

**City of Carson City
Agenda Report**

Date Submitted: June 24, 2011

Agenda Date Requested: July 7, 2011

Time Requested: Consent

Labor Commissioner PWP # CC-2010-100

To: Mayor and Supervisors

From: Purchasing and Contracts

Subject Title: For Possible Action: To accept the Work as completed, to accept the Contract Summary as presented, and to approve the Release of Final Payment in the amount of \$99,459.68 for Contract No. 0910-125 titled North-South Water Transmission Main Project-Phase I to El Camino Construction Company dba "Peek Construction". *(Kim Belt)*

Staff Summary: Project consisted of installing approximately 10,000-feet of new 24" PVC water line in the area of Butti Way, Fairview Drive, and Hells Bells Road in Carson City, Nevada. Project includes, but is not limited to, all trench excavation, new pipe and related appurtenances, trench backfill, pipe boring, asphalt and concrete replacement and all other common phases of construction customarily associated with this type of project.

Type of Action Requested: (check one)

Resolution Ordinance
 Formal Action/Motion Other (Specify)

Recommended Board Action: I move to accept the Work as completed, to accept the Contract Summary as presented, and to approve the Release of Final Payment in the amount of \$99,459.68 for Contract No. 0910-125 titled North-South Water Transmission Main Project-Phase I to El Camino Construction Company dba "Peek Construction". *(Kim Belt)*

Explanation for Recommended Board Action: This project is complete and the contractor is entitled to final payment. Please note the City has contracted outside legal counsel to oppose a cost overrun claim being asserted by Peek.

Applicable Statute, Code, Policy, Rule or Policy: Final payment approval by the Carson City Board of Supervisors is an internal requirement. NRS 338 requires that payment be made within 30 days from the completion of work or interest must be paid to the contractor.

Fiscal Impact: No additional impact.

Explanation of Impact: Funding was approved in a prior Board Action.

Engineers Estimate: \$2,300,000.00

Project Cost:

Bid Award	\$1,991,106.00
Change Orders	\$ 180,417.79 (net effect)
Total Project Cost	\$2,171,523.79



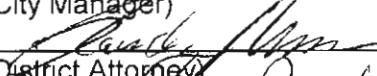
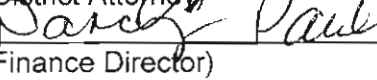
Funding Source: Funding was approved in a prior Board Action.

Prior Board Funding: Bid was awarded on January 25, 2010 in the amount of \$1,991,106.00 with a contingency amount of \$299,000.00 and on April 1, 2010, Board approved an amendment to the contingency in the amount of \$198,776.18.

Alternatives: Provide other direction pursuant to Board Action.

Supporting Material: Memo from Project Manager and Approved Change Orders.

Prepared By: Kim Belt, Purchasing and Contracts Manager

Reviewed By:  Date: 6-28-11
(Public Works)
 Date: 6/28/11
(City Manager)
 Date: 6/28/11
(District Attorney)
 Date: 6/28/11
(Finance Director)

Board Action Taken:

Motion: _____ 1) _____ Aye/Nay
2) _____

(Vote Recorded By)

MEMORANDUM

Date: 6/20/2011

To: Kim Belt, Purchasing and Contracts Manager

From: Darren L Schulz, PE
Deputy Public Works Director

Subject: North-South Water Transmission Main Project – Phase 1
Contract No. 0910-125 Project No. 4.0810
Completion of Contract Work

This is to advise you that all work required for the subject contract has been satisfactorily completed, with the exception of the 1 year maintenance period. Please prepare the necessary actions to release the retention for this contract. There were 8 Change Orders on this project as summarized below:

