

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: July 30, 2024

PUBLIC HEARING DATE: Not Applicable

CONTACT PERSON(S) NAME AND PHONE NUMBER:

Yvette Hernandez, City Engineer, (915)212-1860
Katherine N. Cote, Managing Director of Purchasing & Strategic Sourcing,
(915)212-1092

DISTRICT(S) AFFECTED: 8

STRATEGIC GOAL: No. 8 – Nurture and Promote a Healthy, Sustainable Community

SUBGOAL: No. 8.3 – Enhance animal services to ensure El Paso's pets are provided a safe and healthy environment.

SUBJECT:

Discussion and action on the award of Task Order 14V-1 for solicitation 2021-0811, Animal Services Kennels and HVAC Improvements to Veliz Company, LLC for a total estimated award of \$7,280,403.51

BACKGROUND / DISCUSSION:

On July 20, 2021 Council approved the award of Solicitation 2021-0811 Job Order Contracting and Facilities Construction to Alpha Building Corporation and Veliz Company, LLC dba Veliz Construction. Work under these contracts is performed via task orders with task orders exceeding **FIVE HUNDRED THOUSAND DOLLARS** (\$500,000) requiring Council approval. The task order for the Animal Services Kennels and HVAC Improvements exceeds \$500,000 and therefore requires Council approval.

SELECTION SUMMARY:

N/A

CONTRACT VARIANCE:

N/A

PROTEST

N/A

PRIOR COUNCIL ACTION:

July 20, 2021 approve the award of Solicitation 2021-0811 Job Order Contracting and Facilities Construction to Alpha Building Corporation and Veliz Company, LLC dba Veliz Construction. Each contract has an initial term of two (2) years and three (3) one (1) year options. The length of each contract including the initial term plus options is five (5) years for an estimated total aggregate of \$20,000,000.00.

AMOUNT AND SOURCE OF FUNDING:

Amount: \$7,280,403.51

Funding Source: 2020 Capital / 2013 CIP / 2017 CIP / 2018 CIP / 2019 CIP

Investments Interest – 2013 CIP / 2017 CIP

Account: 190 – 4746 – 38290 – 580270 – PCP20ANMLHOUSIN / 190 – 4740 – PCP20ANMLHOUSII /

190 – 4741 - PCP20ANMLHOUSII / 190 – 4743 - PCP20ANMLHOUSII / 190 – 4745 - PCP20ANMLHOUSII

Investment Interest Account: 190 – 4740 - PCP20ANMLHOUSII / 190 – 4741 – PCP20ANMLHOUSII

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Capital Improvement

SECONDARY DEPARTMENT: N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



Yvette Hernandez, P.E.
City Engineer

**Contract Change Order Coversheet /Checklist
City of El Paso Capital Improvements Department**

Project Name: Animal Services Kennels and HVAC improvements Date Received: July 10, 2024 ✓
 Solicitation Number: 2021-0811V Contractor: Veliz Construction
 Change Order Number: 14V-1 ✓ Date CO was Identified: July 10, 2024 ✓
 Funding Type: QOL General Fund TXDOT CDBG FTA FAA Other: 2020 Capital Fund
 Contingency: Original Budget: TBD Current Remaining Budget: TBD PO No.(s): _____
 Identified by: DOR Contractor User Dept. CID Other: _____
 Impacts: Cost Time* (Check all that Apply)* Identify Schedule activity impacted, attach frag-net justifying time

No change order shall be approved unless work is ordered in writing by the Owner Designated Rep

If written Order provided prior to formal execution of CO attach copy of the written directive, and justification, as why the direction was necessary prior to a formal agreement. Attach concurrence of representative having authority to execute change order(s) for the city of El Paso, Contract Specific by Resolution. If formal RFP was provided to contractor attach copy. If E-mail was direction provided to contractor attach copy

Change order Type Check One: Mandatory Discretionary
(Mandatory Violates Written code/standard, or will not function for intended purpose) If mandatory attach justification, Direction from DOR and for code/ standard's references that the CO corrects, or Documentation from User Department Head explaining why the change is required

