



**Change order
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 13
AGENDA DATE: Thu 04/01/2004
PAGE: 1 of 3**

SUBJECT: Authorize execution of change order # 4 to the construction contract with SPAWGLASS, INC., Austin, TX, for additional costs resulting from the unexpected explosion on November 3, 2003, during construction of the North Service Center, in the amount of \$300,000, for a total contract amount not to exceed \$15,038,723.55.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$300,000 is included in the Fiscal Year 2002-2003 Capital Budget of the Austin Water Utility.

FISCAL NOTE: A fiscal note is attached.

REQUESTING Public Works
DEPARTMENT:

**DIRECTOR'S
AUTHORIZATION:** Sondra Creighton

FOR MORE INFORMATION CONTACT: Alison von Stein, 974-7217; Angela Baez, 972-0221; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: 05/15/03 - Original Construction Contract Award. 11/20/03 - Change order #2. 12/11/03 Change Order #3.

BOARD AND COMMISSION ACTION: N/A

PURCHASING: N/A

MBE / WBE: 17.57% MBE and 23.40% WBE subcontractor participation to date.

The North Service Center, located at 10414 McKalla Place, is a joint use project for the Austin Water Utility Department, the Public Works Department, the Transportation Planning and Sustainability Department, and the Financial and Administrative Services Department (Fleet Services Division). It will provide facilities for:

- Austin Water Utility's North Line Maintenance, Central Stores and Meter Shop
- A facility for Street and Bridge operations currently based at Harold Court and Kramer Lane facilities
- A facility for the traffic lane markings section of the Transportation Planning and Sustainability Department which is currently housed at Harold Court
- A 16-bay vehicle service facility to replace the Fleet Services' current facility at Kramer Lane

An explosion occurred at the site of the North Service Center construction project on November 3, 2003 during excavation for a storm sewer line. The explosion was of such a magnitude that all construction work at the site was ceased immediately, pending a determination of the cause of the explosion, an assessment of whether it could happen again, and development of a strategy to ensure that construction could continue without risk to construction workers and the general public. Shaw Environmental will soon complete a Risk Assessment Report that will provide options to remediate the site to ensure that the contractor can safely complete his work and that the site is safe for the future City employees who will work there.



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The total claim has not been settled at this time. Staff anticipates returning to Council with a final settlement amount when the contractors work start up date is determined. This RCA is being processed at this time to expedite payment to the contractor for partial costs.

The contractors and subcontractors have incurred costs associated with the period from the date of the explosion (11/3/03) and the date the City suspended the contract (12/17/03), and for delivery and storage of materials on hand. These costs, which the requested not-to-exceed amount is intended to cover, include such items as:

- Personnel and office costs for contractor to maintain a limited site presence
- Rental cost for heavy site work equipment until arrangements could be made to move the equipment off-site
- Trailer rental cost for the construction job shack and storage of materials
- Erosion/sedimentation controls for Nov. 2003 -Jan. 2004
- Costs incurred for delivery and storage of metal building components
- Cost incurred for storage of the HVAC equipment

DATE	CO#	DESCRIPTION	AMOUNT	CO%
05/15/03		Award of Original Contract	\$14,377,000.00	
Admin.	1	Change Order #1	\$43,449.13	0.30%
11/20/03	2	Partnering facilitator, replace fence, elect. permit cost, additional excavation at building pads & fill, increase in sleeve diameter for water re-use pipe	\$73,307.89	0.51%
12/11/03	3	Additional costs resulting from 11/3/03 explosion (\$200,000 Council authority & \$44,966.53 admin. authority)	\$244,966.53	1.70%
Proposed	4	Additional costs resulting from 11/3/03 explosion	<u>\$300,000.00</u>	<u>2.09%</u>
TOTAL			\$15,038,723.55	4.60%

Subcontractor participation stated in the original contract was 3.69% African American, 13.22% Hispanic, 0.00% Native/Asian American and 23.44% WBE. Total participation for this change order:



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<u>NON M/WBE TOTAL – PRIME</u>	<u>17.05%</u>
SpawGlass Contractors, Inc., Austin, TX	17.05%

<u>WBE TOTAL – SUBCONTRACTORS</u>	<u>31.89%</u>
KST Electric, Ltd., Manor, TX (electrical)	1.73%
Cadit Company, Inc., Trophy Club, TX (metal buildings)	30.16%

<u>NON M/WBE TOTAL – SUBCONTRACTORS</u>	<u>51.06%</u>
Young & Pratt, Austin, TX (HVAC)	2.04%
A&B Construction, Austin, TX (site utilities)	49.02%

Overall subcontractor participation, including this change order: 3.53% African American, 13.98% Hispanic, 0.00% Native/Asian American, 23.40% WBE and 59.06% Non M/WBE.

