

DATE: April 20, 2005  
TO: Municipal Clerk  
FROM: Byron E. Johnson, C.P.M.  
Director of Purchasing X 4313  
THRU: Rachel Johnson  
Clerk Typist II X 4162



Please place the following item on the **CONSENT** agenda for the Council Meeting of **MAY 3, 2005.**

Item should read as follows:

Approve Change Order No. Five (Construction Change) to Vistacon, Inc. for Contract No. 2004-091, Memorial Park Improvements and Indoor Pool project for an increased amount of \$97,963.00. Change Order adds fourteen (14) days to the contract time. The purpose of this change order is to construct a new concession area, per Parks and Recreation Department request.

The revised scheduled completion date is September 20, 2005.

Contact person: Byron Johnson, C.P.M., Director of Purchasing at (915) 541-4313

\*\*\*\*\*  
**AGENDA FOR: MAY 3, 2005**  
\*\*\*\*\*

**CITY OF EL PASO, TEXAS**  
**DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)**

**DEPARTMENT:** Purchasing

**AGENDA DATE:** May 3, 2005

**CONTACT PERSON/PHONE:** Byron Johnson, Director of Purchasing, Ext. 4313

**DISTRICT(S) AFFECTED:** 2

**SUBJECT:**

Approve the construction of a new concessions area as part of the Memorial Park Improvements and Indoor Pool (Bid No. 2004-091), in the amount of \$97,963.00 (Change Order No. 5, Change Proposal No. 9. Alternate No. 8) per recommendation from the Parks and Recreation Department. Vistacon, Inc. is the contractor.

**BACKGROUND / DISCUSSION:**

Executed Request for Contract Change Order, Problem/Solution rationalization, Architects recommendation, and Contractor's cost proposal.

**PRIOR COUNCIL ACTION:**

Has the Council previously considered this item or a closely related one? If so, when?

N/A

**AMOUNT AND SOURCE OF FUNDING:**

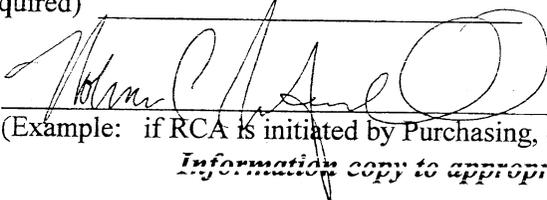
\$97,963.00, 2000 Quality of Life Bonds, 31130550-PPW0046026YR2-60029-508027

**BOARD / COMMISSION ACTION:**

N/A

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

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

**OTHER:**  \_\_\_\_\_  
(Example: if RCA is initiated by Purchasing, client department should sign also)

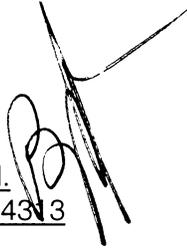
*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:**

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

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

DATE: April 20, 2005  
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Contact person: Byron Johnson, C.P.M., Director of Purchasing at (915) 541-4313

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**AGENDA FOR: MAY 3, 2005**

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

DATE: 4/14/2005  
 PROJECT: MEMORIAL PARK IMPROVEMENTS AND INDOOR POOL  
 TO (Contractor): VISTACON, INC.

CHANGE ORDER NO.: 05  
 SCOPE CHANGE       CONSTRUCTION CHANGE  
 CONTRACT NO.: 2004-091  
 DEPT. ID#: 31130550  
 PROJ/GRANT/USER: PPW0046026YR2  
 FUND: 60029  
 ACCOUNT: 50827  
 PO NO.: 2004008752

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

As requested per Parks & Recreation Department, perform all work as designated in Alternate No. 8 -the construction of New Concession Area.

CHANGE ORDER AMOUNT : 97,963.00

Original Contract Sum	2,467,600.00
Net Change by previous Change Orders	36,538.00
Contract Sum prior to this Change Order	2,504,138.00
Contract Sum will be (increased)	By this Change Order 97,963.00
New Contract Sum, including this Change Order	2,602,101.00
Total Net Value of Change Orders To Date	134,501.00

