



# City of League City, TX

300 West Walker  
League City TX 77573

## Text File

File Number: 17-0527

Agenda Date: 8/22/2017

Version: 1

Status: ATS Paused

In Control: Public Works

File Type: Agenda Item

### Title

Consider and take action on a resolution authorizing change order no. 2 with Texas Sterling Construction Co. for the Calder Road Improvements Project (ST1002) in an amount of \$121,761.00 for a total increased contract amount of \$7,779,130.94 (Director of Public Works)

### ..Background:

Approval of this resolution will authorize change order number 2 in the amount of \$121,761.00 for the construction of the Calder Road Improvements Project.

On September 13, 2016, City Council awarded the construction contract for the Calder Road Improvements Project to Texas Sterling Construction Co. in the amount of \$7,528,129.70, and authorized a work change directive budget of \$752,812.97. The work change directive budget is to be used for minor work changes and change orders that will adjust the contract price and contract time to reflect conditions that unexpectedly arise because of the actual construction development of the project.

On July 11, 2017, City Council approved change order number 1 in the amount of \$129,240.24, bringing the contract amount to \$7,657,369.94.

Change order number 2 represents an increase to the contract in the amount of **\$121,761.00**. The individual change order items are as follows:

1. ` Relocation of approximately 1,900 linear feet of 4-inch thru 12-inch water distribution line and appurtenances from Ervin Street to Big League Dreams (**increase amount of \$234,661.00 and 30 days**).

The City's contractor has performed field verification of the existing 8-inch/6-inch water distribution line along the east side of Calder Road which is located in the existing roadside ditch. The water line only has a few inches of cover in some places, between Ervin Street and Big League Dreams Parkway (1,200 linear feet). The contractor says they need to remove the existing ditch 2 feet to 3 feet of unsuitable material (mud) to obtain a firm bottom to start constructing the compacted embankment for the temporary asphalt detour lanes, and future concrete pavement subgrade. In doing so the water line will conflict with the excavation and embankment construction and should be relocated.

In the original design, it was anticipated that the Texas-New Mexico Power line would be relocated to be parallel with and no nearer than 3-feet inside Calder Road's new east right-of-way line. From a constructability and future maintenance standpoint, and in order to maintain clearance from the proposed power poles and overhead lines, the 8-inch water line, if relocated, would need to have a minimum of 4-feet clearance from the proposed poles and overhead power lines. That 4-feet clearance would violate the TCEQ required 9-foot separation between the sewer lines and water lines, thusly we determined to leave the 8-inch in place, under the future pavement, and protect it during construction.

Subsequent to roadway design being complete, the proposed location of TNMP's poles was revised so that it would be approximately 6-feet off of the back of curb, instead of the 3-feet off of the right-of-way line. This change makes it possible to relocate the 8-inch water line and comply with the TCEQ 9-foot horizontal clearance requirement between parallel public water lines and sewer lines.

In addition to the existing water line conflict, the design plans being prepared for future Ervin Street and future Calder Road extension south, includes a 12-inch water line extending south along Calder Road and west along Ervin Street. Now is the time to construct the 12-inch water line so the concrete pavement being constructed with the current Calder Road Project does not have to be removed and replaced for the future construction of the 12-inch water line crossing.

2. Delete Bid Item 55B Storm Sewer "Option A" at STA. 79+68 **(decrease amount of \$45,000.00).**

This item was proposed for the offset of the storm sewer pipe to avoid a conflict with tree roots from a 25-inch live oak tree. This offset cannot feasibly be constructed because the storm sewer would then conflict with the existing 24-inch water distribution line.

3. Delete bid item 68 "relocate 12-inch water line" **(decrease amount of \$31,500.00).**

This item will be deleted and include in charge order item 1 relocation of water line.

4. Delete bid item 90 "relocate 39-inch water line" **(decrease amount of \$36,400.00).**

With approval of change order number 2, the contract amount will be adjusted as follows:

Original Contract Amount	\$7,528,129.70
Change order number 1	\$ 129,240.24
<b>Change order number 2</b>	<b><u>\$ 121,761.00</u></b>
Adjusted contract amount with change orders	\$7,779,130.94

The Project cannot proceed until the afore-mentioned water distribution is relocated under this change order. The Contractor is disputing the terms of the original contract as it relates to compensation owed for this change order. The Contractor believes it can add overhead charges to this change order. The City's Engineer and City Staff believe that overhead charges were already included in the original contract prices. Both the City and the Contractor have agreed to proceed with the work under this change order and resolve the issue of compensation through the claims procedure outlined in the original contract. City staff believes time is of the essence and the City should move forward with this change as this item is in the critical path. City Staff will keep the Council informed as this issue gets resolved.

Attachments:

1. Data Sheet
2. Proposed Resolution
3. Change Order No. 2
4. Exhibit

FUNDING

{X} Funds in the amount of \$121,761.00 are available from project contingency with expenses to be charged to ST1002-CONSTRUCT-2016 CO