

AN ORDINANCE      2012-06-21-0469

**AUTHORIZING CHANGE ORDER NO. 08 IN THE AMOUNT OF \$198,769.50 TO A CONSTRUCTION CONTRACT WITH YANTIS COMPANY IN CONNECTION WITH THE INDIAN CREEK CHANNEL IMPROVEMENTS AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT, AND THE WAR CLOUD PROJECT, A U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) 108 FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 4.**

\* \* \* \* \*

**WHEREAS**, by Ordinance No. 2010-03-18-0207, passed and approved on March 13, 2010, a construction contract was awarded to Yantis Company for the performance of work in connection with the Indian Creek Channel Improvements and War Cloud Projects (the "Projects"), located in Council District 4; and

**WHEREAS**, the original amount of the construction contract was \$2,962,712.05 and subsequent change orders increased the total amount of the contract to \$3,193,788.11; and

**WHEREAS**, in connection with said Project, there exists a need for a City requested change order for soil removal; and

**WHEREAS**, Change Order No. 08 increases the total contract amount by \$198,769.50; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Change Order No. 08 in the amount of \$198,769.50 to the contract with Yantis Company for soil removal in connection with the Indian Creek Channel Improvements and War Cloud Projects (the "Projects") is hereby approved. The City Manager, or in her stead, either the Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager, the Director of the Capital Improvements Management Services Department, or any other representative designated by the City Manager is hereby authorized to execute Change Order No. 08 for soil removal in connection with the Indian Creek Channel Improvements and War Cloud Projects. A copy of said Change Order is attached hereto and incorporated herein for all purposes as **Attachment I.**

**SECTION 2.** Payment in the amount not to exceed \$198,769.50 in SAP Fund 46097000, HUD 108 Projects, SAP Project Definition 23-03265, Warcloud (Running Horse – Rain Dance), is authorized to be encumbered and made payable to Yantis Company, for construction services.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP

Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

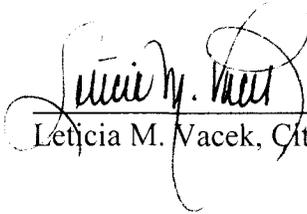
**SECTION 4.** This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED AND APPROVED** this 21<sup>st</sup> day of June, 2012.



M A Y O R  
Julián Castro

**ATTEST:**



\_\_\_\_\_  
Leticia M. Vacek, City Clerk

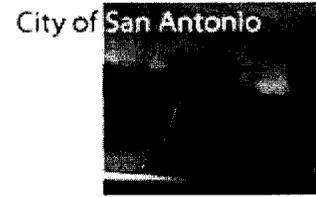
**APPROVED AS TO FORM:**



\_\_\_\_\_  
for Michael D. Bernard, City Attorney



Request for  
**COUNCIL**  
ACTION



### Agenda Voting Results - 17

<b>Name:</b>	17						
<b>Date:</b>	06/21/2012						
<b>Time:</b>	10:14:07 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance authorizing a change order in the additive amount of \$198,769.50 to Yantis Company associated with the \$3,193,788.11 Indian Creek Channel Improvements Project, an authorized 2007-2012 General Obligation Bond funded project, and the War Cloud Project, an authorized Housing and Urban Development 108 funded project, located in Council District 4. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3	x					
Rey Saldaña	District 4		x			x	
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				x
Carlton Soules	District 10		x				

ATTACHMENT I



CITY OF SAN ANTONIO
CONTRACT CHANGE ORDER

Form PM Portal-CCO
Rev. 13 12/22011

5/21/12 10:41

Date Prepared: 5/15/2012 Change Order Title: CIMS-08 Addtl Channel Excavation Project No. 23-03265

Project Name: Const - Indian Creek and WarCloud

Project Name as shown on the Work Project Authorization

The revision or amendment described below is to the work originally or previously specified is hereby requested, including all changes in costs. (Describe work to be added or deleted, including SAP Material number. Attach a revised plan sheet affected or drawings.)