- C.O. #1 Add fiber optic conduit along entire length of project. This will allow for connectivity between all regional water facilities.
Cost for modification is = \$198,776.18
- C.O. #2 Through the value engineering process it was determined that native backfill could be used for a portion of the project which resulted in a credit to the City.
Cost for modification is = (\$9,895.60)
- C.O. #3 Add an additional connection to the existing water distribution system at Butti and Fairview to allow for a connection that could not be made at East Fifth Street due to ROW.
Cost for modification is = \$59,773.23
- C.O. #4 Due to multiple utility cuts on Fairview, from this project and others, it was determined that a portion of the asphalt needed to me ground out and overlaid with a more permanent solution.
Cost for modification is = \$57,943.62
- C.O. #5 Add 75 linear feet of 24” mainline pipe to the project. The quantities estimated in the bid were short this amount. This also included fiber optic.
Cost for modification is = \$26,165.12
- C.O. #6 Striping for the added roadway improvements accounted for in CO #4.
Cost for modification is = \$1,250.00
- C.O. #7 Deduction from contract for the following:

1. Deletion of Bell Restraints – deleted bell restraints on either side of the valves that were determined to be unnecessary. (valves were turned over to City)
Cost for modification is = (\$104,500.00)
2. Deletion of Permanent AC Patch – Deleted the requirement for a permanent trench along Butti Way due to reconstruction of Butte Way to occur during next phase.
Cost for modification is = (\$23,200.00)
3. Liquidated Damages – LD's for contract completion beyond September 8, 2010, substantial completion was achieved on January 8, 2011.
Cost for modification is = (\$30,250.00)

C.O. #8 Added a sampling hydrant and fiber optic modifications.
Cost for modification is = \$4,355.24

The net effect of the above Change Orders was an increase in the contract amount of \$180,417.79

The one year maintenance period for this project began on January 8, 2011, and will end on January 7, 2012.

Final Payment Summary

Contract No. 0910-125 EL CAMINO CONSTRUCTION dba PEEK CONSTRUCTION
Project Name: NORTH-SOUTH WATER TRANSMISSION MAIN PROJECT

Change Order Summary

Change Order No. 1	\$ 198,776.18	Change Order No. 11	\$ 0.00
Change Order No. 2	\$ (9,895.60)	Change Order No. 12	\$ 0.00
Change Order No. 3	\$ 59,773.23	Change Order No. 13	\$ 0.00
Change Order No. 4	\$ 57,943.62	Change Order No. 14	\$ 0.00
Change Order No. 5	\$ 26,165.12	Change Order No. 15	\$ 0.00
Change Order No. 6	\$ 1,250.00	Change Order No. 16	\$ 0.00
Change Order No. 7	\$ (157,950.00)	Change Order No. 17	\$ 0.00
Change Order No. 8	\$ 4,355.24	Change Order No. 18	\$ 0.00
Change Order No. 9	\$ 0.00	Change Order No. 19	\$ 0.00
Change Order No. 10	\$ 0.00	Change Order No. 20	\$ 0.00
Change Orders 1-10	\$ 180,417.79	Change Orders 11-20	\$ 0.00
Total Change Orders 1-20		\$ 180,417.79	

Payment Summary include what was actually paid to the contractor - not the retention

Payment No. 1	\$ 563,636.43	Payment No. 7	\$ 139,563.68
Payment No. 2	\$ 282,759.71	Payment No. 8	\$ 41,745.59
Payment No. 3	\$ 221,990.72	Payment No. 9	\$ 182,849.65
Payment No. 4	\$ 302,229.39	Payment No. 10	\$ 94,197.09
Payment No. 5	\$ 223,023.63	Payment No. 11	\$ 0.00
Payment No. 6	\$ 108,223.22	Payment No. 12	\$ 0.00
Total Payments 1-5	\$ 1,701,863.10	Total Payments 6-10	\$ 458,356.01
Total Payments 1-10		\$ 2,160,219.11	
Contract Award		\$ 1,991,106.00	
Approved Change Orders		\$ 180,417.79	
Adjusted Contract Sum		\$ 2,171,523.79	
Less Total Payments		\$ 2,160,219.11	
Balance Due		\$ 11,304.68	
Amount of the Under/Over of the Contract		\$ 88,155.00	
FINAL PAYMENT TO BE RELEASED		\$ 99,459.68	

**CARSON CITY CONTRACTS
CHANGE ORDER No. 1**

Contract No. 0910-125
Project Title: North-South Water Transmission Main Project-Phase 1 Project File No. 4.0810

The Contractor is hereby authorized to make the following changes to the Scope of Work for the referenced contract, subject to the provisions of the contract documents:

Item #1: This Change Order is initiated by the City to provide for installation of fiber optic conduit all as described in Attachment No. 1.

