

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

**DEPARTMENT:** Engineering Department

**AGENDA DATE:** October 31, 2006

**CONTACT PERSON/PHONE:** Rick Conner, City Engineer, Ext. No. 4423

**PROJECT NAME/SOLICITATION NO.** Central Business District (CBD) Phase III /Contract Number 2005-119

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

That the City expend additional available funding in the amount of \$59,777.60 to increase the estimated unit quantities for Contract Number 2005-119, Central Business District (CBD) Phase III Project. This is a unit price contract which allows the City to increase or decrease the estimated unit quantities, provided that the unit prices do not increase. The unit prices are not increasing.

**BACKGROUND / DISCUSSION:**

The award and approval of this construction quantity notice will increase the estimated total current value of the Central Business District (CBD) Phase III Project contract from \$12,702,872.23 to \$12,762,649.83. The original contract was awarded by Council on August 30, 2005 for the amount of \$11,704,121.50. Previous change orders and construction quantity notices in the amount of \$998,750.73 have been approved and added to the original contract amount. The dollar amount of this construction quantity notice is \$59,777.60.

The original design required that the contractor replace the existing asphalt pavement on Mills Street from Stanton Avenue to Kansas Avenue and from Kansas Avenue to Campbell Avenue with new emulsified asphalt pavement. Before the bidding phase there were serious concerns that the City of El Paso could not afford placing concrete on all streets of this project. We did receive a reasonable unit price bid on concrete pavement from the contractor. City staff has evaluated streets on the Central Business District Phase III project to determine the need for concrete pavement in lieu of asphalt pavement. Due to the increased traffic volume on Mills Street from Stanton Avenue to Kansas Avenue and from Kansas Avenue to Campbell Avenue we propose that the asphalt pavement be replaced with concrete pavement. This change will result in lower maintenance costs for the Street Department. Furthermore concrete pavement lasts longer than asphalt pavement. In the long run the City of El Paso will save money. The work under the unit-priced components is only an estimated quantity and will be ordered, performed, invoiced and paid by measured quantity. This quantity notice does not change contract unit prices.

**PRIOR COUNCIL ACTION:**

The original contract was awarded by Council on August 30, 2005.

**AMOUNT AND SOURCE OF FUNDING:**

Funding is available from the following account:

Project No.	PPWST03001
Fund No.	27704 & 29122
Department ID	31255002 & 14200403
Account No.	508027
Funding Source:	90%-10% Texas Department of Transportation (TXDOT)/City Match (2004 Bond Issue)

06 OCT 23 AM 1:55  
CITY CLERK DEPT

**BOARD / COMMISSION ACTION:**

N/A

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

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

**DEPARTMENT HEAD:** *JR Kirk/owner* \_\_\_\_\_

Cc: Patricia D. Aduato, Deputy City Manager Development and Infrastructure Services

**APPROVED FOR AGENDA:**

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

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

CITY CLERK DEPT.  
06 OCT 23 AM 1:56

RESOLUTION

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

That the City expend additional available funding in the amount of \$59,777.60 to increase the estimated unit quantities for Contract Number 2005-119, Central Business District (CBD) Phase III Project. This is a unit price contract which allows the City to increase or decrease the estimated unit quantities, provided that the unit prices do not increase. The unit prices are not increasing.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.**

THE CITY OF EL PASO

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

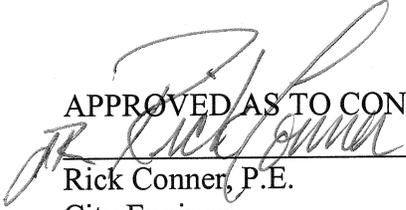
ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Rick Conner, P.E.  
City Engineer

**CITY OF EL PASO FINANCIAL SERVICES DEPARTMENT  
CONSTRUCTION QUANTITY NOTICE**



DATE:	8/17/2006	Const. Quant. Notice #	03
PROJECT:	CENTRAL BUSINESS DISTRICT PHASE III	<input type="checkbox"/> SCOPE CHANGE	<input checked="" type="checkbox"/> CONSTRUCTION CHANGE
TO (Contractor):	J.A.R. CONCRETE, INC.	BID NO.:	2005-119
		DEPT. ID#:	31255002 & 14200403
		PROJ/GRANT/USER:	PPWST03001
		FUND:	27704 & 29122
		ACCOUNT:	508027
		PO NO.:	2006002126

