



City of Sacramento City Council

915 I Street, Sacramento, CA, 95814

www.CityofSacramento.org

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Meeting Date: 7/19/2011

Report Type: Consent

Title: Change Order: Fire Station 43 (F13000700)

Report ID: 2011-00609

Location: 4201 El Centro Road , District 1

Recommendation: Adopt a Resolution: 1) authorizing the City Manager or the City Manager's designee to execute Change Order No. 6 to City Contract 2009-1054 with Unger Construction, Inc. in an amount not to exceed \$275,215 for a revised total contract amount not to exceed \$5,995,476; and 2) ratifying all previous change orders issued for this project under the City Manager's authority.

Contact: Yadi Kavakebi, Facilities and Real Property Superintendent, (916) 808-5863; Reina J. Schwartz, Director, (916) 808-7195, Department of General Services

Presenter: None

Department: General Services Dept

Division: Facility & Real Property Manag

Dept ID: 13001511

Attachments:

1-Description/Analysis

2-Attachment 1 Change Order Table

3 - Resolution

4 - Exhibit A Change Order No. 6 with Unger Construction, Inc.

City Attorney Review

Approved as to Form
Kourtney Burdick
7/13/2011 8:35:13 AM

City Treasurer Review

Prior Council Financial Policy Approval or
Outside City Treasurer Scope
Russell Fehr
7/1/2011 12:57:38 PM

Approvals/Acknowledgements

Department Director or Designee: Rhonda Lake - 7/7/2011 10:53:18 AM

Assistant City Manager: Cassandra Jennings - 7/12/2011 9:12:33 PM



Description/Analysis

Issue: On November 24, 2009, City Council adopted Resolution No. 2009-731, authorizing a design-build contract to be executed with Unger Construction, Inc. (City Contract No. 2009-1054) for design-build services for Fire Station 43 in an amount not to exceed \$5.3 million to design and construct an 11,423 square foot fire station at 4201 El Centro Road.

The project has undergone significant scope changes due to unforeseen Federal Emergency Management Agency (FEMA) requirements, building permit costs, Americans with Disabilities Act (ADA) requirements, necessary site improvements, and other major design modifications and additions including an elevator tower, and an upgraded communication tower, resulting in an additional 3,300 square feet being added to the project. Thus far, five change orders (summarized in Attachment 1) totaling \$420,261 have been executed under City Manager authority. Change Order No. 6 will provide funding for items related to the scope changes noted above.

Policy Considerations: The recommendations in this report are consistent with: 1) the City's Strategic Plan goal to achieve sustainability and livability by improving and expanding services to the local community; 2) City Code Chapter 3.60.210 regarding City Manager change order authority; and 3) Resolution No. 2010-346 prohibiting the City Manager from entering into any contract to purchase goods or services from any business or entity headquartered in Arizona.

Environmental Considerations:

California Environmental Quality Act (CEQA): The Community Development Department reviewed this project and prepared an addendum to the previously approved Natomas Central Mitigated Negative Declaration in accordance with CEQA Section 15164. It was determined that there were no substantial changes that would require preparation of an environmental impact report. On November 24, 2009 City Council adopted Resolution No. 2009-732 adopting the mitigated negative declaration addendum and mitigation monitoring plan for Fire Station 43.

Sustainability: On September 21, 2004, City Council adopted Resolution No. 2004-751 requiring the City to design facilities to achieve the highest possible Leadership in Energy and Environmental Design (LEED) rating, and establishing a minimum LEED rating goal of LEED Silver for buildings with at least 5,000 square feet. This project will achieve LEED Silver compliance.

Commission/Committee Action: Not applicable

Rationale for Recommendation: Change Order No. 6 to City Contract 2009-1054 with Unger Construction, Inc. in an amount not to exceed \$275,215 is necessary to provide funding for project scope changes related to FEMA requirements, building permit costs, ADA requirements, necessary site improvements, and other major design modifications.

