

**CITY OF EL PASO, TEXAS  
REQUEST FOR COUNCIL ACTION (RCA)  
COMPETITIVE SEALED PROPOSAL**

**DEPARTMENT:** ENGINEERING/SUN METRO  
**AGENDA DATE:** April 14, 2009  
**CONTACT PERSON/PHONE:** Alan Shubert, Director, Engineering Dept., Phone 541-4423  
**PROJECT NAME/SOLICITATION NO:** Downtown Transit Terminal/Contract Number 2009-057  
**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

That the City expend additional available funding in the amount of \$155,480.00 to remove previously unknown concrete footings, walls, slabs, and tunnels, provide additional backfill material and over excavate building pad area for the Downtown Transit Terminal adding no days of contract time (change order number 1) for Contract Number 2009-057.

**BACKGROUND / DISCUSSION:**

The existing site was developed in the early 1900's and as-built plans are not available. During the subgrade preparation work a significant amount of buried concrete structures such as footings, walls, slabs and tunnels were discovered within the project area. These buried concrete structures will cause an unstable foundation for the new transit terminal structures and therefore it is necessary to be removed. The excavated areas will need to be backfill with acceptable backfill materials to provide stable subgrade and foundation.

The award and approval of this construction change order will increase the estimated total current value from \$3,703,000.00 to \$3,858,480.00.

**PRIOR COUNCIL ACTION:**

The construction contract was awarded by City Council on December 16, 2008

**AMOUNT AND SOURCE OF FUNDING:**

The **Federal Transit Administration and 2009 Certificates of Obligation** fund this project. Funding is available in the following grants for Sun Metro: TX-90-X280 – TX-90-X650 – TX-90-X691

60600011 / 508027 / 11622 / G600359

60600011 / 508027 / 11675 / G600461

60600011 / 508027 / 11680 / G600461

2009 Certificates of Obligation: 14400200/508027/27265/PCP09MT001

**BOARD / COMMISSION ACTION:**

N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:** \_\_\_\_\_

  
(Example: if RCA is initiated by Purchasing, client department should sign also)  
*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:** \_\_\_\_\_

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**RESOLUTION**

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

That the City approves the expenditure of additional available funding in the amount of ONE HUNDRED FIFTY FIVE THOUSAND FOUR HUNDRED EIGHTY AND 00/100 DOLLARS (\$155,480.00) to ARROW BUILDING CORPORATION for additional construction costs of the Downtown Transit Terminal. This approval ratifies the completed additional labor and materials for removing previously unknown concrete footings, walls, slabs and tunnels, provide additional backfill material and over excavate building pad area for the Downtown Transit Terminal, adding no days of contract time [change order number 1] for Contract Number 2009-057. The new contract sum, including change order 1, is THREE MILLION EIGHT HUNDRED FIFTY EIGHT THOUSAND FOUR HUNDRED EIGHTY AND 00/100 DOLLARS (\$3,858,480.00).

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.

THE CITY OF EL PASO:

\_\_\_\_\_  
John F. Cook, Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Mark Shoemith  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
R. Alan Shubert, P.E.  
City Engineer

# REQUEST FOR PURCHASE ORDER CHANGE

ENTERED BY: \_\_\_\_\_ DATE \_\_\_\_\_

POSTED BY: \_\_\_\_\_ DATE \_\_\_\_\_

VENDOR NAME Arrow Bldg. Corp.

PURCHASE ORDER # 2009001832

JUSTIFICATION Addition to base bid - Removal of existing concrete footings,  
walls, slabs & tunnels.

AMOUNT \$155,480.00

Accounting information to be filled out only if change order is funded from a different source than original P.O.

