



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

**AGENDA ITEM NO.: 12  
AGENDA DATE: Thu 02/09/2006  
PAGE: 1 of 3**

**SUBJECT:** Authorize execution of change order # 5 to the construction contract with BRH GARVER CONSTRUCTION, L.P., Houston, TX, for the Austin Clean Water Program: Upper Tannehill Lower Fort Branch Manor Hills Project in the amount of \$134,000, for a total contract amount not to exceed \$1,545,281.91.

**AMOUNT & SOURCE OF FUNDING:** Funding in the amount of \$134,000 is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility.

**FISCAL NOTE:** A fiscal note is attached.

**REQUESTING** Public Works  
**DEPARTMENT:**for Austin Water Utility;

**DIRECTOR'S  
AUTHORIZATION:** Sondra Creighton

**FOR MORE INFORMATION CONTACT:** Karen Poff, P.E., 479-1630; Anne Scharlach, P.E., 703-6637; Stan Evans, P.E., 479-1636; Laura Bohl, 974-7064

**PRIOR COUNCIL ACTION:** Original construction contract approved by Council on May 13, 2004.

**BOARD AND COMMISSION ACTION:** Recommended by the Water and Wastewater Commission.

**PURCHASING:** N/A

**MBE / WBE:** 22.48% MBE and 8.52% WBE subcontractor participation to date.

---

This construction contract provided for the installation of new wastewater pipelines located between East 51<sup>st</sup> Street and Manor Road. The improvements will replace aging and deteriorated facilities and eliminate wastewater overflows that have occurred in this area. It is part of the Austin Water Utility's Austin Clean Water Program (ACWP), which was developed to respond to the requirements of the Environmental Protection Agency's Administrative Order regarding Sanitary Sewer Overflows.

The project consists of the replacement and upsizing of approximately 1700 linear feet of existing 15-inch wastewater line with 21-inch wastewater line east of East 51<sup>st</sup> Street and Overbrook Drive, along Fort Branch Channel through the Manor Hills Subdivision to Upper Tannehill Creek. The project is currently in the final completion phase.

This change order will cover unforeseen costs associated with the installation of the wastewater line and two manholes near the 51<sup>st</sup> Street Bridge. Although this work was included in the original contract documents, the field conditions would not permit the installation of the manhole in 51<sup>st</sup> Street due to the presence of an existing storm sewer line and inlet box, the 51<sup>st</sup> Street bridge abutment, and overhead electric utilities. The contractor was directed to remove the existing storm sewer inlet and pipe to install the manhole. In addition, an existing waterline located in this area resulted in changes to the alignment of the wastewater line and the addition of a new manhole.



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

**AGENDA ITEM NO.: 12  
AGENDA DATE: Thu 02/09/2006  
PAGE: 2 of 3**

**AUTHORIZATION HISTORY**

<u>AMOUNT</u>	<u>DATE – DESCRIPTION</u>
\$1,241,402.50	05/13/04 Original Contract for Austin Clean Water Program: Upper Tannehill Lower Fort Branch Manor Hills
\$124,140.25	05/13/04 (10% Contingency Approved by Council) - Change Orders #1-4
\$45,739.16	09/16/05 (Administrative Authority) - Balance of Change Order # 4
\$134,000.00	Proposed (Council)- Change Order # 5
<hr/>	
<b>\$1,545,281.91</b>	<b>Total Contract Authorization</b>

**CONTRACT HISTORY**

<u>AMOUNT</u>	<u>DATE – DESCRIPTION (CO% / CUMULATIVE CO%)</u>
\$1,241,402.50	05/13/04 Original Contract for Austin Clean Water Program: Upper Tannehill Lower Fort Branch Manor Hills
\$2,317.71	02/04/05 – CO #1 – Removal of trees to construct wastewater line (0.19%/0.19% Total)
\$47,700.00	05/16/05 – CO #2 – Additional Wastewater line work including the installation of a wastewater line by-pass (3.84%/4.03% Total)
\$37,219.00	07/14/05 – CO #3 – Additional Wastewater line work (3.00%/7.03% Total)
\$82,642.70	09/29/05 – CO #4 – Additional Wastewater line work (6.66%/13.68% Total)
\$134,000.00	Proposed – CO #5 - Additional Wastewater line work (10.8% / 24.4 Total)
<hr/>	
<b>\$1,545,281.91</b>	<b>Total Contract Expenditures</b>
<b>24.4%</b>	<b>Cumulative Change Orders</b>