Differing site condition: Engineering Change/Construction Deficiency:
 User requested change**: Substitution Contractor Initiated:
 Designer Directive (ASI): Error and Omission:
 Value Engineering Change: Quantity Adjustment:

** Identify Funding source 2020 Capital Fund Grant Funded Projects attach concurrence of Grant Funded program Director.

Justification:

Task order 14V-1 to incorporate the Animal Services Kennels and HVAC Improvements Drawings and Project Manual into the 2021-0811 Job Order Contracting & Facilities Construction. The change will not change the overall contract amount.
 Cost was justified by comparing the contractors proposal to an independent Cost estimated provided by designer of record GA Architecture generated on 6/20/2024
 Time: The time for the task order #14V-1 shall be a total of 150 consecutive calendar days. 120 consecutive calendar days to substantial completion and 30 consecutive calendar days to final completion. Time was justified by comparison to similar renovations of similar scope.

Method Utilized for implementing change

(Reference general conditions 2.5.2) Check all that apply
 .1 Unit Bid Prices Previously Approved (Attach Copy of supporting documents)
 .2 An Agreed upon Lump Sum (Attach record of Negotiations, and cost Analysis)
 .3 Actual Cost (Force Account Change) (Attach Detailed record as per 2.2.5.2.3)
 Independent Cost Estimate prepared Yes No , Validated, Vendor Quotes, Published Data, Previously agreed Cost, Other (attach documentation of cost analysis)

Cost/Price/Time Analysis

Attach Copy of analyst justifying cost and quantities
 Contractors proposed cost: \$7,381,447.48
 Final Negotiated amount: \$7,280,403.51
 Time: requested 150 days, justified 150 days

Contract Change Reference: Reference Plan /Spec change, Describe Change (Attach additional sheets if necessary)

Narrative Description of Change SCW

Task order #14V-1 will incorporate the construction documents into the Job Order Contracting & Facilities Construction Contract No. 2021-0811 dated August 3, 2021. This task order does not change the overall contract. The task order will be issued for the Scope of Work listed below in the attachments.
 Builders Risk insurance is required for this task order.
 A separate Notice to Proceed will be issued upon approval of necessary Bonds and Insurance as required by the contract.
 Attachments: Scope of Work, Animal Services Kennels and HVAC Improvements Plans dated 5/31/2024. Project Manual Dated 5/31/2024.
 Agreed Upon Proposal for Task #14V-1: \$7,280,403.51
 Time: 120 consecutive Calendar Days for substantial completion, 30 additional days for Final Completion for a total of One Hundred (150) calendar days
 Unless specifically noted this change order addresses all compensation of time and money, including direct and indirect cost associated with the above described scope of work

Existing Drawings Reference

Refer to attached Drawings for the Animal Services Kennels and HVAC Improvements dated 5/31/2024

Existing Specification Reference

Refer to the Animal Services Kennels and HVAC Improvement Project Manual dated 5/31/2024.

New Drawings/Specifications Reference

N/A

User Department Concurrence (If required)

N/A

Print name: N/A

Request by Project /Construction Manager:

Jesus R. Lara
 Jesus Lara, Capital Improvement Project Manager

Date: 7/10/2024

Division Manager:

R. Torres
 Rogelio Torres, Capital Improvement Division Manager

Date: 7/12/2024

Recommended for Approval by City Engineer:

Gilbert Guerrero
 Gilbert Guerrero, Assistant Director of Capital Improvements

Date: 7/15/2024

Contract Change Order Documentation Summary and Determination of Cost Reasonableness:

Contract Name: Job Order Contracting & Facilities Construction

Solicitation /Project Number: 2021-0811V

Change Order Number: 14V-1

Prepared By: Jesus Lara, Project Manager

RFP:

In response to an (Select one and entry number and date) **Request for Proposal dated June 7, 2024**
(Attach Copy).

Or

In response to: Value Engineering PCO dated _____ and an unsolicited proposal was provided on _____.

Initial Cost Estimate:

Check all that apply:

- No initial estimate of the change order costs was attempted. (Attach Justification countersigned by assigned DM)
- A ROM Estimate in the amount of _____ was prepared on Date _____ Copy included in contract.
- A Detailed Estimate in the amount of _____ was prepared on Date _____ attach copy.
- The Design Consultant provided a detailed estimate in the amount of \$7,304,435.00 was prepared on Date 6/20/2024 attach copy.