CIP FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

4/1/2004
Resolution
Austin Water Utility

DESCRIPTION:

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FINANCIAL INFORMATION:

Parent Project Name:	1998 Wastewater Imps. Prop. 9
Project Authorization:	2002-03 Amended Capital Budget
Funding Source:	1998 Revenue Bonds
Number:	4530 237 2020

Current Appropriation	\$ 66,802,000.00
Unencumbered Balance	29,287,730.14 *
Amount of This Action	<u>(150,000.00)</u>
Remaining Balance	<u>\$ 29,137,730.14</u>
Current Available Balance	\$ 29,947,254.14
Less Outstanding Commitments	<u>(659,524.00)</u>
Estimated Unencumbered Balance	<u>\$ 29,287,730.14 *</u>

Utility Finance:



David Anders, Utilities Finance Manager

Date:

3/24/04

REF. # 4530 237 8957

CIP FISCAL NOTE

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4/1/2004
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FINANCIAL INFORMATION:

Parent Project Name:	1998 Water Improvements Prop. 8
Project Authorization:	2002-03 Amended Capital Budget
Funding Source:	1998 Revenue Bonds
Number:	4200 227 1024

Current Appropriation	\$ 64,179,000.00
Unencumbered Balance	26,729,003.31 *
Amount of This Action	<u>(150,000.00)</u>
Remaining Balance	<u>\$ 26,579,003.31</u>
 Current Available Balance	 \$ 27,079,003.31
Less Outstanding Commitments	<u>(350,000.00)</u>
Estimated Unencumbered Balance	<u>\$ 26,729,003.31 *</u>

Utility Finance: _____

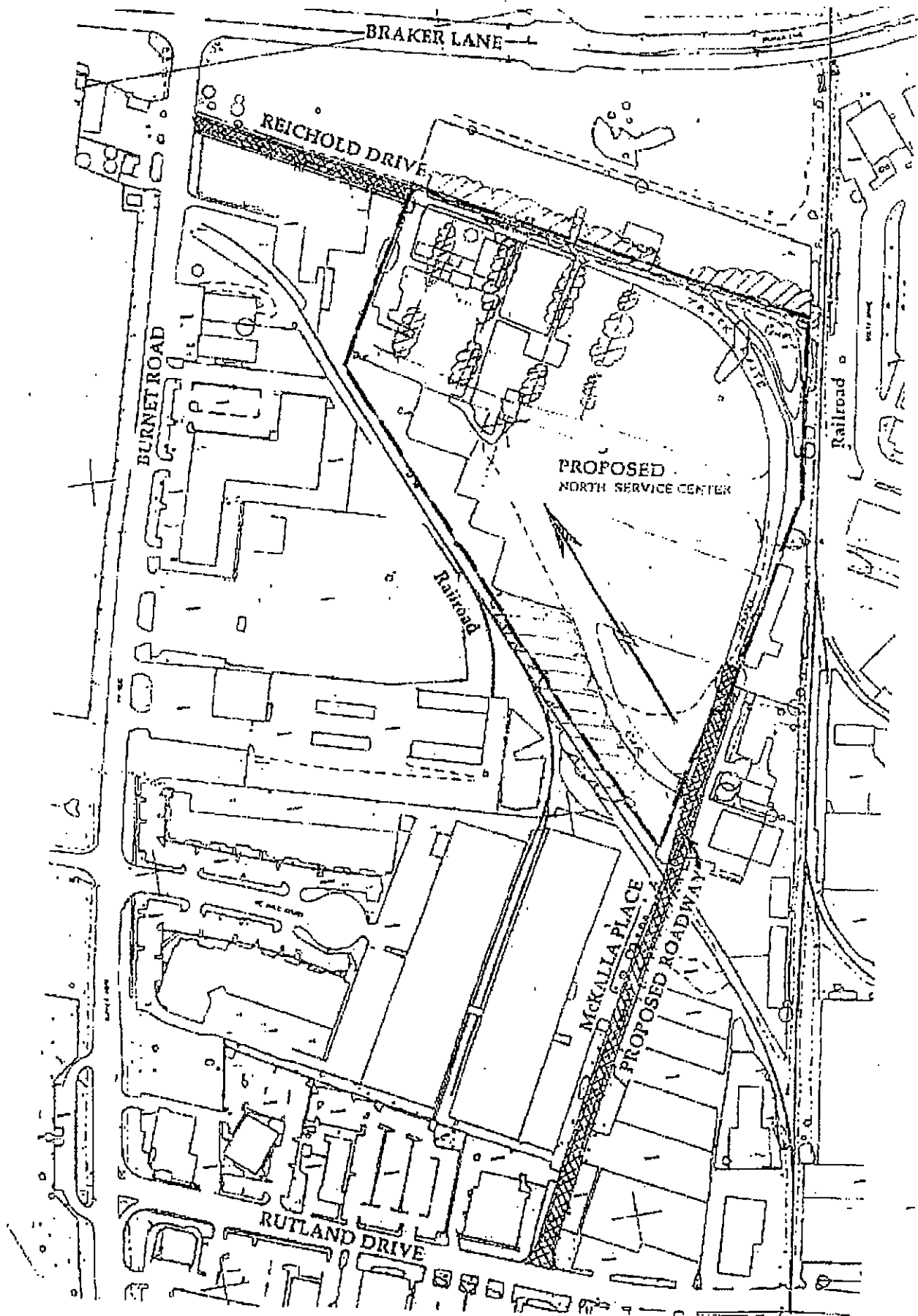


David Anders, Utilities Finance Manager

Date: _____

3/24/04

REF. # 4200 227 7957



LOCATION MAP