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

**AGENDA ITEM NO.: 12  
AGENDA DATE: Thu 02/09/2006  
PAGE: 3 of 3**

Participation goals stated in the original approved compliance plan were 3.38% African American (MB); 12.61% Hispanic (MH); 1.77% Native American (MN)/Asian American (MA); and 6.72% WBE. Overall participation for the entire project, including this change order:

<b>NON M/WBE TOTAL – PRIME</b>	<b>\$111,098.20</b>	<b>82.91%</b>
BRH Garver Construction, L.P. Houston, TX	\$111,098.20	82.91%
<b><u>MBE TOTAL – SUBCONTRACTORS</u></b>	<b><u>\$8,584.45</u></b>	<b><u>6.41%</u></b>
<b><u>Hispanic Subtotal</u></b>	<b><u>\$8,584.45</u></b>	<b><u>6.41%</u></b>
Cortes Distributing Inc., San Antonio, TX (Sewer Materials Supplies and Appurtances incl. Manholes)	\$8,584.45	6.41%
<b>WBE TOTAL – SUBCONTRACTORS</b>	<b>\$14,317.35</b>	<b>10.68%</b>
Ricochet Fuel Distributors, Euless, TX (Fuel)	\$2,400.00	1.79%
N-Line, Austin, TX (Traffic Controls)	\$11,917.35	8.89%

Overall participation for the entire project, including this change order:

3.47% African American; 10.68% Hispanic; 8.33% Native/Asian American; 8.52% WBE and 5.08% Non M/WBE subcontractors.

**CIP  
FISCAL NOTE**

**DATE OF COUNCIL CONSIDERATION:**  
**WHERE ON AGENDA:**  
**DEPARTMENT:**

2/8/2008  
Resolution  
Austin Water Utility

**DESCRIPTION:**

Authorize execution of change order # 5 to the construction contract with BRH GARVER CONSTRUCTION, L.P., Houston, TX, for the Austin Clean Water Program: Upper Tannehill Lower Fort Branch Manor Hills Project in the amount of \$134,000, for a total contract amount not to exceed \$1,545,281.91.

**FINANCIAL INFORMATION:**

Parent Project Name:	Wastewater Unfunded Future
Project Authorization:	2005-08 Approved Capital Budget
Funding Source:	Commercial Paper
Number:	4570 237 2017

Current Appropriation	\$ 575,217,293.00
Unencumbered Balance	186,705,248.52 *
Amount of This Action	<u>(134,000.00)</u>
Remaining Balance	<u>\$ 186,571,248.52</u>
Current Available Balance	\$ 208,072,234.70
Less Outstanding Commitments	<u>(19,356,986.18)</u>
Estimated Unencumbered Balance	<u>\$ 186,705,248.52 *</u>

Utility Finance:



David Anders, Utilities Finance Manager

Date:

1/20/08

REF. # 4570 237 8755

No. 020106-C

**AUTHORIZE EXECUTION OF CHANGE ORDER # 5 TO THE CONSTRUCTION  
CONTRACT WITH BRH GARVER CONSTRUCTION, L.P., HOUSTON, TX, FOR  
THE AUSTIN CLEAN WATER PROGRAM**

**February 1, 2006  
REGULAR MEETING**

**VOTE:  
8-0-1-0**

**Motion made by:** Chairman Warner  
**Commissioners Consenting:** Lee, Coleman, Friese, Scott-Ryan, Raum, Pool, Chan  
**Commissioners Dissenting:**  
**Commissioners Abstaining:** Gonzalez, Jr.  
**Commissioners Absent:**

Authorize execution of change order # 5 to the construction contract with BRH GARVER CONSTRUCTION, L.P., Houston, TX, for the Austin Clean Water Program: Upper Tannehill Lower Fort Branch Manor Hills Project in the amount of \$134,000, for a total contract amount not to exceed \$1,545,281.91.



Michael Warner, Chairperson  
Water and Wastewater Commission

2/1/06  
Date