Contractors Proposal:

The contractor provided a proposal Dated 6/28/2024 (attach copy) in the amount totaling \$7,381,447.48 and requesting _____ Calendar/Working days.

The proposal was reviewed as to the required Scope of work and found to accurately reflect the Scope of Work **Yes** **No** .

If No: A formal revision was requested on this date 7/1/2024 and received date 7/9/2024 , in the amount of \$7,280,403.51 and requesting _____ Calendar/Working days

Or if applicable: After review with assigned DM the city elected to proceed with negotiations and address the scope inconsistencies in Negotiations without a proposal revision (list inconsistencies to be addressed in negotiations). _____

Attach continuation sheet if necessary

Cost evaluation: Cost reasonableness was determined using the following methods check all that apply.

Attachment 1, 20 S-2 Documenting Change Order Cost Reasonableness & Summary

- Utilizing existing Bid Item
- Price Analysis
- Cost Analysis

(Provide narrative description for each method utilized and how reasonableness was determined)
Attach mark up a proposal with negotiation objectives, including accepted cost, Dated and initialed by the Preparer and Assigned Division Manager. Label Marked UP Proposal:

Narrative description of determination of reasonableness: (Attach Continuation sheets as necessary, include detailed table showing Proposed/Objective /and Negotiated when appropriate. (Sample included)

Narrative:

The design consultant provided a detailed estimate prepared on 6/20/2024 and estimated to be \$7,304,435.00. Under the CID Job Order Contract, a request for proposal was sent to the contractor on 6/7/2024 for the work needed to be performed at the Animal Services Kennels and HVAC Improvements project.

The contractor responded on 6/28/2024 with a proposal of \$7,381,447.48 which includes alternates 1-6 and excludes deductive alternates 7 and 8 based on the latest version of R.S. Means Facilities Construction Cost Data as required by the Job Order Contracting and Facilities Construction contract. The proposal was evaluated against the cost estimate prepared by the design consultant and found to be higher than expected. CID PM started negotiations and Contractor provided a revised proposal on 7/9/2024 with a proposal of \$7,280,403.51 which includes alternates 1-6 and excludes deductive alternates 7 and 8 based on the latest version of R.S. Means Facilities Construction Cost Data as required by the Job Order Contracting and Facilities Construction contract. The proposal was evaluated against the cost estimate prepared by the design consultant and found to be fair and reasonable.

After Review of all the information the Project Manager recommends approval of the proposal for task order #3V-1.

Time Justification: The original RFP indicated a construction time frame of 120 days to substantial and 30 days for Final. The contractor agrees to the total of 150 consecutive calendar days.

CITY OF EL PASO TASK ORDER

CONSTRUCTION CHANGE ORDER NO.: 14V-1 DATE: July 10, 2024 SCOPE CHANGE
PROJECT: Job Order Contracting & Facilities Construction SOLICITATION # 2021-0811V CONSTRUCTION CHANGE
Animal Services Kennels and HVAC Improvements Task #14V-1
Original Contract Amount: \$ 7,280,403.51 Contract Time to Substantial Completion 120
Net Change by previous Change Orders: \$ - Total days added due to Change Orders and CQN's 0
Net Change by previous Construction Quantity Notices: - Total days added for this Change Order 0
Amount of this Construction Change Order: \$ - New Contract Time to Substantial Completion: 120
New Amended Contract Amount: \$7,280,403.51 Current Substantial Completion Due Date TBD based on NTP
Change Order Percentage: 0.00%

CONTRACTOR NAME: Veliz Company, LLC Funding Source 2020 Capital

Please provide a detailed scope of work of the change order (see back for reason/justification):

Task order #14V-1 will incorporate the construction documents into the Job Order Contracting & Facilities Construction Contract No. 2021-0811 dated August 3, 2021. This task order does not change the overall contract. The task order will be issued for the Scope of Work listed below in the attachments.

Builders Risk insurance is required for this task order.

A separate Notice to Proceed will be issued upon approval of necessary Bonds and Insurance as required by the contract.

