

AN ORDINANCE 2008-10-02-0874

APPROVING SAN ANTONIO WATER SYSTEM (SAWS) CHANGE ORDER NO. 3 (UTILITY DRIVEN) IN THE AMOUNT OF \$52,308.38 TO THE \$1,757,030.04 CONSTRUCTION CONTRACT, AS CHANGED, WITH COLLECTIVE CONTRACTING, INC. FOR ADDITIONAL WORK, OF WHICH \$52,308.38 WILL BE REIMBURSED BY SAWS.

* * * * *

WHEREAS, Ordinance No. 2007-02-15-0163 approved on February 15, 2007 previously authorized a contract with **Collective Contracting, Inc.** in the amount of \$1,757,030.04 in connection with the 2006 - 2007 Street Reconstruction Package II; and

WHEREAS, this project provides for the reconstruction of Birch Street from IH 10 to Westfall, S. Pine Street from IH 10 to Westfall, Center Street from Polaris to Gevers, and Olive Street from Denver to Iowa to include new concrete curbs, sidewalks, wheelchair ramps, driveway approaches and necessary drainage improvements; and

WHEREAS, necessary repairs to a damaged water line was performed by SAWS and will be reimbursing the City for the costs of the street repairs; and

WHEREAS, this Ordinance approves Change Order No. 3 in the amount of \$52,308.38 to Collective Contracting, Inc. for street repairs to include mill and overlay, curb to curb on Olive Street from Virginia to Indiana Street; and

WHEREAS, approval of this Ordinance will be a continuation of City Council policy to complete Street Maintenance funded Project; **NOW THEREFORE**,

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

SECTION 1. Change Order No. 3 in the amount of \$52,308.38 is hereby approved. The City Manager or her designee is hereby authorized to execute Change Order No. 3 in the amount of \$52,308.38 to the contract with **Collective Contracting, Inc.** Said contract was approved by Ordinance No. 2007-02-15-0163 in connection with the 2006 - 2007 Street Reconstruction Package II. A copy of Change Order No. 3 is attached hereto and incorporated herein for all purposes as **Attachment I.**

SECTION 2. The following financial adjustments are hereby approved:

- a) Funds are authorized to be received from SAWS, to SAP Fund 29050000, Drain Maintenance Improvements, SAP Project Definition 23-00073, FY06/FY07 Street Maintenance Program, shall be revised by increasing WBS element 23-00073-90-01, entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$52,308.38.
- b) The amount of \$52,308.38 is appropriated in SAP Fund 29050000, Drain Maintenance Improvements, SAP Project Definition 23-00073, FY06/FY07 Street Maintenance

Program, SAP WBS Element 23-00073-06-01-02, entitled SAWS, SAP GL Account 5201140, and is authorized to be encumbered and made payable to **Collective Contracting, Inc.** for construction services.

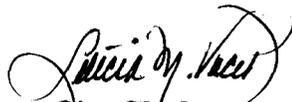
SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, 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 shall take effect ten days after passage.

PASSED AND APPROVED this 2nd day of October, 2008.


