



Chandler - Arizona  
Where Values Make The Difference

**PURCHASING ITEM  
FOR  
COUNCIL AGENDA  
Memo No. PWCM07- 10**

1. Agenda Item Number:

**39**

2. Council Meeting Date:  
January 11, 2007

TO: MAYOR & COUNCIL

3. Date Prepared: December 15, 2006

THROUGH: CITY MANAGER

4. Requesting Department: Public Works

5. **SUBJECT:** Approval of Change Order No. 7 to the construction contract for the construction manager at risk project with FNF Construction, Inc. for Pecos Road Improvements-Dobson Road to McQueen Road and McQueen Road Improvements-Pecos Road to Queen Creek Road, Project No. ST0244-401, in an amount not to exceed \$342,250.00 and, a revised final contract price of \$22,614,699.30.

6. **RECOMMENDATION:** Staff recommends that Council approve Change Order No. 7 to the construction contract for the construction manager at risk project with FNF Construction, Inc. for Pecos Road Improvements-Dobson Road to McQueen Road and McQueen Road Improvements-Pecos Road to Queen Creek Road, Project No. ST0244-401, in an amount not to exceed \$342,250.00 and, a revised final contract price of \$22,614,699.30.

7. **BACKGROUND/DISCUSSION:** As Mayor and Council have previously been advised, Change Order No. 7 is final compensation to the contractor for items of work that had been in dispute but recently agreed to.

8. **EVALUATION:**

9. **FINANCIAL IMPLICATIONS:**

Original Contract Price: \$ 19,997,215.00

Change Order No. 1	\$ 123,505.37	- 0.6%	Original Contract - User Requested - Approved 10/28/04
Change Order No. 2	\$ 237,920.32	- 1.2%	Original Contract - User Requested - Approved 05/26/05
Change Order No. 3	\$ 402,517.10	- 2.0%	Original Contract - User Requested - Approved 06/23/05
Change Order No. 4	\$ 927,384.56	- 4.6%	Original Contract - User Requested - Approved 09/29/05
Change Order No. 5	\$ 40,465.26	- 0.2%	Original Contract - User Requested - Approved 05/22/06
Change Order No. 6	\$ 543,442.30	- 2.7%	Original Contract - User Requested - Approved 11/16/06
Change Order No. 7	\$ 342,250.00	- 1.7%	Original Contract - Negotiated

Revised Contract Price:\$ 22,614,699.30

Fund Source:

<u>Acct. No.:</u>	<u>Fund Name:</u>	<u>Program Name:</u>	<u>CIP Funded:</u>	<u>Amount:</u>
415.3310.0000.6517.4ST294	Arterial St. Impact Fees	McQueen - Pecos to QC	FY 03/04	\$ 43,089.12
411.3310.0000.6517.4ST295	GO Bonds Streets	Pecos - Dobson to McQun	FY 03/04	\$ 43,089.12
601.3820.0000.6713.7WA110	Sys. Upgrds. During Str. Proj.	Water Bonds	FY 06/07	\$256,071.76

10. **PROPOSED MOTION:** Move that Council accept Change Order No. 7 to the construction contract for the construction manager at risk project with FNF Construction, Inc. for Pecos Road Improvements-Dobson Road to McQueen Road and McQueen Road Improvements-Pecos Road to Queen Creek Road, Project No. ST0244-401, in an amount not to exceed \$342,250.00 and, a revised final contract price of \$22,614,699.30.

11. **ATTACHMENTS:** Location Map, Exhibit A

**APPROVALS**

**12. Requesting Department**



Mike Normand, Acting Assistant Public Works Director/Transportation and Operations

**13. Department Head**



Daniel W. Cook, Acting Public Works Director

**14. City Engineer**



Elizabeth M. Huning, Assistant Public Works Director/City Engineer

**15. Requesting Department**



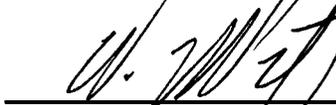
Robert Mulvey, Assistant Municipal Utilities Director

