



**PURCHASING ITEM
FOR
COUNCIL AGENDA
Memo No. CA09-097**

1. Agenda Item Number: 22
2. Council Meeting Date: November 20, 2008

TO: MAYOR & COUNCIL
THROUGH: CITY MANAGER

3. Date Prepared: October 24, 2008
4. Requesting Department: Municipal Utilities

5. SUBJECT: Award a project agreement to SDB, Inc. for Repaint Steel Infrastructure in Surface Water Treatment Plant Basins, Project No. WA0815-401, in an amount not to exceed \$152,471 under Job Order Contract JOC07-04.

6. RECOMMENDATION: Staff recommends that Council award a project agreement to SDB, Inc. for Repaint Steel Infrastructure in Surface Water Treatment Plant Basins, Project No. WA0815-401, in an amount not to exceed \$152,471 under Job Order Contract JOC07-04.

7. BACKGROUND/DISCUSSION: The steel infrastructure of the Sedimentation Basins at the Surface Water Treatment Plant is corroded and in need of rehabilitation. The basins are twenty-five years old. Work under this project agreement includes pressure washing, cleaning, media blasting and recoating the steel infrastructure in Flocculation Sedimentation Basin #3.

Construction is slated to begin in late 2008 with a duration of approximately two months.

8. EVALUATION: On January 17, 2008 Council approved a one-year extension for Job Order Contract in an amount not to exceed \$5,000,000 to SDB, Inc., JOC07-04, for general construction services. The costs proposed for this project have been reviewed by City Staff and compared to historical prices for similar City projects and determined that they are acceptable.

9. FINANCIAL IMPLICATIONS:

Cost:	\$152,471
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>
605.3830.0000.5316	Water Operating	Non-CIP	Non-CIP	\$152,471

10. PROPOSED MOTION: Move that Council award a project agreement to SDB, Inc. for Repaint Steel Infrastructure in Surface Water Treatment Plant Basins, Project No. WA0815-401, in an amount not to exceed \$152,471 under Job Order Contract JOC07-04, and authorize the Mayor to sign the contract documents.

ATTACHMENTS: Location Map, Project Agreement

APPROVALS

11. Requesting Department

Victoria Sharp, Water Operations Superintendent

13. Department Head

Dave Siegel, Municipal Utilities Director

12. City Engineer

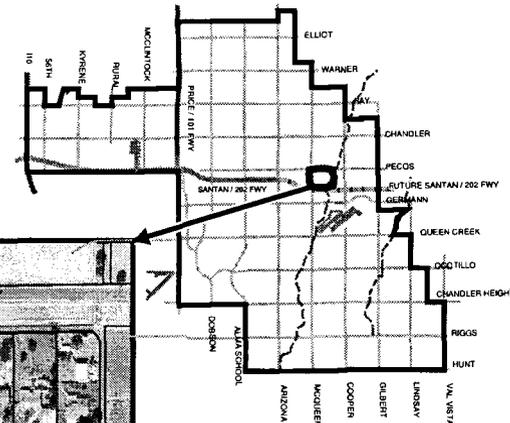
Sheina Hughes, Assistant Public Works Director/City Engineer

14. City Manager

W. Mark Pentz



REPAINT STEEL INFRASTRUCTURE IN SURFACE WATER TREATMENT (SWTP) BASINS PROJECT NO. WA0815-401



MEMO NO. CA09-097

 PROJECT AREA



**PROJECT AGREEMENT
PURSUANT TO JOB ORDER CONTRACT NO. JOC 07-04**

AGREEMENT NO: WA0815-401

PROJECT NAME (or LOCATION): Repaint Steel Infrastructure in Surface Water Treatment Plant Basins

DEPT.: Municipal Utilities

This AGREEMENT is made this _____ day of _____ 2008, by and between the City of Chandler, a municipal corporation (hereinafter referred to as "CITY") and SDB, Inc. an Arizona corporation, (hereinafter referred to as "JOC") and is a Job Order entered into pursuant to JOB ORDER CONTRACT NO. JOC 07-04.

