



**PURCHASING ITEM
FOR
COUNCIL AGENDA
Memo No. CA11-122**

1. Agenda Item Number: 9
2. Council Meeting Date: March 24, 2011

TO: MAYOR & COUNCIL
THROUGH: CITY MANAGER

3. Date Prepared: March 3, 2011
4. Requesting Department: Transportation & Development

5. SUBJECT: Report staff-approved Change Order No. 2 and approve Change Order No. 3 in the amount of \$10,996.03 to the construction contract with Visus, Inc. for the Chandler Airport Storm Drain project, Project No. AI0806-401, for a revised contract price of \$452,492.07.

6. RECOMMENDATION: Staff recommends that Council accept staff-approved Change Order No. 2 and approve Change Order No. 3 in the amount of \$10,996.03 to the construction contract with Visus, Inc. for the Chandler Airport Storm Drain project, Project No. AI0806-401, for a revised contract price of \$452,492.07.

7. BACKGROUND/DISCUSSION: The Airport Storm Drain project was initiated to install a new underground storm drain system to replace the existing surface drainage channel offering new opportunities for business expansion across the current airport boundary and to accommodate runoff/collection areas in the vicinity of the wash rack and fuel pump to prevent contamination of the storm drain and retention basin. The project is primarily ADOT grant funded.

Change Order No. 1 was approved on October 28, 2010 and included the removal and replacement of a concrete encasement surrounding an existing 24-inch sewer and 6-inch waterline in conflict with the designed storm drain alignment. The 6-inch waterline needed to be constructed in a new alignment outside of the existing storm drain alignment.

Staff approved Change Order No. 2 to compensate the contractor for the installation of additional decomposed granite and concrete curbing along the east and west sides of Airport Boulevard along the storm drain trench alignment to improve dust and erosion control. The contractor also installed a concrete apron and manhole frame and cover at the wash rack oil separator to address a field identified condition for potential cross contamination.

Work to be done under Change Order No. 3 includes additional asphalt paving in Airport Boulevard, installation of a sewer trap, installation of the trash rack on the storm drain headwalls, and modifications of two Airport gates.

The project is otherwise complete. ADOT has approved this work and will reimburse the City for this additional work.

8. EVALUATION: City staff verified the costs submitted by Visus, Inc. and found them to be consistent with recent similar project work.

9. FINANCIAL IMPLICATIONS:

Original Contract:	\$360,000.00	
Change Order No. 1	\$ 42,765.67	12% of Original Contract
Change Order No. 2	\$ 38,730.37	9.6%
Change Order No. 3	\$ 10,996.03	2.5%

Revised Contract Amount \$452,492.07

Savings: \$ N/A

Long Term Costs: \$ N/A

Fund Source:

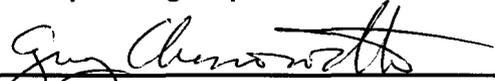
<u>Acct. No.:</u>	<u>Fund Name:</u>	<u>Program Name:</u>	<u>CIP Funded:</u>	<u>Amount:</u>
217.4110.0000.6910.8A1001	Grant Fund	Airport Storm Drain	FY07/08	\$9,896.43
631.4110.0000.6910.8A1001	Airport Bond Fund	Airport Storm Drain	FY07/08	\$1,099.60

10. PROPOSED MOTION: Move that Council accept staff-approved Change Order No. 2 and approve Change Order No. 3 in the amount of \$10,996.03 to the construction contract with Visus, Inc. for the Airport Storm Drain project, Project No. A10806-401, for a revised contract price of \$452,492.07, and authorize the Mayor to sign the contract documents.