ACCOUNT 508027

FUND 11022

DEPT. ID 60600011

CLASS 60000

PROJECT G600359

GRANT TX-90-X280

PROJECT MGR. Gilbert Guerrero *GB* DATE 3/13/2009

SECTION MGR. Juanes Mateo *JM* DATE 3/16/09

CONTRACT COMPLIANCE SPECIALIST [Signature] DATE 3-16-09

SUN METRO APPROVAL [Signature] DATE 3-16-09

[Signature] DATE 3/16/09



# Purchase Order

Dispatch via Print

**CITY OF EL PASO**  
2 Civic Center Plaza  
PURCHASING DEPARTMENT  
El Paso TX 79901

<b>Purchase Order</b> 2009001832	<b>Date</b> 01/09/2009	<b>Revision</b>	<b>Page</b> 1
<b>Payment Terms</b> Net 30	<b>Freight Terms</b> FOB Dest Freight Prepaid	<b>Ship Via</b> Regular	
<b>Buyer</b> Plum, Michael W.	<b>Phone</b> 915 541 4313	<b>Currency</b> USD	

**Vendor:**  
Fax: 915/778-5123  
ARROW BUILDING CORP  
6095 SURETY DR  
EL PASO TX 79905

**Ship To:** CITY ENGINEERING  
2 CIVIC CENTER PLAZA  
EL PASO TX 79901

**Bill To:** 2 Civic Center Plaza  
PURCHASING DEPARTMENT  
El Paso TX 79901

Tax Exempt? Y Tax Exempt ID: 74-6000749

Line-Sch	Item/Description	Quantity	UOM	PO Price	Due Date	Extended Amt
1-1	Downtown Transit Terminal - Construction	3,703,000.00	DLR	1.00	01/09/2009	3,703,000.00

FTA Grants: TX 90-90-X91; TX-90-X280; TX-90-X650

IN STRICT ACCORDANCE WITH THE TERMS AND CONDITIONS OF CONTRACT NO. 2009-057, AWARD BY MASS TRANSIT BOARD 12/16/2008. ALL CONTRACT TERMS APPLY. THIS CONTRACT SUBJECT TO 5% RETAINAGE.

FOR INFORMATION REGARDING THIS PURCHASE ORDER, CONTACT MICHAEL PLUM @ 915-541-4113.

THE CITY OF EL PASO IS TAX EXEMPT. TAX ID # 74-6000749.

NOTICE: By issuing this Purchase Order, the City neither waives nor renounces any or all claims and/or rights that it may have including but not limited to the claims and rights the City may have arising out of or related to any breach of this or any other contract the City may have with this vendor.

Authorized Signature

Purchasing Manager

Total PO Amount

3,703,000.00

NOTE: Unless Reference is made to a specific Contract, this Purchase order is subject to the City of El Paso's standard purchase order terms and conditions. The Terms and Conditions may be viewed on our web site at: [www.elpasotexas.gov/bids/](http://www.elpasotexas.gov/bids/). Please reference Purchase Order 2009001832 on all Invoices, Packing Slips and Correspondence.

**CITY OF EL PASO ENGINEERING DEPARTMENT  
CONTRACT CHANGE ORDER**

DATE: 3/13/2009  
 PROJECT: DOWNTOWN TRANSIT TERMINAL  
 TO (Contractor): ARROW BUILDING CORP.

CHANGE ORDER NO.: 1  
 SCOPE CHANGE       CONSTRUCTION CHANGE  
 BID NO.: 2009-057  
 DEPT. ID#: 60600011  
 PROJ/GRANT/USER: G600461  
 FUND: 11680  
 ACCOUNT: 508027  
 PO NO.: 2009001832

You are directed to make the following changes to this Contract:

Add to base bid: Removal of existing buried concrete footings, walls, slabs and tunnels. Provide additional backfill material and over excavate building pad area.

CHANGE ORDER AMOUNT : 155,480.00

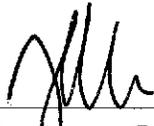
Original Contract Sum	3,703,000.00
Net Change by previous Change Orders	0.00
Net Change by previous Construction Quantity Notices	0.00
Contract Sum prior to this Change Order	3,703,000.00
Contract Sum will be (Increased) (decreased) (unchanged) By this Change Order	155,480.00
New Contract Sum, including this Change Order	3,858,480.00
Total Net Value of Change Orders To Date	155,480.00
Total Net Value of Construction Quantity Notices to Date	0.00

Contract Time will be (increased) (decreased) (unchanged)	BY ( 0 ) DAYS*	Original Contract Days:	150
		Days by Previous and Current Change Order:	0
		<b>Total Days:</b>	<b>150</b>