Justification: Contract documents allow the City to make adjustments to the contract.

Requested By: City

Item #1: Increases / Decreases / Does not change the Contract Sum by: \$198,776.18

Item #1: Increases / Decreases / Does not change the Contract Term by: -0- Calendar days

SUMMARY

1	Original Contract Sum	\$	1,991,106.00	
2	Net change by previously approved Change Orders	\$	-0-	
3	Contract Sum prior to this Change Order	\$	1,991,106.00	
4	Contract Sum will be (increased) (decreased) (unchanged) by this Change Order in the amount of	\$	198,776.18	
5	Revised Contract Sum including this Change Order	\$	2,189,882.18	
6	Original number of calendar days to complete the contract		180	Calendar days
7	Contract Term will be (increased) (decreased) (unchanged) by:		-0-	Calendar days
8	Revised number of days to complete the contract		180	Calendar days
9	Revised date of Completion by this Change Order		August 31, 2010	

Not valid until signed by Contracts, Contractor, and Project Manager.

CONTRACTS
City of Carson City
By: [Signature]
Printed Name: BOB L WHITE
Title: Management Staff
Date: 4-20-10

CONTRACTOR
By: [Signature]
Printed Name: DAVID E. WICKERMAN JR.
Title: Project Mgr.
Date: 20 APRIL 2010

PROJECT MANAGER
By: [Signature]
Printed Name: Kim Bell
Title: Capital Program Manager
Date: 4/20/10

**CARSON CITY CONTRACTS
CHANGE ORDER No. 2**

Contract No. 0910-125
Project Title: North-South Water Transmission Main Project-Phase I Project File No. 4.0810

The Contractor is hereby authorized to make the following changes to the Scope of Work for the referenced contract, subject to the provisions of the contract documents:

Item #1: This Change Order is initiated by the City to provide for Value Engineering for Backfill all as described in Attachment No. 1.

Justification: Contract documents allow the City to make adjustments to the contract.

Requested By: City

Item #1: ~~increases/~~ Decreases / ~~Does not change~~ the Contract Sum by:

\$9,895.60


Item #1: ~~increases/~~ Decreases / Does not change the Contract Term by:


-0- Calendar days

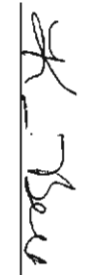
SUMMARY

1	Original Contract Sum	\$	1,991,106.00	
2	Net change by previously approved Change Orders	\$	198,776.18	
3	Contract Sum prior to this Change Order	\$	2,189,882.18	
4	Contract Sum will be (increased) (decreased) (unchanged) by this Change Order in the amount of	\$	-9,895.60	
5	Revised Contract Sum including this Change Order	\$	2,179,986.58	
6	Original number of calendar days to complete the contract		180	Calendar days
7	Contract Term will be (increased) (decreased) (unchanged) by:		-0-	Calendar days
8	Revised number of days to complete the contract		180	Calendar days
9	Revised date of Completion by this Change Order		August 31, 2010	

Not valid until signed by Contracts, Contractor, and Project Manager.

CONTRACTS
City of Carson City
By: 
Printed Name: James L. White
Title: Management Asst. III
Date: 7-23-10

CONTRACTOR
By: 
Printed Name: William E. Pfeiffer
Title: Division Manager
Date: 7-23-2010

PROJECT MANAGER
By: 
Printed Name: Kim Bell
Title: Capital Program Manager
Date: 7/23/10

hb

**CARSON CITY CONTRACTS
CHANGE ORDER No. 3**

Contract No. 0910-125
Project Title: North-South Transmission Main Phase I

Project File No. 4.0810

The Contractor is hereby authorized to make the following changes to the Scope of Work for the referenced contract, subject to the provisions of the contract documents:
This change order is initiated by the City to cover modifications made to (See attachment #1)

Justification: Contract documents allow the City to make adjustments to the contract.

