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# CITY OF SACRAMENTO

July 15th, 1980

REAL ESTATE AND STREET ASSESSMENTS DIVISION  
915 I STREET  
CITY HALL ROOM 207

SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 449-5626

CITY MANAGER'S OFFICE  
**RECEIVED**  
IRVIN E. MORAES  
REAL ESTATE SUPERVISOR  
JUL 10 1980

City Council  
Sacramento, California

Honorable Members In Session:

SUBJECT: Change Order for Improvement Proceeding No. 4892,  
San Carlos Way and 14th Avenue Assessment District

SUMMARY

Adoption of the Resolution of Intention and Resolution Ordering Changes in Terms of Construction Contract

BACKGROUND INFORMATION

This project has been under contract with Teichert Construction since February 12th, 1980 and as of this date is 50% complete. The original contract calls for the City Contribution to be paid upon completion of the work with no progress payments being made.

To enable the City to meet requirements of the federal government that these funds be expended by September 1st, 1980 for this project, we are proposing that the construction contract be amended to provide for progress payments. The contractor has agreed that if progress payments are made they will reduce the overall cost of the project by \$7,497.00.

FINANCIAL DATA

The adoption of this Change Order will not only allow us to satisfy the federal government but also reduce the City Contribution by \$7,497.00.

RECOMMENDATION

It is recommended that the attached Resolutions be adopted in the order listed below:

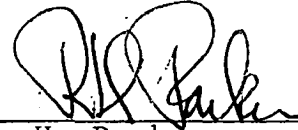
**APPROVED**  
BY THE CITY COUNCIL

JUL 15 1980

OFFICE OF THE  
CITY CLERK

1. Resolution of Intention to Order Changes in Terms of Construction Contract
2. Resolution Ordering Changes in Terms of Construction Contract

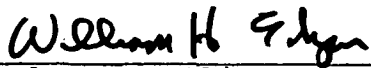
Respectfully submitted,



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R. H. Parker  
City Engineer

For Transmittal to City Council



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Walter J. Slipe  
City Manager

RHP:IEM:bd  
Attachments  
File # 4892

July 15th, 1980  
DISTRICT NO. 5

IMPROVEMENT PROCEEDING NO. 4892

SAN CARLOS WAY AND 14TH AVENUE  
ASSESSMENT DISTRICT

RESOLUTION OF INTENTION TO ORDER  
CHANGES IN  
TERMS OF CONSTRUCTION CONTRACT  
(Streets and Highways Code Section 5236)

RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO,  
STATE OF CALIFORNIA:

That in its opinion the public interest and convenience  
require changes in the contract for the work described in the  
following Resolutions of this Council for Improvement Proceeding  
No. 4892, San Carlos Way and 14th Avenue Assessment District:

Resolution of Intention  
adopted October 9th, 1979; and

Resolution Ordering Work  
adopted October 30th, 1979

That it is the intention of this Council to order the  
terms of the existing construction contract, dated February 12th,  
1980, to be changed as follows:

DELETE  
FROM THE CONTRACT  
THE FOLLOWING WORDS:

".....and further promises and agrees that upon  
the performance of the covenants aforesaid, by  
the party of the first part, he will make and  
issue in favor of the party of the first part an  
assessment, and attach a warrant, diagram and  
certificate thereto, as provided for in the  
aforementioned Act for the expenses of the work  
aforesaid, at and for the prices hereinafter  
stated (including also any incidental expenses)."

APPROVED  
BY THE CITY COUNCIL

JUL 15 1980

OFFICE OF THE  
CITY CLERK

INSERT  
IN THE CONTRACT TO BE  
EFFECTIVE AS OF FEBRUARY 12TH, 1980  
THE FOLLOWING WORDS IN  
PLACE OF THE WORDS DELETED  
SHOWN ABOVE:

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".....and further promises and agrees that upon the performance of the covenants aforesaid, by the party of the first part, he will make progress payments in accordance with the Standard Specifications and special provisions for the amount of the City cash contribution to the cost of the work, and will duly make and issue in favor of the party of the first part an assessment for the balance of the cost of the improvement and attach a warrant, diagram and certificate thereto, as provided in the aforementioned Act for the expenses of the work aforesaid, at and for the prices hereinafter stated, (including also any incidental expenses) less, however, the flat sum of \$7,497.00, which shall be deducted from the amount to be assessed to the property owners".