ATTACHMENTS: Location Map, Change Order Nos. 2 and 3

APPROVALS

11. Requesting Department



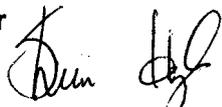
Greg Chenoweth, Airport Manager

13. Department Head



R.J. Zeder, Transportation & Development Director

12. City Engineer



Sheina Hughes, City Engineer

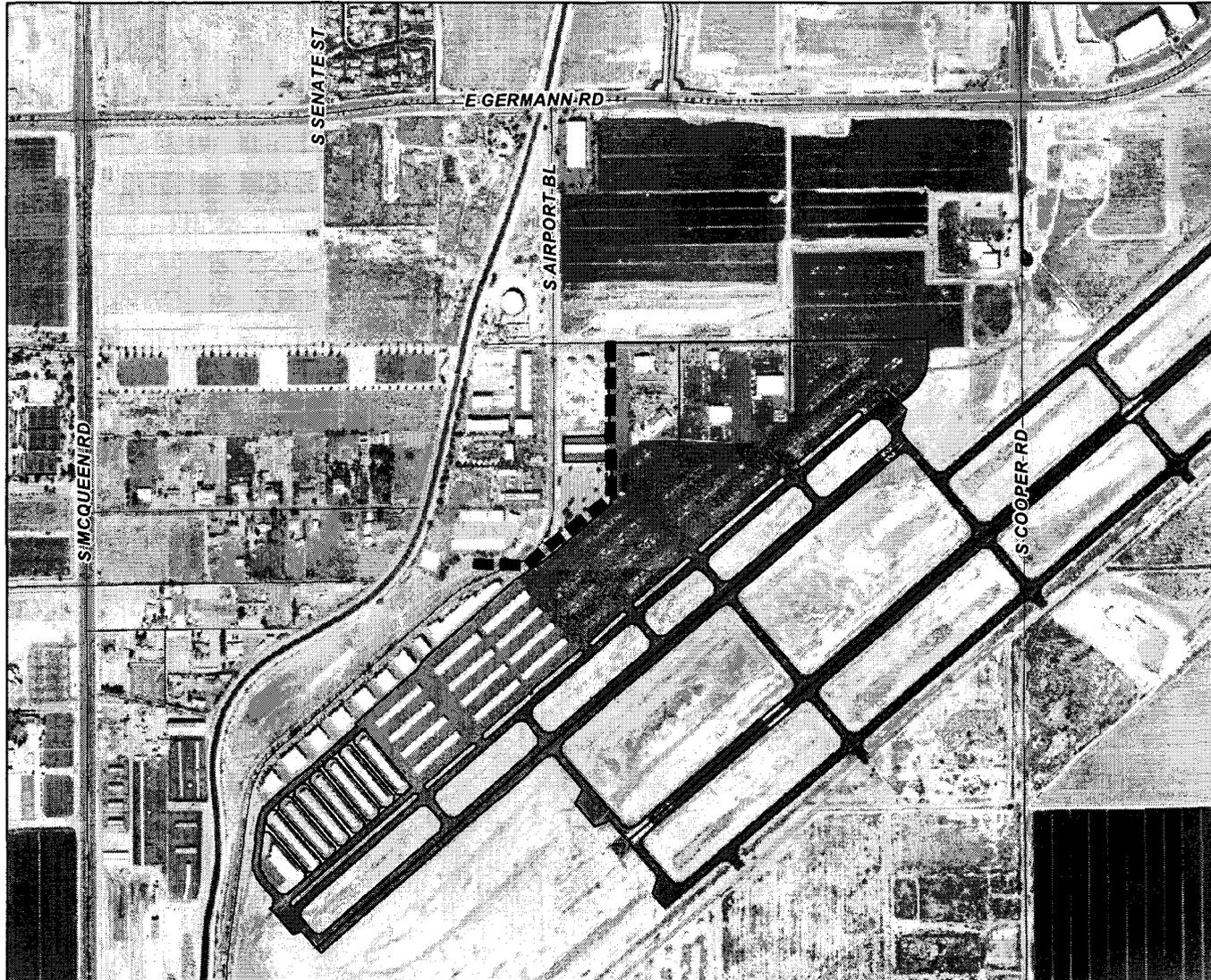
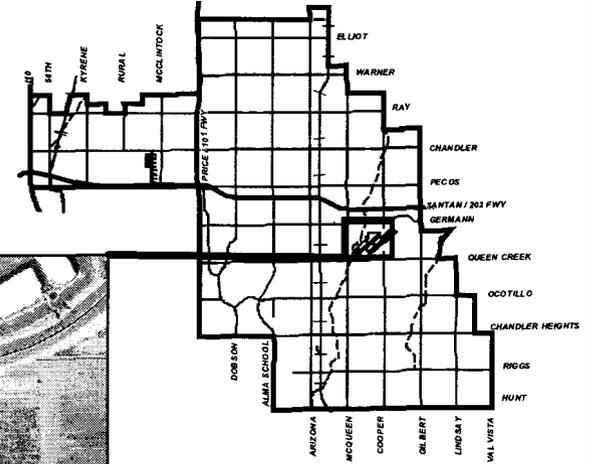
14. Acting City Manager