Requested By: City

Item #: Increases Decreases Does not change the Contract Sum by: 59,773.23
Item #: Increases Decreases Does not change the Contract Term by: 13 Calendar days

SUMMARY

1	Original Contract Sum	\$1,991,106.00
2	Net change by previously approved Change Orders	\$188,880.58
3	Contract Sum prior to this Change Order	\$2,179,986.58
4	Contract Sum will be increased <input checked="" type="checkbox"/> decreased <input type="checkbox"/> unchanged <input type="checkbox"/> by:	\$59,773.23
5	Revised Contract Sum including this Change Order	\$2,120,213.35
6	Original number of calendar days to complete the contract	180
7	Contract Term will be increased <input checked="" type="checkbox"/> decreased <input type="checkbox"/> unchanged <input type="checkbox"/> by:	13
8	Revised number of days to complete the contract	193
9	Revised date of Completion by this Change Order	Sept. 13, 2010

Not valid until signed by Contracts, Contractor, and Project Manager.

This change authorization constitutes full and complete compensation for all labor, equipment, materials, overhead, profit, any and all indirect costs, and time adjustment to perform the above described change. All other costs are non-compensable.

CONTRACTOR

By: Ashley Whitte
City of Carson City
Printed Name: Ashley Whitte
Title: Management Staff III
Date: 10-27-10

By: Dave Selmi
Printed Name: Dave Selmi
Title: Supervisor
Date: 10/27/10

PROJECT MANAGER

By: Mark Johnson
Printed Name: MARK JOHNSON
Title: SR. PROJ MGR
Date: 10/15/10

hp

**CARSON CITY CONTRACTS
CHANGE ORDER NO. 4**

Contract No. 0910-125 Project File No. 4.0810
 Project Title: North-South Transmission Main Phase I

The Contractor is hereby authorized to make the following changes to the Scope of Work for the referenced contract, subject to the provisions of the contract documents:
 This change order is initiated by the City to cover modifications made to (See attachment #1)

Justification: Contract documents allow the City to make adjustments to the contract.

Requested By: City
 Item #1: Increases Decreases Does not change the Contract Sum by: 57,943.62
 Item #1: Increases Decreases Does not change the Contract Term by: 0 Calendar days

SUMMARY

1	Original Contract Sum	\$1,991,106.00
2	Net change by previously approved Change Orders	\$248,653.81
3	Contract Sum prior to this Change Order	\$2,120,213.35
4	Contract Sum will be increased <input checked="" type="checkbox"/> decreased <input type="checkbox"/> unchanged <input type="checkbox"/> by:	\$57,943.62
5	Revised Contract Sum including this Change Order	\$2,178,156.97
6	Original number of calendar days to complete the contract	180
7	Contract Term will be increased <input checked="" type="checkbox"/> decreased <input type="checkbox"/> unchanged <input type="checkbox"/> by:	13
8	Revised number of days to complete the contract	193
9	Revised date of Completion by this Change Order	Sept. 13, 2010

Not valid until signed by Contracts, Contractor, and Project Manager.

This change authorization constitutes full and complete compensation for all labor, equipment, materials, overhead, profit, any and all indirect costs, and time adjustment to perform the above described change. All other costs are non-compensable.

