



**PURCHASING ITEM
FOR
COUNCIL AGENDA
Memo No. CA07-287**

1. Agenda Item Number: 29
2. Council Meeting Date: June 28, 2007

TO: MAYOR & COUNCIL
THROUGH: CITY MANAGER

3. Date Prepared: June 8, 2007
4. Requesting Department: Community Services

5. SUBJECT: Award a project agreement to Valley Rain Construction Corporation for construction services for Canal Park Canal Crossing, Project No. PR0706-401, in an amount not to exceed \$92,085.

6. RECOMMENDATION: Staff recommends that Council award a project agreement to Valley Rain Construction Corporation for construction services for Canal Park Canal Crossing, Project No. PR0706-401, in an amount not to exceed \$92,085.

7. BACKGROUND/DISCUSSION: On April 12, 2007, staff recommended and Council awarded a project agreement to Valley Rain Construction Corporation for the pre-construction phase for development of Canal Park. On June 7, 2007, a public meeting was held to discuss the design elements of the park. Overwhelming support for a pedestrian crossing was expressed by citizens of the neighborhood confirming the concept proposed by the project team. The schedule for construction and the design of the pedestrian crossing have been coordinated with SRP representatives. This project will be constructed prior to the Canal Park construction in coordination with SRP's canal lining project and dry-up schedule. The Canal Park site is 9.34 acres in size, is located east of and separated from Pinelake Park by the Consolidated Canal in the square mile bordered by Ocotillo, McQueen, Chandler Heights Roads and Arizona Avenue. In addition to the recently completed Pinelake Park, this park will serve the neighborhood park needs for the square mile.

8. EVALUATION: On May 25, 2006, Council approved the award of Job Order Contract No. JOC05-06 to Valley Rain Construction Corporation for general contracting construction services to City facilities. Construction of the proposed pedestrian canal crossing is scheduled to be complete before 2008 and construction of Canal Park is planned to commence in Spring of 2008. The proposed costs for construction for this project have been compared to similar City projects.

9. FINANCIAL IMPLICATIONS:

Cost: \$92,085
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>
420.4580.0000.6611.5PR045	G.O. Bonds	Paseo System/ Trail Development	FY 06/07	\$92,085

10. PROPOSED MOTION: Move that Council award a project agreement to Valley Rain Construction Corporation for construction services for Canal Park Canal Crossing, Project No. PR0706-401, in an amount not to exceed \$92,085, and authorize the Mayor to sign the contract documents.

ATTACHMENTS: Location Map

APPROVALS

11. Requesting Department

Mickey Ohland, Park Development and Operations Manager

13. Department Head

Mark M. Eynatten, Community Services Director

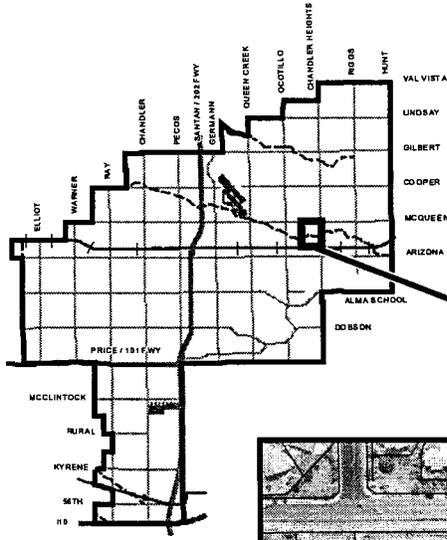
12. City Engineer

Sheina Hughes, Acting Assistant Public Works Director/City Engineer

14. City Manager

W. Mark Pentz

CANAL PARK CANAL CROSSING PROJECT NO. PR0706-401



MEMO NO. CA07-287



**PROJECT AGREEMENT
PURSUANT TO JOB ORDER CONTRACT NO. JOC 05-06**

**AGREEMENT NO: PR0706-401
PROJECT NAME (or LOCATION): Canal Park Site Improvements for Canal Crossing
DEPT.: Community Services**

This AGREEMENT is made this _____ day of _____ 2007, by and between the City of Chandler, a municipal corporation (hereinafter referred to as "CITY") and Valley Rain Construction Corporation, incorporated in the state of Arizona, (hereinafter referred to as "JOC") and is a Job Order entered into pursuant to JOB ORDER CONTRACT NO. JOC 05-06.

CITY and JOC, in consideration of the mutual covenants herein set forth, agree as follows:

ARTICLE 1. DESCRIPTION OF WORK

This Job Order Project is Canal Park Site Improvements for Canal Crossing, Project Number PR0706-401. The scope of work consists of constructing a box culvert, a reclaim water crossing, and a pathway, all as more particularly set forth in Exhibit A attached hereto and incorporated herein by reference.

The JOC shall not accept any change of scope, or change in contract provisions, unless issued in writing, as a contract amendment or change order and signed by the authorized signatories for each party.

ARTICLE 2. CONTRACT PRICE

CITY shall pay JOC for completion of the Work in accordance with the Contract Documents a fee not to exceed the Guaranteed Maximum Price of Ninety Two Thousand Eighty Four Dollars and Eighty Two Cents (\$92,084.82) determined and payable as set forth in Contract JOC 05-06 and Exhibit B attached hereto and made a part hereof by reference.

ARTICLE 3. CONTRACT TIME & SCHEDULE

The Contract Time is Ninety days and JOC agrees to complete all Construction within Ninety (90) days from the effective date of the Notice to Proceed.