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 Repaint Steel Infrastructure in Surface Water Treatment Plant Basins, Project Number WA0815-401. The scope of work consists of repainting steel infrastructure at the Surface Water Treatment Plant Flocculation Sedimentation Basin #3, 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 One Hundred Fifty Two Thousand Four Hundred Seventy One Dollars (\$152,471) determined and payable as set forth in Contract JOC 07-04 and Exhibit B attached hereto and made a part hereof by reference.

ARTICLE 3. CONTRACT TIME & SCHEDULE

The Contract Time is Sixty days and JOC agrees to complete all Construction within Sixty (60) 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 07-04 and the terms and conditions contained therein are incorporated herein by reference as if set forth in full.

ARTICLE 5. ARIZONA PROCUREMENT LAW

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 (Exhibit C) 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. §35-397, the Contractor hereby certifies that the offeror does not have scrutinized business operations in Iran.

In accordance with A.R.S. §35-397, the Contractor hereby certifies that the offeror does not have scrutinized business operations in Sudan.

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 _____ 2008.

CITY OF CHANDLER

FOR THE JOC:

MAYOR DATE:

By: _____ 11/3/08
Title: Project Manager

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

ADDRESS FOR NOTICE
Mr. Sean Jones
SDB, Inc.
810 W. First St.
Tempe, AZ 85281

APPROVED AS TO FORM:

Phone: (602) 686-5615
Fax: (602) 967-5841

City Attorney By: 

ATTEST:

City Clerk

**EXHIBIT A
SCOPE OF WORK**

"JOC shall pressure wash, clean, media blast, and epoxy coat the steel infrastructure in Flocculation sedimentation Basin #3 located at the Surface Water Treatment Plant, 1475 East Pecos Road. The City will take Basin #3 off-line while the procedure is performed."

**EXHIBIT B
FEE SCHEDULE**

CSI	Description			Cost	
01	Division 1 - General Requirements			\$ 7,810.00	
09	Division 9 - Finishes			\$ 122,507.00	
			Sub Total	\$ 130,317.00	
			Coefficient	17.0%	
			Total	\$ 152,471.00	
DIVISION BREAKDOWN					
QUAN	CSI	Description	Unit	\$ per Unit	Total
Division 1 - General Requirements					
16.0	01-3105	Project Manager	EA	\$ 70.00	\$ 1,120.00
48.0	01-3120	Superintendent	EA	\$ 55.00	\$ 2,640.00
1.0	01-2115	Allowance for hydrant meter and construction water	AL	\$ 1,000.00	\$ 1,000.00
1.0	01-2115	Allowance for welding repairs	AL	\$ 2,500.00	\$ 2,500.00
1.0	01-5220	Portable toilet	LS	\$ 150.00	\$ 150.00
1.0	01-7415	Dumpster	EA	\$ 400.00	\$ 400.00
		Total - Division 1 - General Requirements			\$ 7,810.00
Division 9 - Finishes					
		Floc-Sed Basin #3			
1.0	09-9610	Mobilization and demobilization	LS	\$ 6,260.00	\$ 6,260.00
1.0	09-9610	Pressure washing and cleaning	LS	\$ 21,967.00	\$ 21,967.00
1.0	09-9610	Media blasting	LS	\$ 17,213.00	\$ 17,213.00
1.0	09-9610	Coating	LS	\$ 77,067.00	\$ 77,067.00
		Total - Division 9 - Finishes			\$ 122,507.00

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.

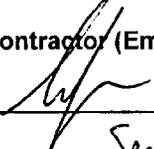
By completing and signing this form, the contractor shall attest that it and all subcontractors performing work under the cited State contract meet all conditions contained herein.

Project Number: WA0815-401		
Project Name: Replacement of Repaint Steel Infrastructure in Surface Water Treatment Plant Basins		
Street Name and Number:		
City: Chandler	State: AZ	Zip Code:

I hereby attest that:

1. 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;
2. 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
3. The contractor has identified all contractor and subcontractor employees who perform work under the contract 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: Sean M Jones
Title: Project Manager
Date (month/day/year): 11/3/08