CONTRACTS

By: [Signature]
 City of Carson City
 Printed Name: Robert L White
 Title: Management Asst III
 Date: 12-21-10

CONTRACTOR

By: [Signature]
 Printed Name: Danny Selmi
 Title: Superintendent
 Date: 12/21/10

PROJECT MANAGER

By: [Signature]
 Printed Name: Doreen L Setzer
 Title: Dir. Public Works Director
 Date: 12/22/10

[Handwritten mark]

CARSON CITY CONTRACTS CHANGE ORDER No. 5

Contract No. 0910-125
Project Title: North-South Water Transmission Main Project-Phase I Project File No. 4.0810

The Contractor is hereby authorized to make the following changes to the Scope of Work for the referenced contract, subject to the provisions of the contract documents:

Item # 1: This Change Order is initiated by the City to provide for installation of fiber optic conduit and install additional pipe all as described in Attachment No. 1.

Justification: Contract documents allow the City to make adjustments to the contract.

Requested By: City

Item # 1: Increases / Decreases / Does not change the Contract Sum by:

\$26,165.12

Item # 1: Increases / Decreases / Does not change the Contract Term by:

-0- Calendar days

SUMMARY

1	Original Contract Sum	\$	1,991,106.00
2	Net change by previously approved Change Orders	\$	256,597.43
3	Contract Sum prior to this Change Order	\$	2,178,156.97
4	Contract Sum will be (increased) (decreased) (unchanged) by this Change Order in the amount of	\$	26,165.12
5	Revised Contract Sum including this Change Order	\$	2,204,322.09
6	Original number of calendar days to complete the contract	180	Calendar days
7	Contract Term will be (increased) (decreased) (unchanged) by:	13	Calendar days
8	Revised number of days to complete the contract	193	Calendar days
9	Revised date of Completion by this Change Order	September 13	
10	2010		

Not valid until signed by Contracts, Contractor, and Project Manager.

This change authorization constitutes full and complete compensation for all labor, equipment, materials, overhead, profit, any and all indirect costs, and time adjustment to perform the above described change. All other costs are non-compensable.

CONTRACTS
City of Carson City

By: 

CONTRACTOR

By: 

PROJECT MANAGER

By: 

Printed Name:

Robert L. White

Printed Name:

Darryl Selma

Printed Name:

Kim Belt
Capital Program Manager

Title:

Management Assistant III

Title:

1/19/11

Title:

1/19/11

Date:

1-19-11

Date:

1/19/11

Date:

1/19/11

**CARSON CITY CONTRACTS
CHANGE ORDER No. 6**

Contract No. 0910-125
Project Title: North-South Water Transmission Main Project-Phase I Project File No. 4.0810

The Contractor is hereby authorized to make the following changes to the Scope of Work for the referenced contract, subject to the provisions of the contract documents:

Item #1: This Change Order is initiated by the City to provide for installation of pavement markings all as described in Attachment No. 1.

Justification: Contract documents allow the City to make adjustments to the contract.

Requested By: City

Item #1: ~~Increases / Decreases / Does not change~~ the Contract Sum by:

\$1,250.00

Item #1: ~~Increases / Decreases / Does not change~~ the Contract Term by:

-0- Calendar days

SUMMARY

1	Original Contract Sum	\$	1,991,106.00
2	Net change by previously approved Change Orders	\$	332,762.55
3	Contract Sum prior to this Change Order	\$	2,323,868.55
4	Contract Sum will be (increased) (decreased) (unchanged) by this Change Order in the amount of	\$	1,250.00
5	Revised Contract Sum including this Change Order	\$	2,325,118.55
6	Original number of calendar days to complete the contract		180 Calendar days
7	Contract Term will be (increased) (decreased) (unchanged) by:		13 Calendar days
8	Revised number of days to complete the contract		193 Calendar days
9	Revised date of Completion by this Change Order		September 13, 2010

Not valid until signed by Contracts, Contractor, and Project Manager.

This change authorization constitutes full and complete compensation for all labor, equipment, materials, overhead, profit, any and all indirect costs, and time adjustment to perform the above described change. All other costs are non-compensable.