CIMS-08 Additional Channel Excavation Quantities

This change order is needed to compensate the contractor for additional channel excavation quantities (Item 105.2). This change order addresses an item that originated when an addendum was issued during the bidding process. The addendum defined the quantity of excavated soil to be measured from "In Place" (compacted) to "Loose" (transported). Due to this change in measurement, a hauling conversion factor of 5/3 was negotiated between the Contractor and Technical Services. The contractor then estimated the remaining excavation quantities left for the project. This total was 83,130 CY (Loose). This change order includes the overrun of 63,130 CY to item 105.2 and the additional loose quantity on the original 20,000 CY (13,340 CY) for a total of 76,470 CY of soil. The cost of this change order includes the increase of soil quantity from In Place to Loose with a conversion factor of 5/3 and the reduction of item 105.1 Channel Excavation.

Please move money from WBS # 23-03265-05-06 Project Contingency to WBS # 23-03265-05-02-01 City Construction:\$198,769.50

Justification for Proposed Alteration (Describe in detail why this work is to be added or deleted. Use attachments if necessary):

See Attachment

Change Order will result in change to Contract Cost as: \$198,769.50

Change Order will result in change to Contract Days as: Working Days Calendar Days # Days 0

Table with columns: REQUESTED BY, APPROVED BY, President/Owner/Representative, Date, COSA Representative, Date. Firm: YANTIS COMPANY

FOR CITY USE ONLY

Form with checkboxes for Ordinance Required, Change Order \$25,000, Additional funds required. Includes summary table for Contract Amounts and Balances.

Fund #: Ordinance #: Ordinance Date:

Purchase Requisition #: Contract #: 460009991 Purchase Order #:

Fiscal Remarks:

NOTE: This form is a local government record and shall be retained in accordance with the provisions of the Local Government Code, Section 201.

# City of San Antonio

Phone: 210-207-8128

**TITLE:** CIMS-08 Addtl Channel Excavation

**DATE:** 5/15/2012

**PROJECT:** Const - Indian Creek and WarCloud

**JOB:**

**TO:** Attn: Bay Rajabi  
YANTIS COMPANY  
P.O. Box 17045  
San Antonio, TEXAS 78217  
Phone: (210) 655-3780 Fax: (210) 249-2680

**CONTRACT NO:** 4600009991

## DESCRIPTION OF CHANGE

CIMS-08 Additional Channel Excavation Quantities

This change order is needed to compensate the contractor for additional channel excavation quantities (Item 105.2). This change order addresses an item that originated when an addendum was issued during the bidding process. The addendum defined the quantity of excavated soil to be measured from "In Place" (compacted) to "Loose" (transported). Due to this change in measurement, a hauling conversion factor of 5/3 was negotiated between the Contractor and Technical Services. The contractor then estimated the remaining excavation quantities left for the project. This total was 83,130 CY (Loose). This change order includes the overrun of 63,130 CY to item 105.2 and the additional loose quantity on the original 20,000 CY (13,340 CY) for a total of 76,470 CY of soil. The cost of this change order includes the increase of soil quantity from In Place to Loose with a conversion factor of 5/3 and the reduction of item 105.1 Channel Excavation.

Please move money from WBS # 23-03265-05-06 Project Contingency to WBS # 23-03265-05-02-01 City Construction:\$198,769.50

Item	Description	Quantity	Units	Unit Price	Net Amount
00001	CIMS-08 Additional Channel Excavation Quantities	76470.000	CY	\$5.75	\$439,702.50
00002	PO Line #6, Item No 00050, Item 105.1 Channel Excavation	-24000.000	CY	\$5.50	(\$132,000.00)
00003	PO Line #6, Item No 01050, Item 105.1 Channel Excavation	-10500.000	CY	\$5.50	(\$57,750.00)
00004	PO Line #6, Item No 01580, Item 105.1 Channel Excavation	-9306.000	CY	\$5.50	(\$51,183.00)
				<b>Total Cost</b>	<b>\$198,769.50</b>

The Contract Time Will Not Be Changed .....