**16. Department Head**



Dave Siegel, Municipal Utilities Director

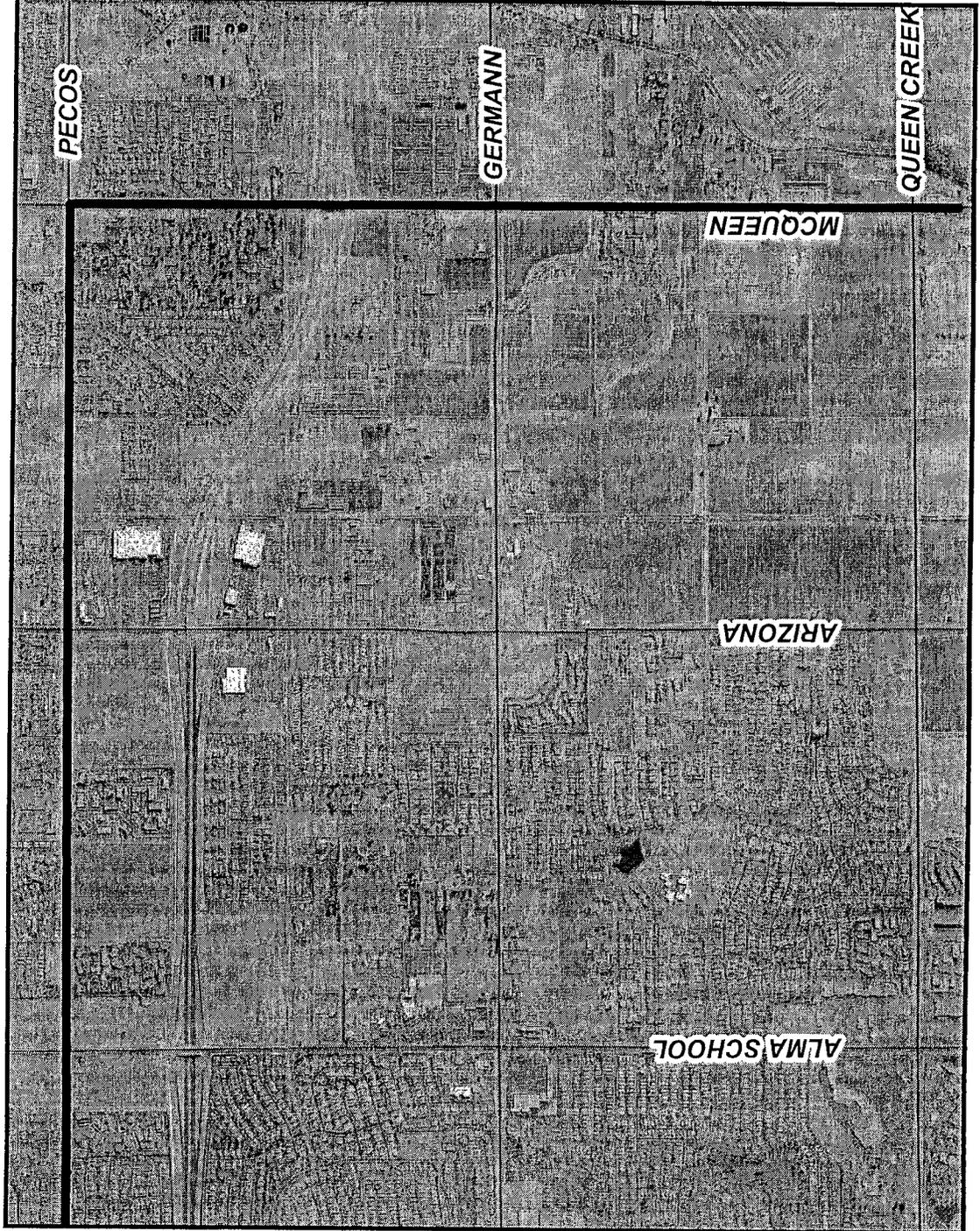
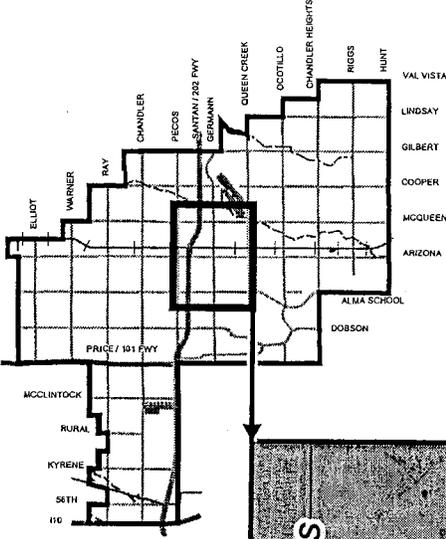
**17. City Manager**



W. Mark Pentz, City Manager



**PECOS RD IMPROVEMENTS  
 DOBSON RD TO McQUEEN RD AND  
 McQUEEN RD IMPROVEMENTS  
 PECOS RD TO QUEEN CREEK RD  
 PROJECT NO. ST0244-401**