Financial Considerations: Sufficient funding is available within the Fire Station 43 project in the North Natomas Community Improvement Fund (Fund 3201) to approve Change Order No. 6 with Unger Construction, Inc. in an amount not to exceed \$275,215.

Emerging Small Business Development (ESBD): Unger Construction, Inc. has signed the required commitment letter stating it will meet the City's 20 percent ESBD goal during the construction phase of the project.



BACKGROUND INFORMATION

The following is a summary of previous change orders for this project, which were approved under City Manager authority:

Fire Station 43 Change Order History

Change Order	Amount	Scope of Work
1	\$84,024	<ul style="list-style-type: none">• Additional underground conduits for AT&T as required• Miscellaneous design changes to accommodate operations
2	\$88,381	<ul style="list-style-type: none">• Add elevator per Fire Department request and to meet future compliance with ADA• Revise metal roof underlayment from paper to upgraded self adhesive material (Hi-Temp underlayment)• Miscellaneous design changes to accommodate operations
3	\$91,618	<ul style="list-style-type: none">• Revision to relocate and create a generator tower to comply with scope change due to added elevator tower and overall design modification• Provide credit for deletion of clerestory in the original design, four 2x4 windows in day room, original generator room/elevated concrete and exterior stone. Add structure to accommodate elevator cab and equipment including steel doors, frames, hardware, roofing, framing, concrete, masonry, electrical, and exterior waterproofing
4	\$88,040	<ul style="list-style-type: none">• Modification and addition of sound insulation at bottom of entire metal deck as required by acoustic consultant's calculations• Addition of one ADA sink and modification of counter heights in the kitchen• Installation of remote metering infrastructure as required by SMUD• Credit for deletion of air compressor system from project
5	\$68,198	<ul style="list-style-type: none">• Expansion of facility in order to add ADA restroom at 1st floor

		<ul style="list-style-type: none"> • Provide credit for street signal modifications/revision to contract • Additional civil engineering /traffic signaling design services by consultant
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The following is a summary of Change Order No. 6:

6	\$275,215	<ul style="list-style-type: none"> • Installation of conduits and dedicated electrical lines for Art in Public Places project • Improvement and additional voice/data devices • Construction and installation of 68 foot self supporting telecom tower with expansion capabilities to 88 feet • Relocation of telecom room • Modifications to ceiling in main lobby by utilizing perforated panels • Miscellaneous design changes to accommodate operations
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RESOLUTION NO. 2011-XXXX

Adopted by the Sacramento City Council

July 19, 2011

**APPROVING CHANGE ORDER NO. 6 TO CITY CONTRACT 2009-1054 WITH
UNGER CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED \$275,215 FOR
THE FIRE STATION 43 PROJECT (F13000700)**

BACKGROUND

- A. On November 24, 2009, City Council adopted Resolution No. 2009-731, authorizing a design-build contract to be executed with Unger Construction, Inc. (City Contract No. 2009-1054) for design-build services for Fire Station 43 in an amount not to exceed \$5.3 million to design and construct an 11,423 square foot fire station at 4201 El Centro Road.
- B. Since that time, the City Manager has executed Change Orders Nos. 1-5 to the contract to accommodate construction and design modifications, bringing the total contract amount to \$5,720,258.
- C. Change Order No. 6 to the contract in an amount not to exceed \$275,215 is necessary to provide funding for project scope changes related to Federal Emergency Management Agency requirements, building permit costs, Americans with Disabilities Act requirements, necessary site improvements, and other major design modifications.

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

- Section 1. The City Manager or the City Manager's designee is authorized to execute Change Order No. 6 to City Contract No. 2009-1054 with Unger Construction, Inc. (shown in Exhibit A) in an amount not to exceed \$275,215 for a revised total contract amount not to exceed \$5,995,476.
- Section 2. All previous change orders issued for this project under City Manager authority are hereby ratified.
- Section 3. Exhibit A is a part of this resolution.



