



## REPORT TO CITY COUNCIL

**To:** Honorable Mayor and Members of the City Council

**From:** Jason Simpson, City Manager

**Prepared by:** Remon Habib, City Engineer

**Date:** October 24, 2023

**Subject:** Final Contract Change Order to the Public Works Construction Agreement with Aneen Construction Inc., for the Downtown SB-821 Curb, Gutter and Sidewalk and Sumner Avenue Signing and Striping - CIP Project Z10081

### **Recommendation**

Authorize the City Manager to execute the Final Contract Change Order to the Public Works Construction Agreement with Aneen Construction Inc., for \$170,967.76, for Change Order No. 1 Kellogg Improvements and Change Order No. 2 Graham and Heald Improvements along with contract overages for the Downtown SB-821 Curb, Gutter and Sidewalk and Sumner Avenue Signing and Striping Project, in final form as approved by the City Attorney.

### **Background**

On June 13<sup>th</sup>, 2023, City Council approved an Agreement for Public Works Construction with Aneen Construction Inc., to complete improvements associated with the Downtown SB-821 Curb, Gutter and Sidewalk and Sumner Avenue Signing and Striping Project for \$816,968.25 plus a 10% contingency of \$81,696.82 resulting in a total of \$898,665.07. This project commenced on August 2022 and is scheduled to be completed by November 2023.

### **Discussion**

During construction there were various modifications made to the approved plans due to existing field conditions. These modifications are attributed to existing elevation differences and include additional retaining curbs and unforeseen significant grading which was not identified on the plans. There were driveway reconstructions which required to be modified from approved plans due to the elevation difference from the street to existing homes. Additionally, the quantities of various construction items were underestimated, for example curb & gutter and tree removals. These items totaled \$ 140,300.48. After \$81,696.82 contingency is applied, amount over contract is \$58,664.48.

In addition, staff added to the contractor's scope the reconstruction of 1000 SF of sidewalk along Graham Ave near Kellogg Street and 1010 SF of sidewalk along Kellogg plus an additional 175 LF of curb and gutter. The reconstruction work addresses ADA compliance issues and deteriorated conditions at that location which has been the subject of recent residents complains.

After completing all revisions and additional improvements, the project cost exceeded the previously approved contract amount. Staff is requesting an additional \$170,967.76, which consists of \$58,664.48 in adjusted quantities and field revisions and \$112,303.28 in change orders for additional improvements

**Fiscal Impact**

The fiscal impact is an additional \$170,967.76. The project has been programmed in the City's CIP budget.

**Attachments**

Attachment 1- Final Contract Change Order

Exhibit A - Contract Change Order Proposal

Attachment 2 - Original Agreement