ARTICLE 4. GENERAL

This Project Agreement is entered into pursuant to JOB ORDER CONTRACT NO. JOC 05-06 and the terms and conditions contained therein are incorporated herein by reference as if set forth in full.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first written above.

This Agreement will be effective upon execution by the both parties.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names to this _____ day of _____ 2007.
CITY OF CHANDLER FOR THE JOC:

MAYOR DATE:

By: _____
Title: _____

ADDRESS FOR NOTICE
City of Chandler
P.O. Box 4008, Mail Stop 407
Chandler, AZ 85244-4008
480-782-3307

ADDRESS FOR NOTICE
Mr. Daniel Kuwitzky
Valley Rain
1614 E. Curry Rd.
Tempe, AZ 85281

APPROVED AS TO FORM:

Phone: 894-2835
Fax: 966-1450

By: _____ City Attorney
ATTEST: _____

City Clerk

**PROJECT AGREEMENT
PURSUANT TO JOB ORDER CONTRACT NO. JOC 05-06**

**AGREEMENT NO: PR0706-401
PROJECT NAME (or LOCATION): Canal Park Site Improvements for Canal Crossing
DEPT.: Community Services**

This AGREEMENT is made this _____ day of _____ 2007, by and between the City of Chandler, a municipal corporation (hereinafter referred to as "CITY") and Valley Rain Construction Corporation, incorporated in the state of Arizona, (hereinafter referred to as "JOC") and is a Job Order entered into pursuant to JOB ORDER CONTRACT NO. JOC 05-06.

CITY and JOC, in consideration of the mutual covenants herein set forth, agree as follows:

ARTICLE 1. DESCRIPTION OF WORK

This Job Order Project is Canal Park Site Improvements for Canal Crossing, Project Number PR0706-401. The scope of work consists of constructing a box culvert, a reclaim water crossing, and a pathway, all as more particularly set forth in Exhibit A attached hereto and incorporated herein by reference.

The JOC shall not accept any change of scope, or change in contract provisions, unless issued in writing, as a contract amendment or change order and signed by the authorized signatories for each party.

ARTICLE 2. CONTRACT PRICE

CITY shall pay JOC for completion of the Work in accordance with the Contract Documents a fee not to exceed the Guaranteed Maximum Price of Ninety Two Thousand Eighty Four Dollars and Eighty Two Cents (\$92,084.82) determined and payable as set forth in Contract JOC 05-06 and Exhibit B attached hereto and made a part hereof by reference.

ARTICLE 3. CONTRACT TIME & SCHEDULE

The Contract Time is Ninety days and JOC agrees to complete all Construction within Ninety (90) days from the effective date of the Notice to Proceed.

ARTICLE 4. GENERAL

This Project Agreement is entered into pursuant to JOB ORDER CONTRACT NO. JOC 05-06 and the terms and conditions contained therein are incorporated herein by reference as if set forth in full.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first written above.

This Agreement will be effective upon execution by the both parties.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names to this _____ day of _____ 2007.
CITY OF CHANDLER

MAYOR DATE:

ADDRESS FOR NOTICE
City of Chandler
P.O. Box 4008, Mail Stop 407
Chandler, AZ 85244-4008
480-782-3307

APPROVED AS TO FORM:

City Attorney

By: _____
ATTEST:

City Clerk

FOR THE JOC:

By: 
Title: V.P. Construction

ADDRESS FOR NOTICE
Mr. Daniel Kuwitzky
Valley Rain
1614 E. Curry Rd.
Tempe, AZ 85281

Phone: 894-2835
Fax: 966-1450

**EXHIBIT A
SCOPE OF WORK**

JOC shall construct a box culvert, reclaim water crossing, and a pathway improvements adjacent to Pinelake Park and the Canal Park site at 4597 South Nevada Street in the City of Chandler. JOC shall complete construction according to Plan Sheets C1 through C4 of the plans prepared by Gavan & Barker, Inc. and dated May 4, 2007.

**EXHIBIT B
FEE SCHEDULE**

Item	Description	Quantity	UM	Unit Bid Price	Total Bid Price
01	Grading Cut & Fill	1	LS	\$7,429.28	\$7,429.28
02	Remove Existing Maintenance Road NIC	264	SF	\$1.18	\$311.52
03	Remove Existing 5" Thick Sidewalk NIC	500	SF	\$3.37	\$1,685.00
04	Salvage 2" Thick Decomposed Granite NIC	695	SF	\$0.53	\$368.35
05	Concrete Box Culvert 10' X 4.5'	1	LS	\$33,606.45	\$33,606.45
06	Level Wingwalls ADOT B-08.10 Modified	1	LS	\$7,310.97	\$7,310.97
07	Sidewalk 5" Thick MAG 230 Modified NIC	1,228	SF	\$5.38	\$6,606.64
08	Sidewalk 7" Thick MAG 230 Modified NIC	408	SF	\$6.62	\$2,700.96
09	Single Curb MAG 222B	24	LF	\$29.56	\$709.44
10	Special Curb No 4 Rebar	1	LS	\$83.57	\$83.57
11	Special Curb	12	LF	\$35.89	\$430.68
12	Place 2" Thick Decomposed Granite NIC	1,660	SF	\$1.07	\$1,776.20
13	Gravel Surfacing (ABC) MAG 720	660	SF	\$4.42	\$2,917.20
14	Irrigation Line	78	LF	\$52.55	\$4,098.90
15	3'x3' Surface Select Boulders	8	EACH	\$461.46	\$3,691.68
				Subtotal:	\$73,726.84
	Modifier	0.249			\$16,357.98
				Total	\$92,084.82