Requires Council Approval: No YES Meeting: 7/19/11

Real Estate Other Party Signature Needed Recording Requested

General Information

Type: Public Project	PO Type:	Attachment: Change Order No.: 6
Not to Exceed: \$275,214.51		Original Doc Number: 2009-1054
Other Party: Unger Construction Inc.		Certified Copies of Document::
Project Name: Fire Station 43		Deed: <input checked="" type="checkbox"/> None <input type="checkbox"/> Included <input type="checkbox"/> Separate
Project Number: 533408 Bid Transaction #:		E/SBE-DBE-M/WBE: %

Department Information

Department: General Services Division: Facilities Real Property Mgt

Project Mgr: Yadi Kavakebi

Contract Services: Malysa Berry Director: Reina J. Schwartz

Phone Number: 808-1242 Org Number: 13001511

Comment: Original Contract Amount: \$5,300,000.00

Review and Signature Routing

Department	Signature or Initial	Date
Project Mgr:		6-29-11
Contract Services:		6-29-11

City Attorney	Signature or Initial	Date
City Attorney:		7/1/11

Send Interoffice Mail to Reina J. Schwartz (12500)

Notify for Pick Up

Authorization	Signature or Initial	Date
Reina Schwartz Director, General Services:		
City Mgr: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

Contract Cover/Routing Form: Must Accompany ALL Contracts;
however, is not part of the contract. (01-01-09)
(Under \$100K - Blue*)

For City Clerk Processing

Finalized:

Initial:

Date:

Imaged:

Initial:

Date:

Received:
(City Clerk Stamp Here)

City of Sacramento

CHANGE ORDER

Contract # & Date: 2009-1054/ 12/08/2009

Budget # F13000701-3201-472010

Purchase Order # 0000009541

Change Order No.: 6

Sacramento, California
June 27, 2011

TO: Unger Construction Inc.

CONTRACT FOR: Fire Station 43 (PN 533408)

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 change or changes for the consideration set forth below:

Description: Improvement and additional voice/data devices per Fire Department request (Collins Elect PCO's #26 & 33). Construction and installation of 68' self supporting Telecom Tower with expansion capabilities to 88' as requested by Fire Department. Relocation of Telecom Room to the area adjacent to Laundry Room per Fire Department request. Modifications of ceiling in main lobby by utilizing perforated panels. Painting revision in apparatus Bay, stairways wall and ceilings. Revised kitchen appliances as requested by Fire Department. Installation of raceway for future solar panels/system. Replacement and revision of kitchen faucets as requested by Fire Department. Relocation and addition of a downspout at East elevation along with installation of underground lines. Installation of conduits and dedicated electrical lines for Art in Public Places project. Renewal of Builders risk insurance due to extension of project timeline. Construction of enclosure around fire riser in back-up generator room. Design improvement of the entrance by adding vertical wall along face of the balcony. Miscellaneous electrical revision and improvements as requested by Fire Department. Additional Retro-Plate floor grinding. Additional design services for all miscellaneous revisions and modifications.

The original contract sum was	\$	<u>5,300,000.00</u>
Net change by previous Change Orders	\$	<u>420,257.61</u>
The contract sum prior to this Change Order was	\$	<u>5,652,060.46</u>
The contract sum will be increased by this Change Order	\$	<u>275,214.51</u>
New contract sum including all Change Orders	\$	<u>5,995,472.12</u>

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, or disruptions or delays in work schedules or in the performance of other work by Contractor. The time for performance of the contract will be changed by **26** calendar 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 time limit for completion of the work as said term is used in the contract between the City and Contractor for the project.

Approval Recommended By:

Approved By:

Project Manager

John D. Nunon, President

Contractor

Approved By:

City of Sacramento

Approved As To Form By:

City Attorney

Attested By:

City Clerk