\* Subject to the terms of the Contract, GENERAL CONDITIONS, SECTION 2.5

Net Change Order and Construction Quantity Notice Percentage (Not to exceed 25%)      4.20%

CONTRACTOR	CITY OF EL PASO
<p><b>ARROW BUILDING CORP.</b></p>	<p>CITY COUNCIL ACTION REQUIRED:</p> <p align="center">[ ] No      [ ] Yes</p> <p align="center">_____</p> <p align="center">Date Approved</p>
<p>By: </p> <p>_____</p> <p>Type or Print Name</p> <p><u>Javier Rubalcava</u></p> <p>Date</p> <p><u>03-18-09</u></p>	<p>By: </p> <p>_____</p> <p>R. Alan Shubert, P.E.</p> <p>City Engineer</p> <p><u>3/18/09</u></p> <p>Date</p>

**CITY OF EL PASO  
REQUEST FOR CHANGE ORDER**

TO: Financial Services, Construction Bidding

FROM: Gilbert Guerrero

FIRM: City of El Paso Engineering

Phone No. 541-4107

DATE: March 12, 2009

RE: Project: Downtown Transit Terminal

Bid No: 2009-057

Change Order No: 1

*Please Indicate Type:* Construction X Scope     

Change in Contract Time: 0 Days

Change Order Amount: \$ 155,480.00

*Please Indicate Action to PO:* Increase X Decrease     

Justification: Add to base bid: Removal of existing buried concrete footings, walls, slabs and tunnels. Provide additional backfill material, and over excavate building pad area.

Attachments: Problem/Solution Rationalization  
Contractor's Cost Proposals

Project Manager Recommends Approval:

Gilbert Guerrero Date: 3/12/09

**RECEIVED**

MAR 12 2009

ENGINEERING DEPARTMENT  
CONTRACT COMPLIANCE





Arrow Building Corporation • 6095 Surety Drive • El Paso, Texas 79905  
 (915) 778-1147  
 FAX (915) 778-5123  
 www.arrowbldg.com

# CHANGE ORDER

Owner  Field   
 Architect  Other   
 Contractor

PROJECT: Downtown Transit Terminal  
 601 Santa Fe  
 El Paso, Texas

CHANGE ORDER NUMBER: 1

DATE: February 25, 2009

CONTRACTOR'S PROJECT NO: 7216

TO CONTRACTOR:  
 Arrow Building Corp  
 6095 Surety Drive  
 El Paso, Texas 79905

CONTRACT DATE: December 16, 2008

CONTRACT FOR: General Construction

The Contract is changed as follows:

- |  |        |           |
|--|--------|-----------|
| 1. Demolition of concrete footings, slabs, tunnels, etc. | ADD \$ | 69,300.00 |
| 2. Backfill of area per cost proposal                    | ADD \$ | 65,900.00 |

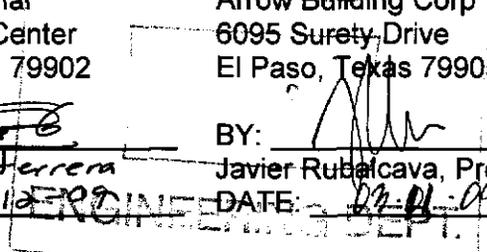
TOTAL	ADD \$	135,200.00
FEE	\$	20,280.00
TOTAL CHANGE ORDER	\$	155,480.00

The original Contract Sum was.....\$ 3,703,000.00  
 Net change by previously authorized Change Orders.....\$ 0.00  
 The Contract Sum prior to this Change Order was.....\$ 3,703,000.00  
 The Contract Sum Increased by this Change Order in the amount of.....\$ 155,480.00  
 The new Contract Sum including this Change Order will be.....\$ 3,858,480.00  
 The Contract Time will be increased by ( ) calendar days.  
 The date of Substantial Completion as of the date of this Change Order therefore is ( ) calendar days after receipt of foundation permit.

Note: This summary does not reflect changes in the Contract Sum, Contract Time or Guarantee Maximum Price which have been authorized by Construction Change Directive.