Contract Time will be (increased) BY ( 0 ) DAYS\*

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

Net Change Order Percentage (Not to exceed 25%) 5.45%

CONTRACTOR	PROGRAM MANAGER	CITY OF EL PASO
VISTACON, INC. By: <u>Elsa Silva</u> ELSA S. IVA Type or Print Name 4-18-05 Date	PERSPECTIVA 3/DI Reviewed and Recommended By: <u>Andres Tarin</u> ANDRES TARIN Type or Print Name 4/18/05 Date	CITY COUNCIL ACTION REQUIRED: <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Yes Date Approved
ARCHITECT / ENGINEER MIJARES-MORA ARCHITECTS, INC. By: <u>Robert M. Parker</u> ROBERT M. PARKER Type or Print Name 4-18-05 Date	COEP USER DEPARTMENT PARKS & RECREATION By: <u>Norman C. Merrifield</u> Norman C Merrifield Type or Print Name 4/18/05 Date	By: <u>Rick Conner</u> Rick Conner City Engineer 19 April 05 Date

# REQUEST FOR CHANGE ORDER

TO: City of El Paso, Purchasing, Contract Compliance

FROM: Andres Tarin, Project Manager

FIRM: Perspectiva + 3D/International

Phone No. 225-3442

DATE: April 7, 2005

RE: Project: Memorial Park Improvements and New Indoor  
Swimming Pool

Bid No: 2004-091

Change Order No: 5, CP No. 9: Construct Alternate No. 8 , New  
Concession Area, as shown in the Contract Documents.

*Please Indicate Type:* Construction  Scope

Change in Contract Time: 14 Days

Change Order Amount: \$ 97,963.00

*Please Indicate Action to PO:* Increase  Decrease  n/a

Justification: Parks Department requested that Alternate No. 8,  
which is shown on the Contract Documents be constructed.

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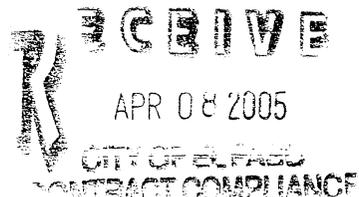
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Attachments: Problem/Solution Rationalization  
Contractor's Cost Proposal



# Memorial Park Improvements and New Indoor Swimming Pool

Problem/Solution Rationalization:

**Change Order No: 5, CP No. 9: Construct Alternate No. 8 , New Concession Area, as shown in the Contract Documents.**

## Problem

Parks Department requested that Alternate No. 8, Concession Area, which is shown on the Contract Documents be constructed.

## Solution

Construct new Concession Area.

March 17, 2005

PERSPECTIVA + 3D/INTERNATIONAL  
7380 Remcon Circle - Suite A  
El Paso, TX 79912

Attention: Mr. Andres Tarin

Reference: 0227-Memorial Park Improvements and New Indoor Swimming Pool Facility

**Change Proposal No. 9**

Dear Mr. Tarin;

Attached is a copy of Change Proposal No. 9 from Vistacon, Inc.. The Change Proposal request is for work described in Alternate No. 8 (concessions area) as requested by the Parks and Recreation Department.

Vistacon indicates in their letter that the original bid amount of \$88,000.00 has increased \$9,963.00 due to supplier/subcontractor price increases. We have reviewed this Change Proposal and find the cost of **\$97,963.00** to be acceptable and recommend approval of this Change Proposal for inclusion in a change order.

Please let us know if you agree with our recommendation to accept this Change Proposal so we can notify Vistacon of its inclusion in the next Change Order.

Sincerely,



Robert M. Parker, AIA  
Mijares- Mora Architects, Inc.

encl.

cc: mma file

RECEIVED MAR 16 2005

**PROJECT: 0227-Memorial Park Improvements and New Indoor Swimming Pool  
City of El Paso**

**Sent Via:**  US MAIL  HAND CARRIED  
 OVERNIGHT

**DATE:** March 17, 2005

**TO:** P+3  
7380 Remcon Circle  
El Paso, Texas 79912

If enclosures are not as noted, please inform us immediately.

If checked below, please:

**ATTN: MR. ANDRES TARIN**

Acknowledge receipt of enclosures.  
 Return enclosures to us.

**WE TRANSMIT:**

herewith  
 in accordance with your request

under separate cover

**FOR YOUR:**

approval  
 review and comment  
 other \_\_\_\_\_

distribution to parties  
 record

information  
 use

**THE FOLLOWING:**

Drawings  
 Specifications  
 Change Order

Shop Drawings Prints  
 Shop Drawing Submittal  
 Other

Samples  
 Diskette(s)

Copies	Description:
1	Recommendation to accept Change Proposals No. 9

RECEIVED MAR 16 2005

Transmitted By: Robert M. Parker, AIA Received By: \_\_\_\_\_



BASILIO A. SILVA, JR., P.E.  
President

ELSA SILVA  
Vice President

April 1, 2005

Mr. Robert M. Parker, AIA  
Mijares Mora Architects Inc.  
111 N. Festival Drive  
El Paso, Texas 79912

