

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

AGENDA DATE: September 13, 2022
PUBLIC HEARING DATE: N/A
CONTACT PERSON(S) NAME AND PHONE NUMBER: Yvette Hernandez, (915) 212-1860
DISTRICT(S) AFFECTED: 8
STRATEGIC GOAL: No.7: Enhance and Sustain El Paso's Infrastructure Network
SUBGOAL: N/A

SUBJECT:

That the City Council approves a deductive Construction Change Order in the amount of \$383,945.88 to J.A.R. Concrete Inc. for the elimination of the project art piece under Contract No. 2019-452 Paso Del Norte (PDN) Port of Entry (POE) Roundabout Improvements. No additional days will be added to contract number 2019-452. The new contract sum, including this change order notice and previous change order notices is \$2,331,162.35. The City Manager, or designee, is authorized to execute any documents and contract amendments needed to carry out the intent of this Resolution.

BACKGROUND / DISCUSSION:

This change order is for the removal of the bid item for the removal of the art piece. No time is added with this change order.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

2018 CO's & FHWA


HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Capital Improvement Department

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Council approves a deductive Construction Change Order in the amount of \$383,945.88 to J.A.R. Concrete Inc. for the elimination of the project art piece under Contract No. 2019-452 Paso Del Norte (PDN) Port of Entry (POE) Roundabout Improvements. No additional days will be added to contract number 2019-452. The new contract sum, including this change order notice and previous change order notices is \$2,331,162.35. The City Manager, or designee, is authorized to execute any documents and contract amendments needed to carry out the intent of this Resolution.

APPROVED this _____ day of _____ 2022.


CITY OF EL PASO:

Oscar Leeser, Mayor

ATTEST:

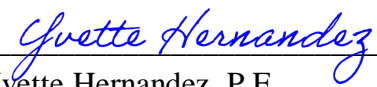
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Roberta Brito
Assistant City Attorney

APPROVED AS TO CONTENT:



Yvette Hernandez, P.E.
City Engineer

CITY OF EL PASO CONSTRUCTION CHANGE ORDER

CONSTRUCTION CHANGE ORDER NO.:	7	DATE:	August 3, 2022	<input type="checkbox"/> SCOPE CHANGE
PROJECT:	Paso Del Norte (PDN) Port of Entry (POE) Roundabout Improvements		SOLICITATION NO.	24-06-53 <input checked="" type="checkbox"/> Solicitation: 2018 <input type="checkbox"/> CONSTRUCTION CHANGE

Original Contract Amount: \$	2,394,924.50	Contract Time to Substantial Completion	218
Net Change by previous Change Orders: \$	320,183.73	Total days added due to Change Orders and CQN's	41
Net Change by previous Construction Quantity Notices: \$		Total days added for this Change Order	0
Amount of this Construction Change Order: \$	(383,945.88)	New Contract Time to Substantial Completion:	259
New Amended Contract Amount: \$	2,331,162.35	Current Substantial Completion Due Date	1/28/2022
Change Order Percentage:	-2.66%		

CONTRACTOR NAME: J.A.R. Concrete Inc.

Please provide a detailed scope of work of the change order (see back for reason/justification):
Scope of Work: Removal of bid item ELP ELP 12 ROUNDABOUT CONTAINMENT AND STRUCTURAL FEATURES. from the contract. Compensate the contractor for work performed for the art piece mock up. Compensate the contractor for steel and lighting purchased for the project art piece which will be eliminated from the project. The contractor must provide proof that all the material suppliers have been paid. The contractor will deliver all unused material paid by this change order to the City of El Paso.

Specifications: TxDOT Standard Specifications for Construction of Maintenance of Highways, Streets, and Bridges

Drawings: Sheets S.0, S.1, S.2, S.3, S.4, S.5, LC-501, LC-502, LC-503, E-6. Changes to be incorporated in as-builts.

Cost and Bid Schedule:
 Add the following pay items:
 - CO#7-1 - MOCK UP INVOICE - 1.0 LS @ \$17,946.00/LS for a total amount of \$17,946.00
 - CO#7-2 - ARTPIECE STEEL - 1.0 LS @ \$19,924.01/LF for a total amount of \$19,924.01
 - CO#7-3 - TYPE D AND E LIGHTING - 1.0 LS @ \$6,222.00/LS for a total amount of \$6,222.00
 - CO#7-4 - TYPE C LIGHTING - 1.0 LS @ \$15,324.11/LS for a total amount of \$15,324.11

Remove the following
 - ELP ELP12 - 1 LS @ \$443,362.00/LS for a total amount credited of \$443,362.00

Time: No additional time requested for this change.

Work described above shall be performed in accordance to applicable specifications, special provisions, terms and conditions of the original contract. Unless specifically noted, this change order addresses all compensation for time, money, material, equipment, labor, tools, and incidentals including all direct and indirect costs associated with the scope of work.

Summary:
DECREASE contract amount by **\$383,945.88**
NO CHANGE in contract time.

WORKING DAYS ADDED TO CONTRACT: 0 **TOTAL CHANGE ORDER AMOUNT:** \$ (383,945.88)

CONTRACTOR

I, Joe Rosales, Jr., of J.A.R. Concrete Inc agree and accept the terms and conditions of this change order.
 Signature: _____ Date: 09/07/22

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: _____ Date: _____
 Yvette Hernandez, P.E., City Engineer

CITY OF EL PASO CONSTRUCTION CHANGE ORDER- Pg. 2

CONSTRUCTION CHANGE ORDER NO.: 7 DATE: August 3, 2022 SCOPE CHANGE
PROJECT: Paso Del Norte (PDN) Port of Entry (POE) Roundabout Improvements SOLICITATION NO. 24-06-53 Solicitation: 201 CONSTRUCTION CHANGE

Project Number	<u>PCP141B001</u>	Project Number	<u>PCP141B001</u>	PURCHASE ORDER #	<u>2000000333</u>
Class	<u>38290</u>	Class	<u>38290</u>		
Department	<u>190</u>	Department	<u>4950</u>		
Fund	<u>4743</u>	Fund	<u>190</u>		
Account	<u>580270</u>	Account	<u>580270</u>		

CONTRACTOR NAME: J.A.R. Concrete Inc.

PROVIDE REASON/JUSTIFICATION FOR CHANGE ORDER:

This change is necessary in order to remove the eliminated bid tab item for the roundabout art piece was requested to be removed by the City of El Paso City Council in order for the art piece to be approved through the proper channels. The change is required in order for the contractor to be compensated for the work performed to fabricate a mock up of the art piece. This change will also compensate the contractor for the purchased steel, type C, type D, and type E lighting for the art piece that has been eliminated from the contract.

Price and Time

For the mock up invoice, the DOR provided an estimated amount of 172 hours or \$20,135.06 for the work. The 172 hours was counteroffered to the contractor and the contractor accepted the amount. The hours required for the polycarbonate work was reviewed by the CID PM and found to be fair. Material costs was checked against invoices and found to be correct. The removed art piece unit price was derived from the contract bid tab.

No additional contract time was granted as work has been removed from the original item with this change.

CONSECUTIVE CALENDAR DAYS ADDED TO COMPLETION TIME: 0 TOTAL CHANGE ORDER AMOUNT: \$ (383,945.88)

Project Manager recommends approval: 

Engineering Division Manager recommends approval: _____

Financing Department approval: _____
(If Required)