M A Y O R

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney



Request for
**COUNCIL
ACTION**

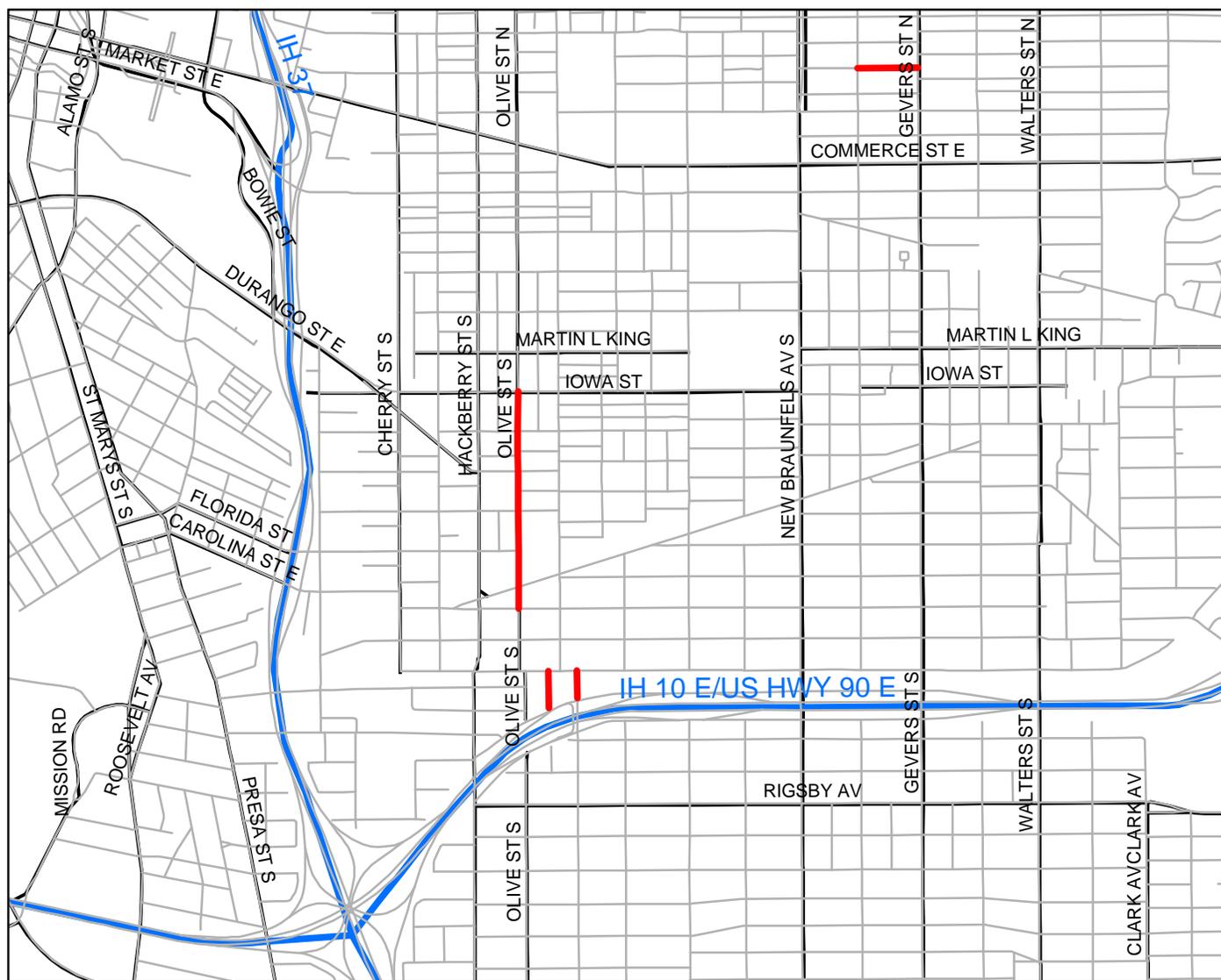
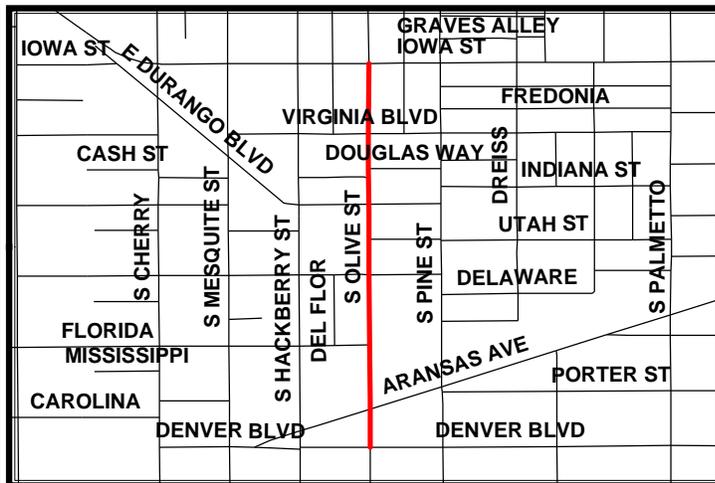
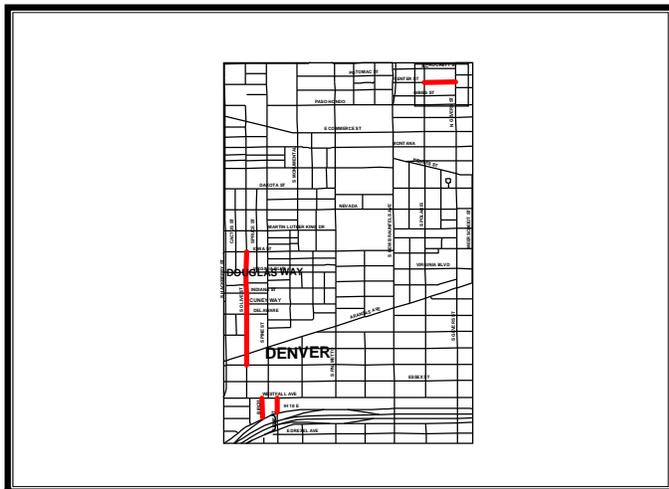