Re: Memorial Park Improvements &  
New Indoor Swimming Pool Facility  
1701 N. Cobia  
El Paso, Texas 79930  
Change Proposal #9

Dear Mr. Parker,

This letter is a supplement to the cost proposal of CP #9, (Alt #8- Concessions Area) transmitted to your office on March 17, 2005. If this proposal is approved before the first week of May '05, our steel supplier can only hold their price for 30 days, therefore any price increases would have to be absorbed by the City of El Paso. Also scheduled delivery of steel would be 4 weeks after approval of submittals therefore, we are requesting herewith an additional 14 days from the date of substantial completion (September 6, 2005). However if everything goes right we could probably have substantial completion at the same time the main project is scheduled to be completed (September 6, 2005).

Sincerely,

A handwritten signature in black ink, appearing to read "Basilio A. Silva, Jr.", is written over a faint, larger version of the same signature.

Basilio A. Silva, Jr., P.E.  
President

BAS/jzm



BASILIO A. SILVA, JR., P.E.  
President

ELSA SILVA  
Vice President

March 17, 2005

Mr. Rob Parker  
Mijares Mora Architects  
111 Festival  
El Paso, TX 79912

Dear Mr. Parker,

Below you will find the cost proposal for Change Proposal No. 9, Alternate No. 8 the Concession Stand. As you will note, the price increased due to several supplier/subcontractor price increases. As noted in Cost Proposal No. 8, the Additional Restrooms (Alternate No. 1), we will need a swift resolution on this matter to assure we will not have any delays in the construction of this alternate or the original base bid. Please advise.

Original Bid Alt. No. 8		\$88,000.00
Steel Specialties Increase	Add	\$ 4,538.00
(revised quote \$10,338.00 – original bid \$5,800.00)		
Howard Sales	Add	\$ 50.00
(revised quote \$300.00 – original bid \$250.00)		
EBM Mechanical	Add	\$ 3,000.00
(revised quote \$5,000.00 – original bid \$2,000.00)		
Millennium Electric	Add	\$ 1,470.00
(revised quote \$5,420.00 – original bid \$3,950.00)		
	Subtotal	\$ 9,058.00
	Profit & Overhead	\$ 905.00
	Alt. No. 8 Total Revised	\$97,963.00

Vistacon, Inc. also reserves the right to request additional time based on the time the joists, decking, and steel take to be delivered to the jobsite. We anticipate a delivery time approximately 3-4 weeks.

Sincerely,

(Basilio A. Silva, Jr., P.E.)  
President

RECEIVED MAR 16 2005

**EBM MECHANICAL CONTRACTOR**  
**539 RANCHO VIEJO**  
**EL PASO, TEXAS 79927**  
**TEL: 915-852-8442**  
**FAX: 915-852-6686**

March 11, 2005

Vistacon, Inc.  
1161 Kessler Dr.  
El Paso, Texas 79907

Attention: Jaime Reyes

Reference: 00227-Memorial Park Improvements and New Swimming Pool  
Facility  
1707 N. Cobia  
El Paso, Texas 79930

Change Proposed No. 9

Dear Mr. Jaime Reyes,

In response to your request for confirmation of any changes to the original proposal submitted on March 9, 2005, we would like to inform you that the price has increased \$5,000.00, due to a nation wide 10 % increase in price for all material.

Thank you,



Enrique B. Morales

RECEIVED MAR 16 2005

**QUOTATION**

**Howard Sales Company**

4625 Ripley Drive

El Paso, Texas 79922

(915) 833-5550

(915) 833-7770

Email [info@howardsales.com](mailto:info@howardsales.com)

March 10, 2005

Ref: Memorial Park Indoor Pool (Improvements)

El Paso, TX 79930

Attn: Jaime Reyes

We are pleased to provide this quote for the job listed above:

**Alternate #8**

Visual Display Boards by Claridge Products

1 each Tack Board 4'x 8'

Section 10100

\$300.00

Addenda

FOB Jobsite

No Installation

Materials only

No Sales Tax

Quote Valid for 60 days

Thank You

RECEIVED MAR 16 2005

**Steel Specialties Inc.** 701 Pendale Rd. Phone: 915-590-2337  
 El Paso, Texas 79907 FAX: 915-590-3504

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# FACSIMILE

To: VISTACON, Inc.  
 ATTN: Mr. Jaime Reyes  
 FAX: 591-0064

From: Jesse Marquez  
 Date: Monday, March 14, 2005  
 Subject: Memorial Park Improvements  
 Our Job No. 04-332  
 El Paso, Texas

*TWO page including cover*

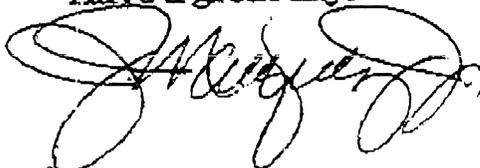
Good Morning!