Rich Dlugas



CHANDLER AIRPORT STORM DRAIN PROJECT NO. AI0806-401



MEMO NO. CA11-122

--- STORM DRAIN ALIGNMENT



CITY OF CHANDLER CHANGE ORDER
CHANGE ORDER NUMBER 2
DATE 1/4/11

This Change Order is not valid until signed by both the City and the Contractor. Signature of the Contractor indicates agreement herewith, including any adjustments in the Contract Price or Contract Time.

PROJECT NAME Chandler Airport Storm Drain CONTRACTOR Viess, Inc.
PROJECT NO. A10806-401 COST ACCT # 217.4110.0000.6910.81001
USER DEPT Airport NTP DATE 8/30/10

TO: Viess, Inc.

(CONTRACTOR)

YOU ARE DIRECTED TO MAKE THE FOLLOWING CHANGES TO THIS CONTRACT:

(Describe changes in detail and/or reference attached cost breakdown sheet.)

Install 2-inches of 3/8-inch screened decomposed granite along new storm drain alignment on east side of Airport Boulevard for dust/erosion control; Install 1/4-inch decomposed granite, single and extruded curb, and additional asphalt for dust/erosion control; and install concrete apron and manhole frame and cover at wash rack separator (Exhibit A Fee Schedule). Exhibit B Required Compliance With Arizona Procurement Law and Exhibit C Contractor Immigration Warranty.

THESE CHANGES RESULT IN THE FOLLOWING ADJUSTMENTS OF CONTRACT PRICE AND TIME:

ORIGINAL CONTRACT AMOUNT:	<u>\$380,000</u>
CURRENT CONTRACT PRICE PRIOR TO CHANGE ORDER (Including previous change orders)	<u>\$402,765.67</u>
NET CHANGE RESULTING FROM THIS CHANGE ORDER:	<u>\$38,730.37</u>
REVISED CONTRACT PRICE INCLUDING THIS CHANGE ORDER:	<u>\$441,496.04</u>
CHANGE ORDER IS % OF ORIGINAL CONTRACT AMOUNT:	<u>9.6%</u>

CONTRACT TIME OR COMPLETION DATE PRIOR TO THIS CHANGE ORDER (Including previous change orders):	<u>95</u> <u>12/3/10</u>
	DAYS DATE

NET CHANGE RESULTING FROM THIS CHANGE ORDER:	<u>0</u>
	DAYS

REVISED CONTRACT TIME AND COMPLETION DATE:	<u> </u> <u> </u>
	DAYS DATE

THE ABOVE IS AGREED TO BY:

Viess, Inc. [Signature] 1/11/11
CONTRACTOR Signature: Date

CITY OF CHANDLER (Date & Name of Owner Dept, verbal approval) Greg Chenoweth, 12/17/10

For Change Orders of less than \$50,000 and 10% of contract price:

Trans. Dev. Director [Signature] 1/13/11
Title: Director or Designee Signature: Date:

Or (but not both)

For Change Orders of \$50,000 or more, or 10% or more of contract price:

Approved by Council on: [Signature] 1-27-2011
MAYOR Date
Attest: City Clerk Date
Approved at to Form: [Signature]
City Attorney by: [Signature]

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EXHIBIT A

ITEM DESCRIPTION	COST
West Side of Airport Boulevard - Install ¾-Inch Screened Decomposed Granite, Single and Extruded Curb, and Additional Asphalt for Erosion/Dust Control (Not Included in Plans)	\$23,185.49
East Side of Airport Boulevard - Install 3/8-inch Screened Decomposed Granite along New Storm Drain Alignment for Erosion/Dust Control (Not Included in Plans)	\$10,859.03
Install Concrete Apron and Manhole Frame Around at Wash Rack Oil Separator (Not Included in Plans)	\$4,685.85
TOTAL COST - CHANGE ORDER NO. 2	\$38,730.37

EXHIBIT B

REQUIRED COMPLIANCE WITH ARIZONA PROCUREMENT LAW

Compliance with A.R.S. § 41-4401. Pursuant to the provisions of A.R.S. § 41-4401, the Contractor hereby warrants to the City that the Contractor and each of its subcontractors ("Subcontractors") will comply with all Federal Immigration laws and regulations that relate to the immigration status of their employees and the requirement to use E-Verify set forth in A.R.S. §23-214(A) (hereinafter "Contractor Immigration Warranty").

A breach of the Contractor Immigration Warranty shall constitute a material breach of this Contract that is subject to penalties up to and including termination of the contract.

The City retains the legal right to inspect the papers of any Contractor or Subcontractor employee who works on this Contract to ensure that the Contractor or Subcontractor is complying with the Contractor Immigration Warranty. The Contractor agrees to assist the City in the conduct of any such inspections.

The City may, at its sole discretion, conduct random verifications of the employment records of the Contractor and any Subcontractors to ensure compliance with Contractors Immigration Warranty. The Contractor agrees to assist the City in performing any such random verifications.

The provisions of this Article must be included in any contract the Contractor enters into with any and all of its subcontractors who provide services under this Contract or any subcontract. "Services" are defined as furnishing labor, time or effort in the State of Arizona by a contractor or subcontractor. Services include construction or maintenance of any structure, building or transportation facility or improvement to real property.

In accordance with A.R.S. §35-393.06, the Contractor hereby certifies that the offeror does not have scrutinized business operations in Iran.

In accordance with A.R.S. §35-391.08, the Contractor hereby certifies that the offeror does not have scrutinized business operations in Sudan."

EXHIBIT C
Contractor Immigration Warranty
To Be Completed by Contractor Prior to Execution of Contract

A.R.S. § 41-4401 requires as a condition of your contract verification of compliance by the contractor and subcontractors with the Federal Immigration and Nationality Act (FINA), all other Federal immigration laws and regulations, and A.R.S. § 23-214 related to the immigration status of its employees.

By completing and signing this form the contractor shall attest that it and all subcontractors performing work under the cited contract meet all conditions contained herein.

Project Number/Division:	A10806-401		
Name (as listed in the contract):			
Street Name and Number:			
City:	State:	Zip Code:	

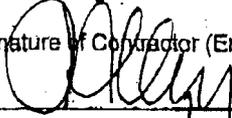
I hereby attest that:

The contractor complies with the Federal Immigration and Nationality Act (FINA), all other Federal Immigration laws and regulations, and A.R.S. § 23-214 related to the immigration status of those employees performing work under this contract.

All subcontractors performing work under this contract comply with the Federal Immigration and Nationality Act (FINA), all other Federal immigration laws and regulations, and A.R.S. § 23-214 related to the immigration status of their employees; and

The contractor has identified all contractor and subcontractor employees who perform work under the contract and has verified compliance with Federal Immigration and Nationality Act (FINA), all other Federal Immigration laws and regulations, and A.R.S. § 23-214.