Attachments: Scope of Work, Animal Services Kennels and HVAC Improvements Plans dated 5/31/2024. Project Manual Dated 5/31/2024.

Agreed Upon Proposal for Task #14V-1: \$7,280,403.51 (which includes alternates 1-6 and excludes Deductive alternates 7 & 8)

Time: 120 consecutive Calendar Days for substantial completion, 30 additional days for Final Completion for a total of One Hundred (150) calendar days

Unless specifically noted this change order addresses all compensation of time and money, including direct and indirect cost associated with the above described scope of work

CALENDAR DAYS ADDED TO COMPLETION TIME: 0 *TOTAL CHANGE ORDER AMOUNT: \$ -

*Change Order will not change overall Contract Amount

CONTRACTOR: Veliz Company, LLC

I, Omar Veliz of Veliz Company, LLC agree and accept the terms and conditions of this change order.

Signature: 

Date: 07-15-24

CITY OF EL PASO (OWNER)

I, Yvette Hernandez P.E. of the City of El Paso hereby authorize and direct the Contractor to proceed with additional work as described in this form.

Signature: 
Yvette Hernandez, P.E.

Date: 7/15/24



CAPITAL IMPROVEMENT DEPARTMENT

REQUEST FOR PROPOSAL

June 7, 2024

MAYOR
Oscar Leeser

Veliz Construction

CITY COUNCIL

Mr. Oscar Saenz

District 1
Brian Kennedy

2910 Gateway Blvd. E.

District 2
Dr. Josh Acevedo

El Paso, TX. 79905

District 3
Cassandra Hernandez

Project Name: Animal Services Kennels and HVAC Improvements
(PCP20ANMLHOUSIN)

District 4
Joe Molinar

Mr. Saenz:

District 5
Isabel Salcido

Under the Capital Improvement Department Job Order Contracting and Facilities Construction contract # 2021-0811, you are requested to submit a proposal by or before 6/17/2024 for accomplishing the following scope of work:

District 6
Art Fierro

District 7
Henry Rivera

Work will include but not limited to:

District 8
Chris Canales

Modifications for the Animal Services Kennels and HVAC Improvements project located in 5625 Confetti Dr. El Paso TX. 79912 are per Plans and Specifications and consist of

**INTERIM CITY
MANAGER**
Cary Westin

- Interior and Exterior renovations
- New living layout to include
 - New kennels
 - New cat exhibits
 - New lockers rooms
 - New electrical rooms
 - New restrooms
 - New meeting room
 - New storage rooms
 - New laundry room
 - New Feeding rooms
- Mechanical improvements
- Electrical improvements
- Plumbing improvements

Yvette Hernandez, P.E., – City Engineer
City 2 | 218 N. Campbell, 2nd Floor | El Paso, Texas 79901 | (915) 212-0065





CAPITAL IMPROVEMENT DEPARTMENT

MAYOR
Oscar Leeser

- ADA compliant amenities
- Site work (Sidewalks, new parking area, new irrigation, new landscape.)

CITY COUNCIL

District 1
Brian Kennedy

Per item K “Cost Estimating” page I-B-a-2 of the contract, the contractor must use the latest version of R.S. Means Facilities Construction Cost Data to provide the cost estimate.

District 2
Dr. Josh Acevedo

Per item 8 “Time of Completion and Liquidated Damages” page I-B-a-5 of the contract. The duration of the work will be 120 consecutive calendar days to substantial completion. 30 Days additional for final completion.

District 3
Cassandra Hernandez

Liquidated damages in the amount of \$930.00 per day will be assessed if work is not completed within the agreed substantial time frame

District 4
Joe Molinar

Should you have any questions contact Jesus Lara, Project Manager at (915) 212-1831, or Rogelio Torres, Division Manager at (915) 240-9230

District 6
Art Fierro

Sincerely,

Jesus Lara

District 7
Henry Rivera

Project Manager

District 8
Chris Canales

Attachment(s):