**CONSTRUCTION CHANGE ORDER REVIEW FORM**

Project: Indian Creek and War Cloud  
 Project No.: 23-03265

**Change Order: CIMS-08 Additional Channel Excavation Quantities**

**REVIEW METHOD**

- Unit Price Comparative Analysis
- Labor and Equipment Analysis
- Force Account Component Review
- Time Additions

**REVIEW NARRATIVE**

This change order is needed to compensate the contractor for additional channel excavation quantities (Item 105.2). This change order addresses an item that originated when an addendum was issued during the bidding process. The addendum defined the quantity of excavated soil to be measured from "In Place" (compacted) to "Loose" (transported). Due to this change in measurement, a hauling conversion factor of 5/3 was negotiated between the Contractor and Technical Services. The contractor then estimated the remaining excavation quantities left for the project. This total was 83,130 CY (Loose). This change order includes the overrun of 63,130 CY to item 105.2 and the additional loose quantity on the original 20,000 CY (13,340 CY) for a total of 76,470 CY of soil. The cost of this change order includes the increase of soil quantity from In Place to Loose with a conversion factor of 5/3 and the reduction of item 105.1 Channel Excavation.

Yantis Company is not requesting any additional days.

The table on the following page provides the changes which will be implemented with this change order:

<b>CIMS-08 Change Order</b>					
<b>Item No.</b>	<b>Description</b>	<b>Approximate Quantities</b>	<b>Unit</b>	<b>Unit Price</b>	<b>Extended</b>
<b>Additions</b>					
	CIMS-08 Additional Channel Excavation Quantities	76470	CY	\$5.75	\$439,702.50
<b>Total Additions</b>					<b>\$439,702.50</b>
<b>Deductions</b>					
00050	Item 105.1 Channel Excavation	-24000	CY	\$5.50	(\$132,000.00)
01050	Item 105.1 Channel Excavation	-10500	CY	\$5.50	(\$57,750.00)
01580	Item 105.1 Channel Excavation	-9306	CY	\$5.50	(\$51,183.00)
<b>Total Deductions</b>					<b>(\$240,933.00)</b>
<b>Total Change Order Request</b>					<b>\$198,769.50</b>

**CONCLUSION**

The unit prices as shown on the attached proposal have been confirmed by the city and are acceptable. Because of this, the City has determined that the Yantis Company proposal in the amount of \$198,769.50 for the additional channel excavation quantities is reasonable for the scope of work included and is acceptable.

Indian Creek & War Cloud Excavation Quantities						
Item	Unit Bid Price	Plan Quantity (CY)	Extended Amount	Final Quantities	Total Dollars	Difference
<b>Indian Creek</b>						
Item 105.1 Channel Excavation	\$ 5.50	24000	\$ 132,000.00	0	\$ -	\$ (132,000.00)
Item 105.2 Channel Excavation (Haul Route to Walters St)	\$ 5.75	20000	\$ 115,000.00	98470	\$ 554,702.50	\$ 439,702.50
<b>Kim Valley</b>						
Item 105.1 Channel Excavation	\$ 5.50	10500	\$ 57,750.00	0	\$ -	\$ (57,750.00)
<b>War Cloud</b>						
Item 105.1 Channel Excavation	\$ 5.50	32250	\$ 177,375.00	22844	\$ 126,192.00	\$ (51,183.00)
<b>Total</b>		<b>86750</b>	<b>\$ 482,125.00</b>	<b>119414</b>	<b>\$ 680,894.50</b>	<b>\$ 198,769.50</b>
					<b>Change Order Amount</b>	<b>\$ 198,769.50</b>

CIMS-08 Change Order					
Item No.	Description	Approximate Quantities	Unit	Unit Price	Extended
<b>Additions</b>					
	CIMS-08 Additional Channel Excavation Quantities	76470	CY	\$5.75	\$439,702.50
<b>Total Additions</b>					<b>\$439,702.50</b>
<b>Deductions</b>					
00050	Item 105.1 Channel Excavation	-24000	CY	\$5.50	(\$132,000.00)
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