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

Remove from Base Bid:

1). Item No. 3146 - Hot mix (TY C) 347 Ton @ \$54.00/Ton = <\$18,738.00> Value Engineering

Add to Base Bid:

- 2). Item No. 110 - Excavation (RDWY) 289 C.Y. @ \$16.50/C.Y. = \$4,768.50 Value Engineering
- 3). Item No. 360 - Conc. Paving (CPCD)(8") 2,074 S.Y. @ \$34.00/S.Y. = \$70,516.00 Value Engineering
- 4). Install Expansion Joint Material 2,074 S.Y. @ \$1.15/S.Y. = \$2,385.10 Value Engineering
- 5). Install Smooth Dowels 141 each @ \$6.00/each = \$846.00 Value Engineering

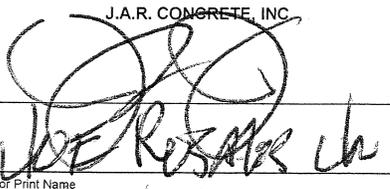
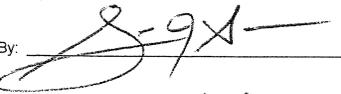
Total Cost \$ 59,777.60

CONSTRUCTION QUANTITY NOTICE AMOUNT: 59,777.60

Original Contract Sum	\$ 11,704,121.50
Net Change by previous Change Orders	433,085.23
Net Change by previous Construction Quantity Notices	565,665.50
Contract Sum prior to this Construction Quantity Notice	12,702,872.23
Contract Sum will be (increased) (decreased) (unchanged)	By this Construction Quantity Notice: 59,777.60
New Contract Sum, including this Construction Quantity Notice	12,762,649.83
Total Net Value of Change Orders To Date	433,085.23
Total Net Value of Construction Quantity Notices to Date	625,443.10
Contract Time will be (increased) (decreased) (unchanged)	BY ( 0 ) DAYS*
	Original Contract Days: 830
	Days by Change Order: 215
	Total Days: 1045

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

Net Change Order Percentage (Not to exceed 25%) 9.04%

CONTRACTOR	COEP USER DEPARTMENT	CITY OF EL PASO
<p>J.A.R. CONCRETE, INC.</p> <p>By: </p> <p>Type or Print Name: <u>JOE ROSALES</u></p> <p>Date: <u>8/29/06</u></p>	<p>STREET DEPARTMENT</p> <p>By: </p> <p>Type or Print Name: <u>Darryl W Cole</u></p> <p>Date: <u>9/1/06</u></p>	<p>CITY COUNCIL ACTION REQUIRED:</p> <p align="center">[ ] No    <input checked="" type="checkbox"/> Yes</p> <p align="center">_____ Date Approved</p>
<p>ARCHITECT / ENGINEER</p> <p>BROCK &amp; BUSTILLOS, INC.</p> <p>By: </p> <p>Type or Print Name: <u>SERGIO J. ADAME</u></p> <p>Date: <u>8/29/2006</u></p>	<p>By: </p> <p>Type or Print Name: <u>Rick Conner</u></p> <p>Date: <u>7 Sept 06</u></p>	<p>By: </p> <p>Type or Print Name: <u>Rick Conner</u></p> <p>Date: <u>7 Sept 06</u></p>

# Quantity Notice No. 4

**TO:** Contract Compliance

**DATE:** 8-17-2006

**FROM:** Gilbert Guerrero

**Engineering ext.** 4107

**RE: Project:** Central Business District Phase III

**Bid No:** 2006-119

**TXDOT CSJ:** 0924-06-191

## Construction Quantity Notice

*Please Indicate Type:* Construction  Scope

*Please Indicate Action to PO:* Increase  Decrease

**Change in Contract Time:** 0 Days

### Unforeseen Condition:

**Value Engineering:** \$ 59,777.60

**Error/Omission:**

**User Request:**

**Total** \$ 59,777.60

### Remove from Base Bid:

- (1) Item No. 3146 – Hot Mix (TY C)  
347 Ton @ \$54.00/Ton = **(\$18,738.00) Value Engineering**

