



City of Sacramento City Council

915 I Street, Sacramento, CA, 95814
www.CityofSacramento.org

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Meeting Date: 5/31/2011

Report Type: Consent

Title: Change Order: Redding Avenue Bicycle and Pedestrian Improvement Project (T15065800)

Report ID: 2011-00489

Location: Districts 3 and 6

Recommendation: Adopt a Resolution: 1) authorizing the City Manager to execute Change Order No. 3 to Contract 2010-535 in an amount not to exceed \$140,710 with Martin General Engineering Inc. for the project; 2) resetting the City Manager's administrative authority; and 3) transferring \$225,000 from Major Street Improvements Project (T15118000) (Fund 2007) to the project.

Contact: Ofelia Avalos, Assistant Engineer, (916) 808-5515; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

Presenter: None

Department: Transportation Department

Division: Civil & Electrical Design

Dept ID: 15001131

Attachments:

- 1-Description/Analysis
- 2 - Background Information
- 3 - Report Agreement Exhibit Cover Sheet
- 4 - Resolution
- 5 - Exhibit A - Location Map
- 6 - Exhibit B - Change Order No. 3

City Attorney Review

Approved as to Form
Jerry Hicks
5/23/2011 3:11:07 PM

City Treasurer Review

Prior Council Financial Policy Approval or
Outside City Treasurer Scope
Russell Fehr
5/17/2011 4:26:33 PM

Approvals/Acknowledgements

Department Director or Designee: Jerry Way - 5/23/2011 8:41:31 AM

Eileen Teichert, City Attorney

Shirley Concolino, City Clerk
William H. Edgar, Interim City Manager

Russell Fehr, City Treasurer

Assistant City Manager: Cassandra Jennings - 5/23/2011 1:02:18 PM



Description/Analysis

Issue: This project will reconstruct the road and construct frontage improvements along Redding Avenue between 4th Avenue and Q Street intersections. The proposed improvements include: bike lanes, curb and gutter, landscaped planters, separated sidewalks, and ornamental street lighting.

Change Order No. 3 in the amount of \$140,710 for the Redding Avenue Bicycle and Pedestrian Improvements Project (T15065800) will compensate the contractor for performing all work necessary at the Regional Transit (RT) Light Rail Tracks per RT's direction to make a safe and improved crossing for both vehicles and pedestrians. This additional work is needed to complete the project.

Policy Considerations: The proposed City Council action is consistent with the City's Strategic Plan goals of improving the transportation system, enhancing livability, preserve the neighborhoods and improve safety.

Environmental Considerations:

California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA): The City's Environmental Section has reviewed the proposed Project. This review has resulted in the determination that the proposed Project will not have a significant adverse impact on the environment and a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act (CEQA), was filed on July 1, 2008. The project was also evaluated pursuant to the National Environmental Policy Act (NEPA). Under NEPA, it was determined that the Project qualified for a Categorical Exclusion under 23 CFR 771 activity (c)(3), and was filed on June 25, 2008.

Sustainability Considerations: The project will improve access and provide pedestrian continuity. The project will construct new sidewalks and bike lanes which will increase the use of alternate modes of commuting. The project will also increase the City's urban forest canopy, and create an environment more conducive to pedestrian and bicycle trips, thereby encouraging the use of alternate modes of transportation. All of these considerations and improvements are consistent with City sustainability goals.

Other: None.

Rationale for Recommendation: Approval of Change Order No. 3 is necessary for project completion.

Financial Considerations: The total estimated project cost is \$3,696,923. The Redding Avenue Bicycle and Pedestrian Improvement Project (T15065800) has a current budget of \$3,471,923 consisting of Federal Congestion Mitigation and Air Quality (CMAQ), Sacramento Housing and Redevelopment Agency (SHRA) Tax Increment and local transportation funds. Approving the transfer of \$225,000 from

Major Street Improvements Program (T15118000) (Fund 2007) will bring the current budget to \$3,696,923 which is sufficient to execute Change Order No. 3 in the amount of \$140,710 with Martin General Engineering and cover all remaining project costs.

There are no General Funds planned or allocated for this project.

