of the Contract will be increased by 40 working days by reason of the performance of the work required by this change order. Except as herein above expressly provided, CONTRACTOR further agrees that the performance of the work specified in this change order or the rescheduling of other project work made necessary by this change order, shall not constitute a delay which will extend the time limit for completion of the work as said term is used in the Contract between CITY and CONTRACTOR for the project.

Approval Recommended By:

Approved As To Form By:

Steve Wulth 5/4/05
Project Manager Date

[Signature] 5-4-05
City Attorney Date

Approved By:

Attested To By:

[Signature] 5-4-05
Contractor Date

City Clerk Date

Approved By:

City Manager Date
Robert P. Thomas

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION APPROVING CONTRACT CHANGE ORDER #1, AND RESTORATION OF CITY MANAGER AUTHORITY FOR THE U&S STREET IN-LINE STORAGE PROJECT (PN:XM79)

BE IT RESOLVED BY THE SACRAMENTO CITY COUNCIL THAT:

1. The City Manager is authorized to sign and execute Contract Change Order #1 with T&S Construction, for \$187,185 for the U&S Street In-Line Storage Project (PN:XM79).
2. The City Manager's authority to issue Change Orders on this contract is restored.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