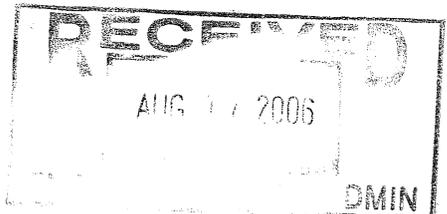
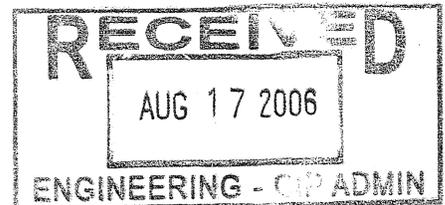
### Add to Base Bid:

- (2) Item No. 110 -- Excavation (RDWY)  
289 C.Y. @ \$16.50 / C.Y. = **\$4,768.50 Value Engineering**
- (3) Item No. 360 -- Conc. Paving (CPCD)(8")  
2,074 S.Y. @ \$34.00 / S.Y. = **\$70,516.00 Value Engineering**
- (4) Install Expansion Joint Material  
2074 S.Y. @ \$1.15 / S.Y. = **\$2,385.10 Value Engineering**
- (5) Install Smooth Dowels  
141 each @ \$6.00 /each = **\$846.00 Value Engineering**

**TOTAL COST = \$ 59,777.60**

**Attachments:** Problem/Solution Rationalization

Construction Quantity Notice



488 989.23  
565 665.50

215

# Central Business District Phase III

Bid No. 2006-119

TxDOT CSJ: 0924-06-191

## Quantity Notice No. 4

August 17, 2006

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### Justification:

Due to increase traffic volume within the downtown area changing from asphalt to concrete, in the long term, will provide a more economical and maintenance free product. The areas to receive concrete are Mills Street from Stanton Ave. (Sta. 10+33) to Kansas Ave. (Sta. 12+14), and Mills Street from Kansas Ave. (Sta. 13+33) to Campbell Ave. (15+44)

#### *Remove from Base Bid:*

- (1) Item No. 3146 – Hot Mix (TY C)  
347 Ton @ \$54.00/Ton = **(\$18,738.00) Value Engineering**

#### *Add to Base Bid:*

- (2) Item No. 110 -- Excavation (RDWY)  
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- (5) Install Smooth Dowels  
141 each @ \$6.00 /each = **\$846.00 Value Engineering**

**TOTAL COST = \$ 59,777.60**

#### **Please use the following Account:**

**2004 Bond**

**Project # PPWST03001**

**Fund # 27704**

**Account # 508027**

**Dept. I.D. # 31255002**

**MOTION  
AUGUST 30, 2005**

CITY CLERK DEPT.  
06 OCT 24 PM 9:41

Motion made by Representative Lozano, seconded by Representative Byrd and unanimously carried to award Bid Solicitation No. 2005-119 Central Business District Phase III (CBD III).

Location:	Downtown
Contractor:	J. A. R. Concrete, Inc . El Paso, TX
Department:	Streets
Funds Available:	14200403-PPWST03001-29122-508027 (COEP) 312550022-PPWST03001-27704-508027 (TXDOT)
Funding Source:	FY3 Certificates of Obligation (20% COEP) Texas Department of Transportation (80% TXDOT)
Items:	Base Bid I                 \$ 9,937,801.00 Base Bid II                \$ 865,678.00 Base Bid III               \$ 757,986.50 Base Bid IV                \$ 142,656.00
Total Award:	\$11,704,121.50 (estimated)
District(s):	8

**RECOMMENDATION:**

The Departments of Engineering and Streets recommend the award of this contract to J. A. R. Concrete, Inc., the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

This bid award is conditioned subject to the Transportation Policy Board approval of the expenditure of additional funds of \$2,426,869. If funding is not approved then the City Council must reconsider this item again for action within forty-five (45) days.

Work under the unit price component is only an estimated value and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

Representative Steve Ortega abstained from the vote.

Richarda Duffy Momsen, City Clerk