Disadvantage Business Enterprise (DBE): This project is federally funded and Disadvantaged Business Enterprise (DBE) project participation requirements apply and Emerging and Small Business Enterprise (E/SBE) rules are held in abeyance. The City assigned a 17.2% DBE Availability Advisory to this project. Martin General Engineering Inc. pledged 76.1% DBE project participation and satisfactorily met the DBE project goal.



Background

This project will reconstruct the road and construct frontage improvements along Redding Avenue between 4th Avenue and Q Street intersections. The proposed improvements include: bike lanes, curb and gutter, landscaped planters, separated sidewalks, and ornamental street lighting. This project is consistent with the City of Sacramento's General Plan and the 2010 City/County Bikeway Master Plan.

The project was advertised and bids were received on June 9, 2010. The contract was awarded to Martin General Engineering Inc. for its lowest responsive and responsible bid on July 13, 2010. Construction began in the late summer of 2010 and is scheduled to be completed in the early summer of 2011.

Change Order No. 1 in the amount of \$52,104 compensated the contractor for the cost of 16 decorative street lights that were to be provided by the City but due to federal guidelines the poles had to be provided by the Contractor. Miscellaneous items in this change order included removing a large concrete slab discovered during the road work and addressing conflicts while installing the storm drain system.

Change Order No. 2 in the amount of \$75,564 compensated the contractor for removing and replacing unsuitable material for the length of the project, containing the City's shallow 911 fiber optics line, relocating a second fence that the property owner recently installed that was not shown on the plans, and winterizing and maintaining the project during this past wet winter season per the new requirements of the Regional Water Quality Control Board.

Change Order No. 3 in the amount of \$140,710 is an estimated amount that will compensate the contractor for performing night work on a basis of time and material at the Regional Transit Light Rail Tracks crossing. This work can only be performed at night while the train is not in service and includes new sidewalks, new roadway, specialized track work, relocating one of the gate arms, new electrical conduits, striping, ADA guide strips and necessary testing for safety. This work was required by Regional Transit due to changes in their design after approval of this project.



Unexecuted Contract/Agreements

- The Unexecuted Contract/Agreement is signed by the other party, is attached as an exhibit to the resolution, and is approved as to form by the City Attorney.

- The Unexecuted Contract/Agreement (Public Project) is NOT signed by the other party, is attached as an exhibit to the resolution, and is approved as to form by the City Attorney.

- The Unexecuted Contract is included as an exhibit to the Resolution, however, the Agreement(s) is with other another governmental agency and it is not feasible to obtain the other agency's signature prior to Council action (be they denominated Agreements, MOUs, MOAs, etc.); however, the City Attorney approves the forwarding of the report to Council even though the signed agreement is not in hand yet.

- The Unexecuted Contract is NOT included as an exhibit to the resolution because, due to special circumstances, and the City Attorney confirms in writing that it is okay to proceed with Council action even though the signed agreement is not in hand yet.

All unexecuted contracts/agreements which are signed by the other parties are to be in the Office of the City Clerk before agenda publication.



RESOLUTION NO.

