



**APPROVED**

DEC 14 1999

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DEPARTMENT OF  
PUBLIC WORKS

CITY OF SACRAMENTO  
CALIFORNIA

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TECHNICAL SERVICES  
DIVISION

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November 29, 1999

City Council  
Sacramento, California

Honorable Members In Session:

**SUBJECT: APPROVAL OF CHANGE ORDER NO. 2 IN THE AMOUNT OF \$23,141.63  
FOR CONVENTION CENTER THEATER RESTROOM ADA MODIFICATIONS  
(PN:C851)**

**LOCATION AND COUNCIL DISTRICT:**

Convention Center Theater, 1301 L Street , Sacramento, Council District 1.

**RECOMMENDATION:**

This report recommends that the City Council:

- Approve Change Order No. 2 in the amount of \$23,141.63 with Turner Construction.

**CONTACT PERSON:** Michael Sweeney , Project Manager, 264-8429

**FOR COUNCIL MEETING OF:** December 14, 1999

**SUMMARY:**

- This project is part of the City's continued American with Disabilities Act (ADA) access upgrade program as approved by City Council.

Department of  
**PUBLICWORKS**  
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City Council

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Convention Center Theater Restroom ADA Mod

November 29, 1999

- Convention Center Theater is an initial accessibility project identified in previous staff reports, and the scope of work is consistent with priorities set forth in the list of the ADA Access Report approved by the City Council on January 25, 1994 and updated on May 27, 1997.
- Turner Construction is one of four design-build project teams approved by City Council on May 11, 1999 to perform complete access upgrades throughout the City.
- The construction contract for the Convention Center Theater Restroom ADA Modifications was awarded to Turner Construction on June 11, 1999 in the amount of \$99,466.00.
- Change Order No. 2 will compensate the contractor for additional work required due to the abatement of asbestos materials discovered during the course of construction, differing site conditions identified after demolition work requiring additional clarification and detailing, and required contractor mobilization and re-mobilization operations to coordinate with unscheduled facility event usage and public occupancy during the construction schedule.

**COMMITTEE/COMMISSION ACTION:**

None.

**BACKGROUND INFORMATION:**

- In an effort to expedite completion of access upgrades throughout the City, Public Works staff developed a process that will allow the use of Design-Build project teams to complete all access modifications and provide all required permits and as-built documentation required for City projects. Four design and construction teams responded and City Council approved by a 2/3 vote to suspend competitive bidding in the best interest of the City and negotiate contracts with C & C Construction, Harbison Mahony Higgins, Inc., Turner Construction Company, and Unger Construction on May 11, 1999.
- This project was authorized in the 1996 - 2001 Capital Improvement Program.
- The construction estimate is \$99, 500.00.
- Turner Construction has coordinated the development of project scope through their construction cost estimate and proposal. The proposed scope includes remediation work in four restrooms and two drinking fountain locations. The cost estimate had been previously verified by an independent cost estimating consultant.
- Previous environmental investigations and testing within the work area, done in early 1998, did not note the existence of asbestos nor the need for any abatement procedures.

City Council

Approval of Change Order No. 2 in the Amount of \$23,141.63

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November 29, 1999

- During the start-up of on site construction activities, asbestos was discovered in dust particles above the ceiling and in the wall cavities. Abatement in these areas was mandatory.
- Unscheduled and previously unidentified theater events demanded City usage and occupancy of the theater and required contractor mobilization and re-mobilization operations to coordinate with four unscheduled facility event usages and public occupancies during the course of the construction schedule.
- Identification of asbestos dust within the work area, it's related abatement activities, and four unscheduled theater occupancies by the public have interrupted the construction schedule and caused the work to exceed the \$100,00.00 informal contract limitations as contracted with Turner Construction.
- Change Order No. 1 for \$13,990.00 was approved by City Council on November 22, 1999 and covered preliminary work required to coordinate asbestos abatement operations and unscheduled facility occupancies by the City during the course of the construction.
- Award of Change Order No. 2 to Turner Construction is recommended to cover the completion of work related or caused by the asbestos abatement operations within the Convention Center Theater, differing site conditions identified after demolition work requiring additional clarification and detailing, and required contractor mobilization and re-mobilization operations to coordinate with unscheduled facility event usage and public occupancy during the construction schedule.

**FINANCIAL CONSIDERATIONS:**

- The funding for this project is being provided by Capital Improvement Project CC00, Fund 101. The Convention Center fund will later reimburse the general fund.
- The unobligated fund balance as of November 29, 1999 is \$1,343,507, which is sufficient for award.

**ENVIRONMENTAL CONSIDERATIONS:**

The Planning Services Division, Office of Environmental Affairs, has reviewed the project and has determined that this project is exempt from the California Environmental Quality Act (CEQA) under Section 15301 of the CEQA Guidelines. Section 15301 exempts minor alteration of existing public or private structures and facilities.

**POLICY CONSIDERATIONS:**

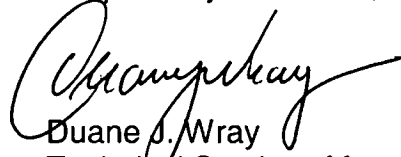
The action requested herein is consistent with Sacramento City Code, Title 58.

City Council  
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November 29, 1999

**ESBD CONSIDERATIONS:**

Emerging and Small Business Development Enterprise participation on this project is \$69,000 or 69.4%.

Respectfully submitted,



Duane J. Wray  
Technical Services Manager

RECOMMENDATION APPROVED:



ROBERT P. THOMAS  
City Manager  
P/CIP/C851/Council/CO#2 \$23,141.63 Con Ctr ADA

Approved:



Michael Kashwagi  
Director of Public Works