Signature of Contractor (Employer) or Authorized Designee:



Printed Name: Jeffrey A Kere

Title: CEO

Date (month/day/year): 1/11/11

CITY OF CHANDLER CHANGE ORDER
CHANGE ORDER NUMBER 3
DATE 3/2/11

This Change Order is not valid until signed by both the City and the Contractor. Signature of the Contractor indicates agreement herewith, including any adjustments in the Contract Price or Contract Time.

PROJECT NAME	<u>Chandler Airport Storm Drain</u>	CONTRACTOR	<u>Visus, Inc.</u>
PROJECT NO.	<u>AI0806-401</u>	COST ACCT #	<u>217.4110.0000.6910.81001</u>
USER DEPT	<u>Airport</u>	NTP DATE	<u>8/30/10</u>

TO: Visus, Inc.

(CONTRACTOR)

YOU ARE DIRECTED TO MAKE THE FOLLOWING CHANGES TO THIS CONTRACT:

(Describe changes in detail and/or reference attached cost breakdown sheet.)

Additional paving mobilization and traffic control on Airport Boulevard, install sewer trap for odor control, install trash racks on new storm drain headwalls, and modify two Airport gates.

THESE CHANGES RESULT IN THE FOLLOWING ADJUSTMENTS OF CONTRACT PRICE AND TIME:

ORIGINAL CONTRACT AMOUNT:	<u>\$360,000</u>
CURRENT CONTRACT PRICE PRIOR TO CHANGE ORDER (Including previous change orders)	<u>\$441,496.04</u>
NET CHANGE RESULTING FROM THIS CHANGE ORDER:	<u>\$10,996.03</u>
REVISED CONTRACT PRICE INCLUDING THIS CHANGE ORDER:	<u>\$452,492.07</u>
CHANGE ORDER IS % OF ORIGINAL CONTRACT AMOUNT:	<u>2.5%</u>

CONTRACT TIME OR COMPLETION DATE PRIOR TO THIS CHANGE ORDER (Including previous change orders):

<u>95</u>	<u>12/3/10</u>
DAYS	DATE

NET CHANGE RESULTING FROM THIS CHANGE ORDER:

<u>147</u>
DAYS

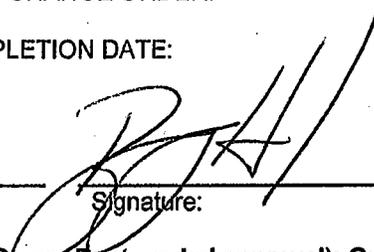
REVISED CONTRACT TIME AND COMPLETION DATE:

<u>242</u>	<u>4/29/11</u>
DAYS	DATE

THE ABOVE IS AGREED TO BY:

Visus, Inc.

CONTRACTOR

Signature: 

MARCH 9 - 2011
Date

CITY OF CHANDLER (Date & Name of Owner Dept. verbal approval): Greg Chenoweth, 3/3/11

For Change Orders of less than \$50,000 and 10% of contract price:

Title:

Director or Designee

Signature: _____

Date: _____

Or (but not both)

For Change Orders of \$50,000 or more, or 10% or more of contract price:

MAYOR
Approved by Council on:

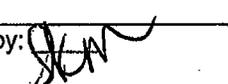
Date: _____

Date

Attest: City Clerk

Date

Approved at to Form:

City Attorney by: 

AI0806-401 (E8S46) CHANDLER AIRPORT STORM DRAIN PROJECT

CHANGE ORDER NO. 3 TABLE

ITEM DESCRIPTION	COST
Pave Airport Boulevard - Additional Mobilization/Demobilization	\$6,810.92
Install 8-inch Sewer Trap on New Sewer (Not Included in Plans)	\$2,170.65
Install Trash Racks on New Storm Drain Headwalls (Not Included in Plans)	\$1,731.76
Modify Two New Airport Gates to be Self Closing (Not Included in Plans)	\$282.70
TOTAL COST - CHANGE ORDER NO. 3	\$10,996.03