Adopted by the Sacramento City Council

REDDING AVENUE BICYCLE AND PEDESTRIAN IMPROVEMENT PROJECT (T15065800) –CHANGE ORDER NO. 3

BACKGROUND

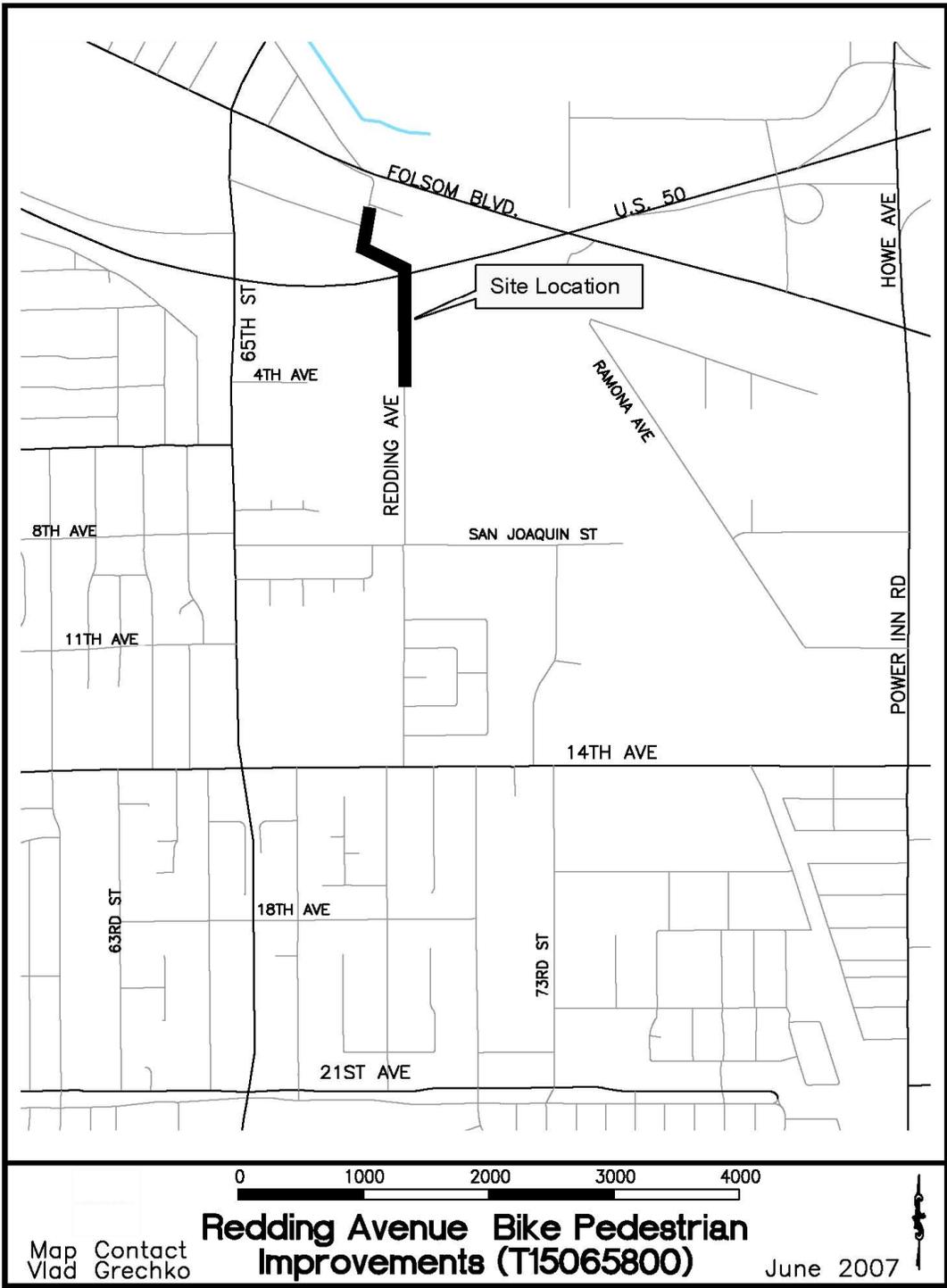
- A. This project will reconstruct the road and construct frontage improvements along Redding Avenue between 4th Avenue and Q Street intersections. The proposed improvements include: bike lanes, curb and gutter, landscaped planters, separated sidewalks, and ornamental street lighting. This project is consistent with the City of Sacramento's General Plan and the 2010 City/County Bikeway Master Plan.
- B. The project was advertised and bids were received on June 9, 2010. The contract was awarded to Martin General Engineering Inc. for its lowest responsive and responsible bid on July 13, 2010. Construction began in the late summer of 2010 and is scheduled to be completed in the early summer of 2011.
- C. Change Order No. 1 in the amount of \$52,104 compensated the contractor for the cost of 16 decorative street lights that were to be provided by the City but due to federal guidelines the poles had to be provided by the Contractor. Miscellaneous items in this change order included removing a large concrete slab discovered during the road work and addressing conflicts while installing the storm drain system.
- D. Change Order No. 2 in the amount of \$75,564 compensated the contractor for removing and replacing unsuitable material for the length of the project containing the City's shallow 911 fiber optics line, relocating a second fence that the property owner recently installed that was not shown on the plans, and winterizing and maintaining the project during this past wet winter season per the new requirements of the Regional Water Quality Control Board.
- E. Change Order No. 3 in the amount of \$140,710 is an estimated amount that will compensate the contractor for performing night work on a basis of time and material at the Regional Transit Light Rail Tracks crossing. This work can only be performed at night while the train is not in service and includes new sidewalks, new roadway, specialized track work, relocating one of the gate arms, new electrical conduits, striping, ADA guide strips and necessary testing for safety. This work was required by Regional Transit due to changes in their design after approval of this project.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Manager is authorized to execute Change Order No. 3 with Martin General Engineering Inc. in the amount not to exceed \$140,710 for the Redding Avenue Bicycle and Pedestrian Improvement Project (T15065800).
- Section 2. The City Manager's administrative authority is reset.
- Section 3. The FY10/11 Capital Improvement Program is amended by transferring \$225,000 from Major Street Improvements Program (T15118000) (Fund 2007) to the Redding Avenue Bicycle and Pedestrian Improvement Project (T15065800).