Agenda Voting Results - 9

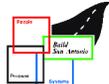
Name:	9
Date:	10/02/2008
Time:	10:50:58 AM
Vote Type:	Motion to Approve
Description:	An Ordinance approving San Antonio Water System (SAWS) Change Order No. 3 (Utility Driven) in the amount of \$52,308.38 to the \$1,757,030.04 construction contract, as changed, with Collective Contracting, Inc. for additional work, of which \$52,308.38 will be reimbursed by SAWS. [Penny Postoak Ferguson, Assistant City Manager, Mike Frisbie, Director, Capital Improvements Management Services]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x			x	
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				x

2006-2007 Street Reconstruction Program Package II



Capital Improvements
Management Services



CITY OF SAN ANTONIO
CIMS DEPARTMENT

K

**CITY OF SAN ANTONIO
PUBLIC WORKS DEPARTMENT
CONSTRUCTION CHANGE ORDER - HORIZONTAL PROJECT**

Form PW-15A
Rev. 2 1/2007
(Submit 2 Originals)
8/29/08 10:14

Date Prepared: 8/29/2008 Change Order Title: SAWS-03 Mill and Overlay Olive St Project No. 23-00073
Project Name: 06-07 St Mt Package 2

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.)
SAWS-03 Mill and Overlay Olive St

Addition of 1,408 SY of 2" Mill and Overlay on Olive Street.

Justification for Proposed Alteration (Describe in detail why this work is to be added or deleted. Use attachments if necessary):
A water main break damaged a block of Olive Street, from Virginia to Indiana Street. This change order will repair the damaged street.

Change Order will result in change to Contract Cost as: \$52,308.38
Change Order will result in change to Contract Days as: Working Days Calendar Days # Days 7
(To be negotiated by the Contractor and the City.)

REQUESTED BY:		<u>9/9/08</u>	
City, Consulting Engineer/Architect, Other (Please Specify)	Date	Contractor	Date
		Title: <u>President</u>	
		Firm: <u>Collective Contracting Inc.</u>	
RECOMMENDED BY:			
Consultant (Project Engineer/Architect Only)	Date	Others:	
Firm:		(if required; i.e., City Dept., S.A.W.S., etc.)	
COSA Project Manager	Date	Assistant City Engineer	Date
COSA Capital Programs Manager	Date		
APPROVED BY:			
City Engineer	Date	Director of Public Works (if over \$25,000)	Date

----- FOR CITY USE ONLY -----

Ordinance Required: Yes No Change Order \$25,000 (+ or -) Additional funds required: \$0.00
WBS Element: _____ Contingency WBS Element: _____
Project Contingency Original Balance: \$0.00
Original Contract Amount: \$1,757,030.05 Previous Approved COs: \$0.00
Previous Approved COs: \$0.00 This Change Order: \$0.00
This Change Order: \$0.00 Total: \$0.00
Total: \$1,757,030.05 Balance: \$0.00

Fund #: _____ Ordinance #: _____ Ordinance Date: _____
Purchase Requisition #: _____ Contract #: 4600005817 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. Provide (2) originals with supporting documents.

City of San Antonio

PO Box 839966
San Antonio, TX 78205

Phone: 210-207-7167

TITLE: SAWS-03 Mill and Overlay Olive St

DATE: 8/29/2008

PROJECT: 06-07 St Mt Package 2

JOB:

TO: Attn: David Nelson
Collective Contracting Inc.
9220 Loop 106
San Antonio, TX 78263
Phone: 210-648-4001 Fax: 210-648-4002

CONTRACT NO: 4600005817

RE: **To:** **From:** **Number:**
DESCRIPTION OF CHANGE
SAWS-03 Mill and Overlay Olive St

Addition of 1,408 SY of 2" Mill and Overlay on Olive Street.

