



**RCA
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA ITEM NO.: 22
AGENDA DATE: Thu 01/13/2005
PAGE: 1 of 2

SUBJECT: Approve ratification of execution of change order #5 to the construction contract with SALAS CONSTRUCTORS, INC. (MBE - 74.74%), Buda, TX, for the Austin Clean Water Program South Congress Avenue Wastewater Project in the amount of \$143,033.23, for a total contract amount not to exceed \$876,365.23.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$143,033.23 is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.

FISCAL NOTE: A fiscal note is attached.

REQUESTING Public Works **DIRECTOR'S**
DEPARTMENT:for Austin Water Utility; **AUTHORIZATION:** Sondra Creighton

FOR MORE INFORMATION CONTACT: Lino Rivera, 974-7172; John Dipollino, 479-1631; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: The construction contract award for \$733,332 was approved on 1/29/04.

BOARD AND COMMISSION ACTION: N/A

PURCHASING: N/A

MBE / WBE: 12.06% MBE and 13.2% WBE subcontractor participation to date.

This project includes the installation of approximately 3,500 linear feet of 8-inch sanitary sewer including all the ancillary construction along South Congress Avenue, from south of Ben White Boulevard to just north of Williamson Creek. The project originally included the excavation and disposal of Class I and Class II contaminated soils at a regulated landfill. Actual site conditions resulted in an increase of Class I quantities and the elimination of all Class II quantities from the contract. This project 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 contract identifies construction duration of 120 calendar days. The project is approximately 95% complete.

This change order provides for additional costs associated with utility conflicts that were not identified in the original design. Because a mutually agreeable amount could not be negotiated with the Contractor and in order to maintain progress on the project and minimize continued traffic impacts to the traveling public, this work was performed under a Change Directive. The dollar amount listed below reflects agreed amounts on Change Directive work based on records of actual labor, material and equipment. Although the cost escalation for this project has reached the 125% maximum allowed by statute, the work was continued and compensation for the balance of the work will be paid upon resolution of pending claims. A future request for Council authorization will address payment of those claims.