Originally when project bid, alternate No. 8 was priced to ship with base bid materials. Now, all base bid joists and deck materials have shipped and have been delivered to the site. This constitutes added freight charges as well as a new quote from the joist and deck suppliers. Originally this project including the joists and deck bid back on March of 2004, approximately one year ago.

We can offer a revised price, but due to the above joist and deck issues, and material price increases we can not honor the original price of \$5,800.00.

Feel free to call me should you have any questions or require additional information. My office number is (915)590-2337. Fax (915)590-3504.

Have a great day!



REVISED  (3/14)

### Steel Specialties, Inc.

701 Pendale Drive  
El Paso, Texas 79907  
Phone (915) 590-2337  
Fax (915) 590-3504

**NAME OF PROJECT:** CONCESSION STAND AT MEMORIAL PARK

**BID DATE:** MARCH 11, 2005

**PROJECT LOCATION:** EL PASO, TX

**DRAWING SHEET NO:** C2, C3, C4, C5, L3, A1.1, A1.2, A1.3, A1.4, A1.5, A1.6, A1.7, A2.1, A2.2, A2.3, A2.4, A2.5, A2.6, A3.1, A4.1, A4.2, A5.1, A5.2, A6., A6.2, A6.3, A6.4, A6.5

**ARCHITECT:** MIJARES MORA ARCHITECTS

**ADDENDUM/AMENDMENTS:** AMENDMENT NO.1 DATED MARCH 3, 2004; AND AMENDMENT NO.2 DATED MARCH 17, 2004

**SPECIFICATIONS:** 1 VOLUME, BOOK NO.30. DATED OCTOBER 13, 2003

**BID FORMATS:**

#### ALTERNATE NO.8 - CONCESSION STAND

REINFORCING BARS APPROXIMATELY 3 TON(S)

ROOF DECK 1 1/2" TYPE B PRIMED APPROXIMATELY 14 SQUARE(S)

JOISTS AND BRIDGING APPROXIMATELY 4 TON(S)

STRUCTURAL STEEL APPROXIMATELY 2 TON(S)

- 1. TUBE FRAMING
- 2. CONTINUOUS ANGLE
- 3. STUB COLUMNS
- 4. EMBEDS

\$10,338.<sup>00</sup>  (3/14)

ALTERNATE NO.8 TOTAL PRICE: \$ ~~11,280.00~~ PLUS TAX  
F.O.B. JOBSITE

CONCESSION STAND AT MEMORIAL PARK

RECEIVED MAR 16 2005

Millennium Electrical Contractors, Inc.

3669 Mark Jason Drive  
 El Paso, TX 79938

# PROPOSAL

Date
3/10/2005

Name / Address
Vistacon Inc. 1161 Kessler Dr. El Paso, Texas 79907

Project
2004-04 Memorial P...

Description	Qty	Rate	Total
Project: Memorial Park Indoor Swimming Pool Alternate No. 8 Concessions Stand			
Material and Labor	1	5,420.00	5,420.00
REVISED PRICED			
<b>Total</b>			\$5,420.00

Phone #	Fax #
915-856-1821	915-855-6394

RECEIVED MAR 16 2005

**mijares • mora**  
ARCHITECTS INC.

March 9, 2005

Vistacon, Inc.  
1161 Kessler Dr.  
El Paso, Texas 79907

Attention: Jaime Reyes

Reference: 0227-Memorial Park Improvements and New Indoor Swimming Pool Facility  
1701 N. Cobia  
El Paso, Texas 79930

**Change Proposal No. 9**

Dear Mr. Jaime Reyes,

The Owner is considering including the work described in Alternate No. 8 (concessions area) into the Project. Please confirm whether or not you are willing to perform the work included in this alternate for the amount of \$88,000.00 as indicated on the Proposal Form. If not, please prepare an itemized proposal for changes in the Contract Sum and Contract Time for inclusion of this Alternate into the construction contract.

This is not a Change Order, Construction Change Directive or a direction to proceed with the work described in the proposed modifications.

Your attention to this request is appreciated.

Sincerely,



Robert M. Parker, AIA  
Mijares-Mora Architects, Inc.

encl.

cc: Andres Tarin - P+3  
mma file