Item	Description	Quantity	Units	Unit Price	Net Amount
00001	Mobilization	1.000	LS	\$4,287.45	\$4,287.45
00002	Insurance & Bond	1.000	LS	\$1,523.54	\$1,523.54
00003	Preparing Right of Way	1.000	LS	\$2,143.72	\$2,143.72
00004	Salvaging, Hauling, and Stockpiling Reclaimable Asphalt (2" Depth)	1408.000	SY	\$10.00	\$14,080.00
00005	HMAC Type "D" (2" Depth)	1408.000	SY	\$20.00	\$28,160.00
00006	Tack Coat	141.000	GAL	\$4.50	\$634.50
00007	Barricades, Signs, Traffic Handling	1.000	LS	\$1,479.17	\$1,479.17
Total Cost					\$52,308.38

The Original Contract Sum was	\$1,757,030.05
Net Change by Previously Authorized Requests and Changes	\$0.00
The Contract Sum Prior to This Change Order was	\$1,757,030.05
The Contract Sum Will be Increased	\$0.00
The New Contract Sum Including This Change Order	\$1,757,030.05
The Contract Time Will be Increased	7 days

San Antonio Water System
PROJECT CONSTRUCTION PROGRAM

**MEMORANDUM**

DATE: August 19, 2008 **PROJECT NO:** 06-5511

TO: Collective Contracting, Inc. Attn: David Nelson, President

FROM: Robert L. Canterbury, P.E. Manager, Construction Contract Administration 

RE: 2006-2007 Street Maintenance Package II (Olive to Denver): Change Order No. 3 Response

The Construction Administration office, along with the SAWS engineering staff and design engineer, Ford Engineering, Inc., has reviewed Change Order Request 3, dated August 15, 2008, in reference to the above-mentioned project.

CHANGE IN SCOPE: The proposed change in scope of work is:**Additions:**

- 1,408 SY, Salvaging, hauling and stockpiling reclaimable asphalt (2" depth) @ \$10/SY
- 1,408 SY, HMA Type "D" (2" depth) @ \$20/SY
- Other incidentals as described on the attached proposal

Deletions:

- N/A

JUSTIFICATION STATEMENT: The justification for the proposed change in scope of work is:

- Due to the damage that was caused by the water main break in the project area on Olive Street; the restoration of the road was required as requested by the CoSA.

CHANGE IN COMPENSATION: The total proposed total change in schedule of compensation is: \$ 52,308.38**CONTRACT DAYS:** The proposed change in number of contract days is: Zero (0) days.

SAWS FINDINGS: Based on our review, be advised that we are in concurrence with your revised proposal, in the amount of \$52,308.38. Based on our analysis we will forward this memorandum along with the attached supporting documents to the design engineer and request that a change order / field alteration be prepared for your signature reflecting this agreement.

Because this change order / field alteration exceeds \$25,000.00, Board approval or Vice President Ratification is required before the commencement of the work can be authorized. Be advised that this memorandum is an authorization to proceed with the work prior to the full execution of a change order, as ratification has been granted, as of August 15, 2008.

Should you have any questions, please contact Johnathan Ratcliff at 233-3499.

Attachments

Cc: David Maxwell, P.E., Director, Pipeline Inspections
Ismael Rosales, P.E., SAWS Project Manager
Daryl Spillmann, P.E., SAWS Project Engineer
Ford Engineering, Inc. Attn: Lee Perry, P.E., Design Engineer
Frank Aniol, SAWS Area Inspector
Johnny Rodriguez, SAWS Inspector
File

L:\Construction Administration\Projects\06-5511 Street Maint Package II\Change Order 3 Response.doc

Collective Contracting, Inc.

August 15, 20078

Pricing for Change Order 3 SAWS

Johnathan Ratcliff
San Antonio Water Systems
2800 U.S. HWY 281 North
San Antonio, TX 78212

Dear Mr. Ratcliff

These are my prices you requested for the milling and overlay on the Street Maintenance package 2 project.

Mobilization	LS	1	\$4,287.45	\$ 4,287.45	
Insurance & Bond	LS	1	\$1,627.08	\$ 1,627.08	\$1,523.54
Preparing Right of way	LS	1	\$2,143.72	\$ 2,143.72	
Salvaging, Hauling, and Stockpiling Reclaimable Asphalt (2" Depth)	SY	1408	\$10.00	\$ 14,080.00	
HMAC Type "D" (2" Depth)	SY	1408	\$20.00	\$ 28,160.00	
Tack Coat	GAL	141	\$4.50	\$ 634.50	
Barricades, Signs, Traffic Handling	LS	1	\$4,930.56	\$ 4,930.56	\$1,479.17
TOTAL				\$ 55,863.31	\$52,308.38

If you have any questions on this matter, please call me on my cell (210) 336-1915.