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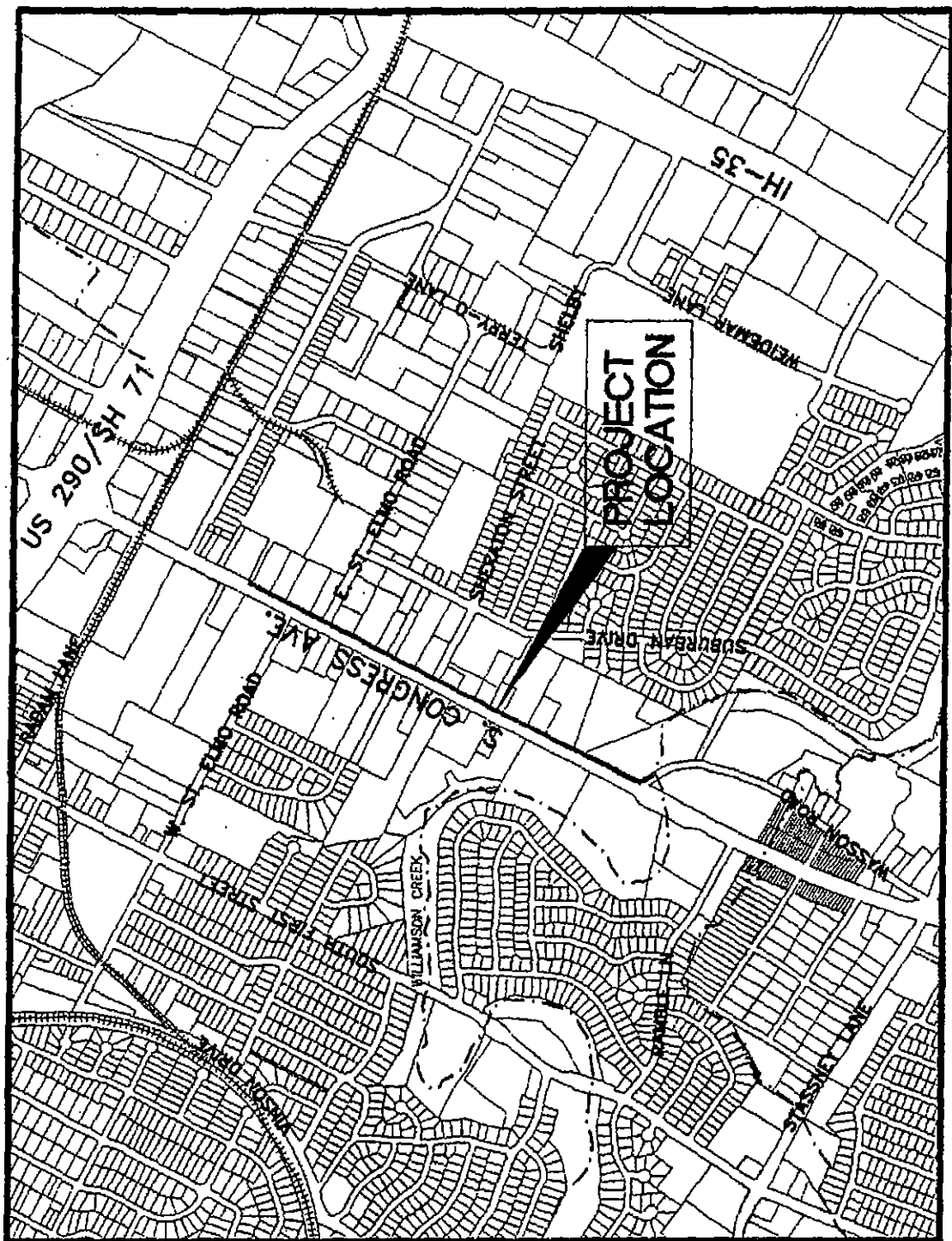
<u>DATE</u>	<u>CO#</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CO%</u>	<u>TOTAL %</u>
1/29/04		Original Contract	\$666,666.00		
Contingency	1	Additional excavation to lower wastewater line and manhole to avoid utility conflict.	\$ 6,636.13	0.99%	0.99%
Contingency	2	Excavation to locate previously unknown utility; additional business access signs & pavement markings; and lowered wastewater line.	\$ 32,625.72	4.89%	5.89%
Contingency	3	Installation of temporary parking area; additional tree protection; and additional pavement markings.	\$16,398.50	2.46%	8.35%
Contingency	4	Addition of one new manhole.	\$6,600.00	0.99%	9.34%
Contingency	5	New wastewater service; Deletion of Type C Asphalt and one Drop Manhole and addition of one Standard Manhole; Additional exploratory excavation; Additional traffic control/barricades; Additional trench safety cost; Telephone duct bank repair due to third party mislocation; Wastewater line construction on a cost-plus basis;	\$4,405.65	0.6%	10.00%
Proposed	5	Wastewater line construction on a cost- plus basis.	\$99,333.23	14.9%	124.9%
Proposed	5	New Health & Safety item exempt from the 125% statutory project ceiling; Additional Class I contaminated soil quantities and deletion of all Class II quantities.	\$43,700.00	Not Applicable	

TOTAL: \$876,365.23

Prime and Subcontractor participation stated in the original approved compliance plan was 4.53% African American (FB); 86.56% Hispanic (MH); 1.55% Native (MN)/Asian American (MA); and 7.36% WBE.

Subcontractor participation for work addressed herein is indeterminate pending resolution of claims between prime and subcontractors.

Overall subcontractor participation, prior to this change order is 4.19% African American (FB); 4.35% Hispanic (MH); 0.53% Native (MN)/Asian American (MA); 2.99% WBE and 13.2% Non M/WBE.



LOCATION MAP