Table of Contents:

Exhibit A: Map of Redding Avenue Bicycle and Pedestrian Improvement Project





City of Sacramento
CHANGE ORDER

Project #: T15065800

Contract #: 2010-0535

Date: 5/9/2011

2011 MAY 10 AM 10 58

Purchase Order #: 0000012099

Change Order #: 3

Sacramento, California

RECEIVED
CITY OF SACRAMENTO
DOT
ENGINEERING SVCS DIV
Contractor

TO: Martin General Engineering

CONTRACT FOR: Redding Avenue Bicycle And Pedestrian Improvements Project

Upon Mutual acceptance of this document by the City of Sacramento, hereinafter referred to as "City", and your firm, hereinafter referred to as "Contractor", in accordance with the terms and conditions of the original contract documents, you are hereby directed to make the following changes for the consideration set forth below:

Description:

See Exhibit A



The original contract sum was	\$1,823,266.55
The net change by previous Change Orders was	\$127,668.35
The contract sum prior to this Change Order was	\$1,950,934.90
The contract sum will be increased by this Change Order	\$140,710.00
The new contract sum including all Change Orders	\$2,091,644.90

Contractor agrees that the amount of increase or decrease in the contract sum specified in this Change Order shall constitute full compensation for the work required by this Change Order, including but not limited to all compensation for the additional and/or revised work specified herein, and shall fully compensate Contractor for any and all direct and indirect costs that may be incurred by Contractor in connection with such additional and/or revised work, including any changes disruptions or delays in work schedules or in the performance of other work by Contractor. The time for the performance of the contract is increased by 0 Working Days by reason of the performance of the work required by this Change Order. Except as herein above expressly provided, Contractor further agrees that the performance of the work specified in this Change Order or the rescheduling of other project work made necessary by this Change Order, shall not constitute a delay which will extend the timelimit for completion of the work as said term is used in the contract between the City and the Contractor for the project.

Approval Recommended by:

Project Manager

Approved by:

City of Sacramento

Approved by:

Adrian Martin Contractor 5-10-11

Attested to by:

City Clerk

Approved as to form:

City Attorney

Exhibit A
Redding Avenue Bicycle And Pedestrian Improvements Project
2010-0535
05/09/11

<i>Description</i>	<i>Amount</i>
Change Order #3	
PCO # 37.0 Client Initiated Changes	(\$90,000.00)
05/09/11 Delete Item No. 53 - At-grade Light Rail Track Modifications due to a complete design change requested by Regional Transit. The work will be performed by EWFA.	
PCO # 38.0 Client Initiated Changes	\$230,710.00
05/09/11 This item is an estimated amount that will compensate the contractor for performing the night work on a basis of time and material at the Regional Transit Light Rail Tracks Crossing. This work can only be performed at night while the train is not in service and includes new sidewalks, new roadway, specialized track work, relocating one of the gate arms, new electrical conduits, striping, ADA guide strips and necessary testing for safety. This work was required by Regional Transit due to changes in their design standards after approval of this project.	
2 Items	Total for Change Order # 3
	\$140,710.00

2 Items	Total for Contract # 2010-0535	\$140,710.00
<i>Totals By Reason</i>	Changed/Unforeseen Conditions	\$0.00
	Changes to Bid Documents	\$0.00
	Client Initiated Changes	\$140,710.00