**MEMO NO. PWCM07-10**

**LEGEND**  
 — ROAD IMPROVEMENTS



## EXHIBIT A

### CHANGE ORDER SEVEN SUMMARY - MUNICIPAL UTILITIES - PUBLIC WORKS

ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	TOTAL
101	Additional 6" DIP for three added fire hydrants	197.00	LF	\$ 35.00	\$ 6,895.00
103	Additional 12" DIP - Sheet WA 18 & 19 Sta 32+90 - Sta 37+00	510.00	LF	\$ 30.00	\$ 15,300.00
163	Additional 16" DIP - Sheet WA 17 Sta 27+00 Sta 29+00	200.00	LF	\$ 35.00	\$ 7,000.00
176	Remove 12" ACP @ Pecos/Evergreen	385.00	LF	\$ 15.00	\$ 5,775.00
T&M 022	Pecos/Iowa Water line repair/modification to loop Stonebridge apts.	1.00	LS	\$ 12,277.11	\$ 12,277.11
T&M 023	Jackson Street Water line remove/replace	1.00	LS	\$ 20,353.00	\$ 20,353.00
T&M 039	12" PVC Abandonment @ Pecos/McQueen	1.00	LS	\$ 13,568.00	\$ 13,568.00
T&M 095	16" Verticle Re-align @ Alma School	1.00	LS	\$ 26,285.00	\$ 26,285.00
T&M 097	Rebuild Air Release @ Pecos/AZ Ave.	1.00	LS	\$ 8,816.00	\$ 8,816.00
T&M 098	Extend Water Main @ Pecos/Nebraska	1.00	LS	\$ 3,036.00	\$ 3,036.00
T&M 032	Relocate 12" Water @ Hartford	1.00	LS	\$ 11,379.23	\$ 11,379.23
T&M 041	Reconstruct Sewer Latertals @ McQueen	1.00	LS	\$ 4,042.05	\$ 4,042.05
					\$ -
	Additional Fittings & Valves	1.00	LS	\$ 71,567.48	\$ 71,567.48
	Add For CMU Wall Increase	1.00	LS	\$ 69,426.02	\$ 69,426.02
					\$ -
					\$ -
<b>DIRECT COST TOTAL: ---&gt;</b>					<b>\$ 275,719.89</b>
	Corp. Overhead @ 5%	0.050			\$ 13,785.99
	General Conditions @ 5.2%	0.052			\$ 14,337.43
<b>SUBTOTAL:</b>					<b>\$ 303,843.32</b>
	Fee (5%)	0.050			\$ 15,192.17
<b>SUBTOTAL:</b>					<b>\$ 319,035.48</b>
	Insurance @ 1.5%	0.015			\$ 4,785.53
	Bond @ .6%	0.006			\$ 1,914.21
<b>SUBTOTAL:</b>					<b>\$ 325,735.23</b>
	Sales Tax @ 5.07%				\$ 16,514.78
<b>TOTAL:</b>					<b>\$ 342,250.01</b>

MCU      256,071<sup>76</sup>

PW      86,178<sup>24</sup>

**CITY OF CHANDLER CHANGE ORDER**  
**CHANGE ORDER NUMBER** 7 (Seven)  
**DATE** 11/15/06

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	<u>Pecos -McQueen Improvements</u>	CONTRACTOR	<u>FNF Construction, Inc.</u>
PROJECT NO.	<u>ST0244-401</u>	COST ACCT #	<u></u>
USER DEPT	<u>Public Works</u>	NTP DATE	<u>9/7/2004</u>

**TO:** FNF Construction, Inc.  
 (CONTRACTOR)

YOU ARE DIRECTED TO MAKE THE FOLLOWING CHANGES TO THIS CONTRACT:  
 (Describe changes in detail and/or reference attached cost breakdown sheet.)

This change order represents final compensation for items of work, described in Exhibit A, that had been in dispute but recently agreed to in final negotiations.

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

ORIGINAL CONTRACT AMOUNT:	<u>\$19,997,215.00</u>
CURRENT CONTRACT PRICE PRIOR TO CHANGE ORDER: (Including previous change orders)	<u>\$22,272,449.30</u>
NET CHANGE RESULTING FROM THIS CHANGE ORDER:	<u>\$342,250.00</u>
REVISED CONTRACT PRICE INCLUDING THIS CHANGE ORDER:	<u>\$22,614,699.30</u>
CHANGE ORDER IS % OF ORIGINAL CONTRACT AMOUNT:	<u>1.71%</u>

CONTRACT TIME OR COMPLETION DATE PRIOR TO THIS CHANGE ORDER (Including previous change orders):	<u>          </u>	<u>          </u>
	DAYS	DATE
NET CHANGE RESULTING FROM THIS CHANGE ORDER:	<u>          </u>	
	DAYS	
REVISED CONTRACT TIME AND COMPLETION DATE:	<u>          </u>	<u>          </u>
	DAYS	DATE

**THE ABOVE IS AGREED TO BY:**

FNF Construction Inc.  
**CONTRACTOR**

  
 By: \_\_\_\_\_ Date DEC 15, 2006

**CITY OF CHANDLER (Date & Name of Owner Dept. verbal approval):** \_\_\_\_\_

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

Title: _____	Signature _____
Director or Designee	By: _____ 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 as to Form:  
 City Attorney by: 