- Project Drawings dated 5/31/2024
- Project Specifications dated 5/31/2024

Cc: Rogelio Torres, Division Manager

Jesus Lara, Construction Manager

Project file

**INTERIM CITY
MANAGER**
Cary Westin

Yvette Hernandez, P.E., – City Engineer
City 2 | 218 N. Campbell, 2nd Floor | El Paso, Texas 79901 | (915) 212-0065





Job Order Proposal Summary

Tuesday, July 9, 2024

**City of El Paso - Capital Improvement Department
300 N Campbell St.
El Paso, Texas 79901**

**Attn. Gilbert Guerrero, Rogelio Torres, and Jesus Lara
RE: ANIMAL SHELTER FACILITIES UPGRADE**

As requested, Veliz Company, LLC dba Veliz Construction is pleased to submit this Job Order Proposal. Our price proposal is based on information provided by the client (Project Drawings dated 05/31/2024 and Project Manual dated 05/31/2024). All work associated with this proposal is to be in accordance with COEP - JOC Services Contract #2021-0811.

Please see:

- Attachment A - Alternatives
- Attachment B – Detailed Unit Cost

1. TOTAL UPB LINE ITEMS - (Bare cost modified by City Cost Index)	\$6,102,335.66
2. Contractor’s applicable coefficient for standard hours.....	[1.145]
3. PROJECT PRICE SUBTOTAL (#1 X #2)	\$6,987,177.33
4. BONDING (1.5%).....	\$104,807.62
5. TOTAL COST (#3+#4)	\$7,091,981.95

Respectfully,
Oscar Saenz
Division Manager
Veliz Construction
osaenz@velizconstruction.com



Attachment A – Alternatives

Amounts already include Overhead, Profit and Bonding

- ADDITIVE ALTERNATE #1 - ADDITIONAL LANDSCAPE
 - \$ 22,092.00
- ADDITIVE ALTERNATE #2 - BUILDING #2: REPLACE 4" CONCRETE
 - \$ 48,875.00
- ADDITIVE ALTERNATE #3 - WALL SOUND ABSORPTION PANEL
 - \$ 11,893.56
- ADDITIVE ALTERNATE #4 - CEILING SOUND ABSORPTION PANEL
 - \$ 8,620.00
- ADDITIVE ALTERNATE #5 – FURNITURE
 - \$ 47,391.00
- ADDITIVE ALTERNATE #6 - FLOOR FINISH (EPOXY AND SEAL AT BUILDING)
 - \$ 49,550.00
- DEDUCTIVE ALTERNATE #7- RE-ROOF COVERING IN-LIEU OF RE-ROOF
 - -\$ 73,000.00
- DEDUCTIVE ALTERNATE #8 - CHAIN LINK FENCE SYSTEM IN-LIEU OF WROUGHT IRON
 - -47,922.00