That this Council hereby estimates that said changes will decrease the estimated cost of said work and improvements by the sum of \$7,497.00.

That this Council hereby determines that said decrease in the cost of the work will decrease the estimated cost of said work from \$342,115.00, the estimated contract cost thereof, to \$334,618.00, the new estimated contract cost thereof.

That this Council acting pursuant to Streets and Highways Code Section 5236, finds and determines that the total amount of the original contract price for the public improvement work described in said Resolution of Intention for Improvement Proceeding No. 4892, San Carlos Way and 14th Avenue Assessment District, is the sum of \$342,115.00, based upon the Engineer's estimate of quantities of the work and the contractor's bid prices and finds and determines that construction has begun upon the public improvement work described in said Resolution of Intention and hereby finds and determines that the net amount

of said changes is a decrease in the sum of \$7,497.00, which sum does not exceed 5% of said original contract price, nor is said sum in excess of \$10,000.00, and that this Council, acting pursuant to said Section 5236, therefore determines to order the changes described in this Resolution without the necessity of a public hearing thereon.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, STATE OF CALIFORNIA, THIS 15TH DAY OF JULY, 1980, by the following

vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Mayor of the City of Sacramento

ATTEST:

\_\_\_\_\_  
City Clerk

IMPROVEMENT PROCEEDING NO. 4892

SAN CARLOS WAY AND 14TH AVENUE  
ASSESSMENT DISTRICT

RESOLUTION ORDERING CHANGES IN  
TERMS OF CONSTRUCTION CONTRACT  
(Streets and Highways Code Section 5236)

WHEREAS, on July 15th, 1980, this Council passed its Resolution for Improvement Proceeding No. 4892, San Carlos Way and 14th Avenue Assessment District, namely, RESOLUTION OF INTENTION OT ORDER CHANGES IN TERMS OF CONSTRUCTION CONTRACT, and in said Resolution declared its intention to order certain changes in the existing contract, dated February 12th, 1980, for the public improvement work for said Assessment District, and

WHEREAS, this Council in said Resolution, acting pursuant to Streets and Highways Code Section 5236, duly determined to order the changes described in said Resolution without the necessity of a public hearing on said proposed changes, and

WHEREAS, the contractor with whom said contract exists has consented to the changes in the contract that are set out in said Resolution.

NOW, THEREFORE, RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, STATE OF CALIFORNIA:

That this Council hereby orders that the contract dated February 12th, 1980, for the public improvement work for Improvement Proceeding No. 4892, San Carlos Way and 14th Avenue Assessment District, described in the following Resolutions of this Council, viz:

**APPROVED**  
BY THE CITY COUNCIL

JUL 15 1980

OFFICE OF THE  
CITY CLERK

Resolution of Intention  
adopted October 9th, 1979, and

Resolution Ordering Work  
adopted October 30th, 1979

be changed by deleting the contract terms and words shown in said Resolution of Intention, and by inserting in place of said deleted words, effective as of February 12th, 1980, the terms and words shown in said Resolution of Intention.

That this Council hereby authorizes the Superintendent of Streets to execute with the Contractor, TEICHERT CONSTRUCTION, an amendment to the contract that said Superintendent of Streets and said Teichert Construction as said Contractor, executed on February 12th, 1980, for the work for San Carlos Way and 14th Avenue Assessment District, which amendment shall bind said contractor to perform said contract as so amended.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, STATE OF CALIFORNIA, THIS 15TH DAY OF JULY, 1980, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Mayor of the City of Sacramento

ATTEST:

\_\_\_\_\_  
City Clerk