Thank you, sincerely
David Nelson/President



CITY OF SAN ANTONIO
Request for Council Action

Agenda Item # 9
Council Meeting Date: 10/2/2008
RFCA Tracking No: R-3861

DEPARTMENT: Capital Improvements
Management Services

DEPARTMENT HEAD: Mike Frisbie

COUNCIL DISTRICT(S) IMPACTED:
Council District 2

SUBJECT:
2006-2007 Street Reconstruction, Package II - SAWS Change Order No. 3

SUMMARY:
An ordinance approving San Antonio Water System (SAWS) Change Order No. 3 (Utility Driven) in the amount of \$52,308.38 payable to Collective Contracting, Inc. in connection with the 2006-2007 Street Reconstruction Package II, an authorized Street Maintenance funded project located in Council District 2.

BACKGROUND INFORMATION:

Project Background

This project provides for the reconstruction of Birch Street from IH 10 to Westfall, S. Pine Street from IH 10 to Westfall, Center Street from Polaris to Gevers, and Olive Street from Denver to Iowa. The reconstruction includes new concrete curbs, sidewalks, wheelchair ramps, driveway approaches and necessary drainage improvements. Project construction began in May 2007 and was substantially completed in July 2008.

San Antonio Water System (SAWS) joined the City in the bidding of this project, which meant the project's contractor has managed the construction work for the City and SAWS. Prior to final inspection, a SAWS water line broke causing a need for repairs to the line and the street. SAWS did repair their damaged line, but this change order will allow for repairs to the street. As a joint bidder, SAWS is reimbursing the City for their costs. This change order will not increase the City's portion of the project as SAWS is reimbursing the City for this work. SAWS Change Order No. 3 is necessary to mill and overlay, curb to curb, Olive Street from Virginia to Indiana Street.

Previous Council Action

A previously executed contract with Collective Contracting, Inc. in the amount of \$1,757,030.04 was approved by City Council on February 15, 2007 through Ordinance No. 2007-02-15-0163; subsequent change orders have increased this contract amount by \$202,467.99 to a total contract amount of \$1,959,498.03. This change order will increase the total contract amount to \$2,011,806.41.

Utility driven change orders are usually the result of an unexpected conflict with a utility facility. The conflict could result in additional costs for emergency repair or to avoid and maneuver around the utility facility. Emergency utility repairs are usually the result of

lack of knowledge about the location of the utility facility.

ISSUE:

Approval of this ordinance will be a continuation of City Council policy to complete Street Maintenance funded projects. This ordinance authorizes SAWS Change Order No. 3 in the amount of \$52,308.38.

Construction for this project was completed, but before the final inspection could be scheduled a SAWS water line break occurred. This break damaged a block of Olive Street, from Virginia to Indiana Street. This change order will authorize the mill and overlay of that section of street all at SAWS' expense.

ALTERNATIVES:

An alternative to this change order would be to have SAWS bid out the work under their own contract. However, the current contractor has extensive familiarity with the field conditions. Re-advertisement and re-education of a new contractor would cause substantial delays. Approving the Change Order is the most efficient method to ensuring the project is not delayed further.

FISCAL IMPACT:

This is a one-time capital improvement expenditure. Funds in the amount of \$52,308.38 will be reimbursed by SAWS. Funds in the amount of \$52,308.38 are authorized to be made payable to Collective Contracting, Inc. for construction services.

RECOMMENDATION:

Staff recommends approval of this SAWS Change Order No. 3 in the amount of \$52,308.38 payable to Collective Contracting, Inc. in connection with the 2006-2007 Street Reconstruction Package II.

This construction contract was originally developed utilizing the formal competitive bid process; therefore, the Discretionary Contracts Disclosures Form is not required.

ATTACHMENT(S):

File Description	File Name
Project Map	Package II Project Map.pdf
Change Order	SMP2_Collective_SAWS-03.pdf
Voting Results	
Ordinance/Supplemental Documents	200810020874.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Majed A. Al-Ghafry	Director	Public Works
Debbie Sittre	Assistant Director	Capital Improvements Management Services

APPROVED FOR COUNCIL CONSIDERATION:

Penny Postoak Ferguson Assistant City Manager