CONTRACTS

City of Carson City

By: 

Printed Name: Peter Dilkwitz

Title: Management Director III

Date: 1/28/11

CONTRACTOR

By: _____

Printed Name: _____

Title: _____

Date: _____

PROJECT MANAGER

By: 

Printed Name: Darren Schurz

Title: Deputy Public Works Director

Date: 1/28/11



CARSON CITY CONTRACTS CHANGE ORDER No. 7

Contract No. 0910-125
Project Title: North-South Water Transmission Main Project-Phase I Project File No. 4.0810

The Contractor is hereby authorized to make the following changes to the Scope of Work for the referenced contract, subject to the provisions of the contract documents:

Item #1: This Change Order is initiated by the City to provide for deletion of items and liquidated damages all as described in Attachment No. 1.

Justification: Contract documents allow the City to make adjustments to the contract.

Requested By: City

Item #1: ~~Increases~~ / Decreases / Does-not-change the Contract Sum by:

-\$157,950.00

Item #1: ~~Increases~~ / Decreases / Does not change the Contract Term by:

-0- Calendar days

SUMMARY

1	Original Contract Sum	\$ 1,991,106.00	
2	Net change by previously approved Change Orders	\$ 334,012.55	
3	Contract Sum prior to this Change Order	\$ 2,325,118.55	
4	Contract Sum will be (increased) (decreased) (unchanged) by this Change Order in the amount of	\$ -157,950.00	
5	Revised Contract Sum including this Change Order	\$ 2,167,168.55	
6	Original number of calendar days to complete the contract	180	Calendar days
7	Contract Term will be (increased) (decreased) (unchanged) by:	13	Calendar days
8	Revised number of days to complete the contract	193	Calendar days
9	Revised date of Completion by this Change Order	September 13, 2010	

Not valid until signed by Contracts, Contractor, and Project Manager.

This change authorization constitutes full and complete compensation for all labor, equipment, materials, overhead, profit, any and all indirect costs, and time adjustment to perform the above described change. All other costs are non-compensable.

CONTRACTS

City of Carson City

By: 

Printed Name:

Title: Management Assistant

Date: 5/27/11

PROJECT MANAGER

By: 

Printed Name:

Title: Deputy Public Works Director

Date: 5/27/11

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CARSON CITY CONTRACTS CHANGE ORDER No. 8

Contract No. 0910-125
Project Title: North-South Water Transmission Main Project-Phase I Project File No. 4.0810

The Contractor is hereby authorized to make the following changes to the Scope of Work for the referenced contract, subject to the provisions of the contract documents:

Item #1: This Change Order is initiated by the City to provide for installation of the sampling hydrant and fiber optics conduit.

Justification: Contract documents allow the City to make adjustments to the contract.

Requested By: City

Item #1: Increases /Decreases /Does not change the Contract Sum by: \$4,355.24

Item #1: Increases /Decreases /Does not change the Contract Term by: -0- Calendar days

SUMMARY

1	Original Contract Sum	\$	1,991,106.00
2	Net change by previously approved Change Orders	\$	176,062.55
3	Contract Sum prior to this Change Order	\$	2,167,168.55
4	Contract Sum will be (increased) (decreased) (unchanged) by this Change Order in the amount of	\$	4,355.24
5	Revised Contract Sum including this Change Order	\$	2,171,523.79
6	Original number of calendar days to complete the contract		180 Calendar days
7	Contract Term will be (increased) (decreased) (unchanged) by:		13 Calendar days
8	Revised number of days to complete the contract		193 Calendar days
9	Revised date of Completion by this Change Order		September 13, 2010

Not valid until signed by Contracts, Contractor, and Project Manager.

This change authorization constitutes full and complete compensation for all labor, equipment, materials, overhead, profit, any and all indirect costs, and time adjustment to perform the above described change. All other costs are non-compensable.

CONTRACTS

City of Carson City

By: *Karen L White*

Printed Name:

Management Asst III

Title:

Date: 5-27-11

CONTRACTOR

By: *Darren Schultz*

Printed Name:

Darren Schultz

Title:

Date: 5/27/11

PROJECT MANAGER

By: *Darren Schultz*

Printed Name:

Darren Schultz

Title:

Date: 5/27/11

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