Title: Change Order: Department of Utilities 35th Avenue Demonstration Garden Project

Location: District 5

Recommendation: Pass a Motion: 1) authorizing the City Manager or the City Manager’s designee to execute Change Order No. 3 in an amount not to exceed $24,534 to Contract No. 2019-0712 with Sierra Valley Construction, Inc. bringing the agreement’s total not-to-exceed amount to $723,773; and 2) ratifying Change Orders No. 1 and 2 to Contract No. 2019-0712; and 3) resetting the City Manager's authority to issue change orders for the Contract.

Contact: Kevin Love, Facilities Program Manager, (916) 808-5592; Department of Public Works; Roshini Das, Sustainability Program Manager (916) 808-6270; William O. Busath, Director, (916) 808-1434; Department of Utilities.

Presenter: None

Attachments:
1-Description/Analysis
2-Change Order No. 3
Description/Analysis

Issue Detail: Staff recommends the City Council (Council) approve Change Order No. 3 in the amount of $24,533 with Sierra Valley Construction, Inc. for the City Agreement No. 2019-0712, to accommodate the discovery of an irrigation mainline point of connection; the extension of a 12-inch drain line; repairs to the building downspouts along the east wall; and the realigning of the pedestrian walkway leading to the public right of way. Furthermore, ratification of Change Orders No. 1 and 2 are necessary to reset the City manager’s authority.

Policy Considerations: This Change Order exceeds the City Manager’s approval authority and requires Council approval.

Economic Impacts: The recommended Change Order is expected to create 0.1 jobs (0.1 direct job and 0.0 jobs through indirect and induced activities) and create $15,148 in total economic output ($9,548 of direct output and another $5,600 of output in indirect and induced activities).

Environmental Considerations: The proposed project has been determined to be exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines Section 15304, Minor Alterations to Land. The project consists of minor alterations to the existing site, renovating existing landscaping, and does not include the removal of healthy, mature, scenic trees.

Sustainability: The upgrade of the 35th Avenue Demonstration Garden project is consistent with City’s Climate Action Plan policies requiring City to use water conservation gardens to demonstrate and promote water conserving landscapes; promote “River Friendly Landscaping” techniques; encourage “green infrastructure” design and Low Impact Development techniques; and promote the use of rain barrels and rain gardens to conserve water.

Commission/Committee Action: None

Rationale for Recommendation: Pedestrian improvements were necessary to comply with the Americans with Disabilities Act, which involved a realignment of the walkway and gate modifications. Also, the removal of three trees that conflicted with the sidewalk improvements adjacent to the cistern was determined to be necessary. Other changes were requested to repair the previously existing downspout connections that were in disrepair and had reached their life expectancy. Finally, the contractor exposed an irrigation mainline point of connection that wasn’t identified on the approved plans, which resulted in a 12-inch drain line extension.
Financial Considerations: The original not-to-exceed amount of the contract was $638,713. The net change by previous change orders in the amount of $60,527, increased the contract not-to-exceed amount to $699,240. Proposed Change Order No. 3 in the amount of $24,534 will increase the contract not-to-exceed amount to $723,773. There are sufficient funds in the Facilities Improvement/Rehab (Z14140600) to execute this Change Order.

There are no General Funds allocated or planned for this project.

Local Business Enterprise (LBE): Sierra Valley Construction, Inc. is an LBE.

Background: Change Order No.1 of the original Contract, in the amount of $14,883, was executed on August 26, 2019 to provide for removal of trees, discovery of an unforeseen irrigation mainline that conflicted with the structural backfill, material price escalation and, an increase to the cistern footing to better accommodate the size of the tank.