Attachment B – Detailed Unit Cost

DIVISION	DESCRIPTION	MATERIAL	LABOR	EQUIPMENT	TOTAL
Division 02	Existing Conditions	\$ -	\$ 73,004.35	\$ 11,481.65	\$ 84,486.00
Division 03	Concrete	\$ 33,774.00	\$ 9,526.00	\$ -	\$ 43,300.00
Division 04	Masonry	\$ -	\$ -	\$ -	\$ -
Division 05	Metals	\$ 4,500.00	\$ 10,500.00	\$ -	\$ 15,000.00
Division 06	Wood, Plastics and Composites	\$ 20,286.00	\$ 15,986.00	\$ -	\$ 36,272.00
Division 07	Thermal and Moisture Protection	\$ 231,154.00	\$ 57,796.00	\$ 3,650.00	\$ 292,600.00
Division 08	Openings	\$ 174,420.36	\$ 19,380.04	\$ -	\$ 193,800.40
Division 09	Finishes	\$ 201,360.00	\$ 217,640.00	\$ 2,500.00	\$ 421,500.00
Division 10	Specialties	\$ 145,909.25	\$ 71,865.75	\$ -	\$ 217,775.00
Division 11	Equipment	\$ 47,175.00	\$ 15,725.00	\$ -	\$ 62,900.00
Division 12	Furnishings	\$ 615,010.64	\$ 211,770.21	\$ -	\$ 826,780.85
Division 13	Special Construction	\$ -	\$ -	\$ -	\$ -
Division 14	Conveying Equipment	\$ -	\$ -	\$ -	\$ -
Division 21	Fire Suppression	\$ 75,975.00	\$ 25,325.00	\$ -	\$ 101,300.00
Division 22	Plumbing	\$ 308,742.50	\$ 252,607.50	\$ -	\$ 561,350.00
Division 23	Heating, Ventilation and Air Conditioning	\$ 854,700.00	\$ 361,300.00	\$ 5,300.00	\$ 1,221,300.00
Division 25	Integrated Automation	\$ -	\$ -	\$ -	\$ -
Division 26	Electrical	\$ 260,509.64	\$ 158,444.36	\$ -	\$ 418,954.00
Division 27	Communications	\$ -	\$ -	\$ -	\$ -
Division 28	Electronic Safety and Security	\$ -	\$ -	\$ -	\$ -
Division 31	Earthwork	\$ -	\$ -	\$ -	\$ -
Division 32	Exterior Improvements	\$ 954,876.78	\$ 448,502.72	\$ 43,403.50	\$ 1,446,783.00
Division 33	Utilities	\$ -	\$ -	\$ -	\$ -
Subtotal		\$ 3,928,393.17	\$ 1,949,372.93	\$ 66,335.15	\$ 5,944,101.25
Division 1	General Conditions	\$ 194,813.93	\$ 22,614.22	\$ -	\$ 217,428.15
Subtotal		\$ 4,123,207.10	\$ 1,971,987.15	\$ 66,335.15	\$ 6,161,529.40
Subtotal				\$	6,161,529.40
Overhead			8.00%	\$	492,922.35
Subtotal				\$	6,654,451.75
Profit			5.00%	\$	332,722.59
Subtotal				\$	6,987,174.34
Bonds			1.50%	\$	104,807.62
Subtotal				\$	7,091,981.95
Gross Receipts Tax (For New Mexico Projects Only)			0.0000%	\$	-
TOTAL				\$	7,091,981.95



CAPITAL IMPROVEMENT DEPARTMENT

ACCEPTANCE OF PROPOSAL

MAYOR

Oscar Leeser

July 12, 2024

CITY COUNCIL

District 1

Brian Kennedy

Veliz Construction
Mr. Oscar Saenz
2910 Gateway East
El Paso, TX 79905

District 2

Dr. Josh Acevedo

RE: Notice of approval for the proposal
Project Name: Animal Services Kennels and HVAC Improvements; Task# 14V-1

District 3

Cassandra Hernandez

Mr. Oscar Saenz:

District 4

Joe Molinar

Capital Improvement Department accepts your proposal under the Job Order Contracting and Facilities Construction contract # 2021-0811, for the above reference project in the amount of \$7,280,403.51

District 5

Isabel Salcido

District 6

Art Fierro

We will follow up with additional request for insurance requirements, and Payment and Performance Bonds prior to issuing Purchase Orders and Notice to Proceed for construction.

District 7

Henry Rivera

District 8

Chris Canales

Should you have any questions contact Jesus Lara, Construction Manager at (915) 212-1931, or Rogelio Torres, Division Manager at (915) 212-1864

**INTERIM CITY
MANAGER**

Cary Westin

Sincerely,

Gilbert Guerrero

Gilbert Guerrero

Assistant Director

Cc: Gilbert Guerrero, Asst. Director of Construction
Rogelio Torres, Division Manager
Yolanda Dion, Contract Development Coordinator
Construction Manager
Project file



Yvette Hernandez, P.E., – City Engineer
City 2 | 218 N. Campbell, 2nd Floor | El Paso, Texas 79901 | (915) 212-0065



CAPITAL IMPROVEMENT DEPARTMENT

MAYOR

Oscar Leeser

CITY COUNCIL

District 1

Brian Kennedy

District 2

Dr. Josh Acevedo

District 3

Cassandra Hernandez

District 4

Joe Molinar

District 5

Isabel Salcido

District 6

Art Fierro

District 7

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INTERIM CITY MANAGER

Cary Westin



Yvette Hernandez, P.E., – City Engineer
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DELIVERING **EXCEPTIONAL** SERVICES