<u>CONSTRUCTION MANAGER</u> ECM International 404 Executive Center El Paso, Texas 79902	<u>CONTRACTOR</u> Arrow Building Corp 6095 Surety Drive El Paso, Texas 79905	<u>OWNER</u> Sun Metro - City of El Paso 2 Civic Center Plaza El Paso, Texas 79901
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BY:	BY:	BY: _____
M. Herrera	Javier Rubalcava, Project Manager	
DATE: 03-12-09	DATE: 02-21-09	DATE: _____





- Temporary street closure

Demolition Base Bid  
(Fifty eight thousand nine hundred twenty five and no cents)

~~\$ 58,925.00~~

# 53,200.00

✓ 2/10/09

JMR Demolition, Ltd. is a HUB Certified Sub-Contractor. We appreciate the opportunity of providing you with our quotation and look forward to working with you in the very near future. If there are any questions, please contact me at (915) 858-0376.

\*Please Note: Our firm is able commence work upon approval of this proposal.

Respectfully Submitted,  
JMR Demolition, Ltd.

A handwritten signature in black ink, appearing to read "Jesse Robles III", written in a cursive style.

Jesse Robles III  
Project Manager/Estimator



12200 Roberta Lynne - El Paso, Texas 79936 - 915.858.0376 - Fax 915.858.3387

### Time and Material Break Down (Revised)

Arrow Building Corporation  
6095 Surety Dr.  
El Paso, TX 79905

February 24, 2009

Fax: 915.778.5123

Attn: Javier Rubalcava

Project Reference: Downtown Transit Terminal Foundation Demolition  
601 S. Santa Fe  
El Paso, Texas

Additional concrete demolition and removal utilizing the following items for 5 days @ 10 hour shifts:

Labor:	3-Operators, 1-Supervisor	\$ 2,900.00
Equipment:	Kobelco SK210 w/3000 lb Hydraulic Hammer 320CL Cat Excavator w/Thumb 938 G Cat Loader	\$ 6,540.00
Trucking & Disposal:	36 semi-trailer Loads @ \$ 160.00/lb	\$ 5,760.00
Fuel:		\$ 900.00
	<b>Grand Total:</b>	<b>\$ 16,100.00</b>

If there are any questions, please contact me at (915) 858-0376.

Respectfully Submitted,  
JMR Demolition, Ltd.

A handwritten signature in black ink, appearing to read "Jesse Robles III", is written over a white rectangular area.

Jesse Robles III  
Project Manager/Estimator



ATSS Inc.  
839 Vinton Ave.  
Canutillo, TX 79835

Dirt & Paving  
Contractor

# Change Order

Date	Order #
2/20/2019	87

Name / Address
ARROW BUILDING CORP. 6095 Surety Dr. El Paso, TX 79905

Description	Project
	Downtown Transit Terminal
	Total
Backfill and compact 13 holes (10'x15'x13') 1,220 SY Labor Only	12,200.00
2 1/2' of backfill for a 90'x330' and 40'x140 area 4,250 CY Borrow	37,700.00
Over excavate 3' on new building pad 1,000 CY cut to reuse	16,000.00
<b>Total</b>	<b>\$65,900.00</b>

*NOTE: No riprap, permits, testing, barricading, utility work, utility patching, striping, signage, wheel stops, erosion control, temp. exit, fencing, demolition, trash removal, interior or exterior backfill, disposal of footing dirt or any other service/item not specified in proposal.*



# DOWNTOWN TRANSIT TERMINAL

## *Change Order*





## ***Change Order Overview***

- Project site developed in early 1900's**
  - No project development records available**
- Current site condition requires some minimal improvements for new construction**
- Required change order will improve subgrade for placement of building foundations and pavement structures**



## ***Funding Information***

- **Federal Funds (80%) through the El Paso Metropolitan Planning Organization (MPO) and City's 2009 COs (20%)**
- **Original Contract Amount: \$ 3,703,000.00**  
**Change Order # 1:                   \$ 155,480.00**  
**New Contract Amount:           \$ 3,858,480.00**
- **Project still within construction budget**



# ***Questions/Comments***