Change Order No. 2, in the amount of $45,645, provided compensation to the contractor to relocate the electric vehicle charging stations from the northside of the parking lot to the southside and install additional piping. This change order also included 40 linear feet of 4-inch polyvinyl chloride piping which was coordinated for future use.
City of Sacramento
CHANGE ORDER

Contract #: C2019-0712   DATE: 07/01/2019
Purchase Order #: 0000052422

Budget #: Z14140606
Change Order #: 3
Today's Date: 1/12/2019

TO: Sierra Valley Construction, Inc.
Contract For: Sacramento Demonstration Landscape Garden

Upon mutual acceptance of this document the City of Sacramento, hereinafter referred to as "City" and your firm, hereinafter referred to a "Contractor", in accordance with the terms and conditions of the original contract documents, you are hereby directed to make the following change or changes for the consideration set forth below:

**Description:** Time extension due to administrative changes with the project design

**Additional Work:** See attached Exhibit A

<table>
<thead>
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<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>The original contract sum was</td>
<td>$638,712.50</td>
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<tr>
<td>Net change by previous Change Orders</td>
<td>$ 60,526.52</td>
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<tr>
<td>The contract sum prior to this Change Order was</td>
<td>$699,239.02</td>
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<tr>
<td>The contract sum will be increased by this Change Order</td>
<td>$ 24,533.43</td>
</tr>
<tr>
<td><strong>New contract sum including all Change Orders</strong></td>
<td><strong>$723,772.45</strong></td>
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Contractor agrees that the amount of increase or decrease in the contract sum specified in this Change Order shall constitute full compensation for the work required by this Change Order, including but not limited to all compensation for the additional costs, if any, which may accrue to the Contractor by reason of any change in work schedules, other contract or cost of the project in any way made necessary by this Change Order. The time for performance of the contract will be extended by **12 working days** to complete the project by reason of the performance of the work required by this Change Order. Except as herein above expressly provided, Contractor further agrees that the performance of the work specified in this Change Order or the rescheduling of the other project work made necessary by this Change Order, shall not constitute a delay which will extend the time limit for completion of the work as said term is used in the contract between the City and Contractor for the project.

Approval Recommended By:

Kevin Love, Project Manager   Date: 01-28-20

Approved By:

Ryan Moore
Director, Public Works

Approved By:

Shawn Lanza, Contractor   Date: 11/23/20

Approved By:

City Clerk

City Attorney   Date

Rev 10/22/96
EXHIBIT A

Sacramento Demonstration Landscape Garden
C2019-0712

1/12/2019

DESCRIPTION AMOUNT

Change Order #3

All changes to the scope are noted below as described. ("PCO").

PCO #11R. Changed/Unforeseen Conditions $ 5,970.95

12/30/2019 This PCO will compensate the contractor for relocating work that was performed on a time and materials basis. The scope consisted of finding the irrigation mainline point of connection. Also, included in the scope is the extension of a 12" drain line that was discovered during the course of the project.

PCO #12R. Client Initiated Changes $ 7,825.97

12/31/2019 This PCO will compensate the contractor for the drain repairs associated with the building downspouts along the east face of the building. The downspout connections were in disrepair and was not properly shedding water from the building to the existing landscape swale.

PCO #13R. Changed/Unforeseen Conditions $ 3,554.94

12/31/2019 This PCO will compensate the contractor for the completion of the work required per Field Directive # 1. The scope involves the re-aligning of the pedestrian walkway and gate modifications that connects to the 35th Avenue entrance at the City sidewalk for ADA compliance.

PCO #14. Client Initiated Changes $ 7,181.57

12/3/2019 This PCO will compensate the contractor for the completion of the work required per Field Directive # 1. The scope involves the re-aligning of the pedestrian walkway and gate modifications that connects to the 35th Avenue entrance at the City sidewalk for ADA compliance.

<table>
<thead>
<tr>
<th>4 Items</th>
<th>Total for Contract # 2019-0712</th>
<th>$ 24,533.43</th>
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<tr>
<td>Totals by Reason</td>
<td>Changed/Unforeseen Conditions $ 9,525.89</td>
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<td>Changed to Bid Documents $ -</td>
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<td></td>
<td>Client Initiated Changes $ 15,007.54</td>
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