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**File ID:** 2024-01579

10/8/2024

**Consent Item 14.**

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**Contract Change Order and Authority Reset: Broadway Complete Street (T15175300)**

File ID: 2024-01579

**Location:** District 4, Represented by Councilmember Valenzuela; District 4, Represented by Mayor Steinberg; District 5, Represented by Councilmember Maple; and District 7, Represented by Councilmember Jennings

**Recommendation:** Pass a **Motion:** 1) authorizing the City Manager or the City Manager's designee to execute Change Order No. 5 to City Agreement No 2023-0961 with George Reed, Inc. for an amount not-to-exceed \$99,167, bringing the agreement's total not-to-exceed amount to \$10,921,064; and 2) resetting the City Manager's authority to issue Change Orders for the Agreement No. 2023-0961.

**Contact:** Philip Vulliet, Senior Engineer, (916) 808-5092, pvulliet@cityofsacramento.org; Judy Matsui-Drury, Supervising Engineer, (916) 808-7610, jmatsui-drury@cityofsacramento.org; Ofelia Avalos, Engineering Manager, (916) 808-5054, oavalos@cityofsacramento.org; Department of Public Works

**Presenter:** None

**Attachments:**

1-Description/Analysis

2-Change Order No. 5 to the City Agreement No. 2023-0961

**Description/Analysis**

**Issue Detail:** In August 2016, the City Council accepted the Broadway Complete Streets Plan as the City's guide for the reconfiguration of the Broadway corridor between Interstate 5 and State Route 99. On February 14, 2017, the City Council approved the establishment of the Broadway Complete Street Capital Improvement Project.

The Broadway Complete Street Project (T15175300) is currently under construction and will transform Broadway from 3rd Street to 19<sup>th</sup> Street, and 21<sup>st</sup> Street to 24<sup>th</sup> Street, into a complete street that provides an active pedestrian, bicycle, and transit friendly environment. The project will reduce the vehicle travel lanes from four lanes to two lanes with a center turn lane, add buffered bike lanes, accommodate parking, and improve pedestrian crossings. To accommodate vehicular traffic circulation with the lane reduction on Broadway, the project has constructed one block of 29th Street,

between X Street and Broadway, to connect at the intersection with the southbound SR-99 on-ramp, and converted one block of 16<sup>th</sup> Street, between Broadway and X Street, from one-way to two-way.

A subsequent phase of the Broadway Complete Street Project will complete the corridor improvements from 19<sup>th</sup> Street to 21<sup>st</sup> Street, and 24<sup>th</sup> Street to Franklin Boulevard, with construction targeted for 2025.

During construction, some items of work have required contract change orders. These items include unanticipated subsurface utility conflicts that required resolution, additional asphalt placement, and unforeseen irrigation issues within Caltrans Right of Way. Change Order No. 5 includes modifications to the signal installation at the Land Park Drive/16<sup>th</sup> Street intersection, and tree trimming for improved signal visibility and exceeds the allowable City Manager supplemental contract signing authority per City Code. City Council action is required to execute this change order and reset City Manager change order authority.

**Policy Considerations:** The actions requested herein are consistent with the City's goals of improving and expanding public safety and enhancing livability. Specific goals the project addresses are as follows:

M1.2.1 - The City shall develop an integrated, multimodal transportation system that improves the attractiveness of walking, bicycling, and riding transit over time to increase travel choices and aid in achieving a more balanced transportation system and reducing air pollution and greenhouse gas emissions.

These improvements will accommodate cyclists of varying experience levels and abilities, will improve pedestrian safety, and may calm traffic speeds. This project is also consistent with the City's Vision Zero efforts, the goal of which is to eliminate traffic fatalities and serious injuries (Resolution No. 2017-0032). These streets are on the High Injury Network, and in addition to installing bicycle facilities, the project will also improve visibility to pedestrians and bicyclists at intersections.

**Economic Impacts:** This new infrastructure is expected to create 43.69 total jobs (25.12 direct jobs and 18.57 jobs through indirect and induced activities) and create \$6,744,235 in total economic output (\$4,250,943 of direct output and another \$2,493,292 of output through indirect and induced activities).

The indicated economic impacts are estimates calculated using a calculation tool developed by the Center for Strategic Economic Research (CSER). CSER utilized the IMPLAN input-output model (2009 coefficients) to quantify the economic impacts of a hypothetical \$1 million of spending in various construction categories within the City of Sacramento in an average one-year period. Actual impacts could differ significantly from the estimates and neither the City of Sacramento nor CSER shall be held responsible for consequences resulting from such differences.

**Environmental Considerations:**

**California Environmental Quality Act (CEQA):** On October 15, 2019, City Council approved an addendum to the Central City Specific Plan Environmental Impact Report (CCSP EIR) to include the improvements proposed with the Broadway Complete Streets Project.

The CCSP EIR evaluated the potential impacts for the improvements identified in the Broadway Complete Street Project, including the lane reduction, bike and pedestrian facilities, streetscape improvements, lighting improvements, and 29th Street extension between Broadway and X Street. Supplemental traffic analysis was performed to evaluate intersection and corridor operations, and operations along adjacent streets. The supplemental analysis identified no significant impacts that were not previously identified and evaluated in the CCSP EIR.

This project is federally funded. In compliance with the National Environmental Policy Act (NEPA), Caltrans determined on March 3, 2020, that the project is a Categorical Exclusion under 23 CFR 771.112(c)(3) and is categorically excluded from needing to prepare an environmental assessment (EA) or environmental impact statement (EIS).

No further environmental review is required for subsequent actions of the previously approved project.

The Sacramento Housing and Redevelopment Agency (SHRA) is the NEPA Responsible Entity for the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds and will complete a NEPA review in compliance with 24 CFR Part 58 prior to undertaking any choice limiting action. SHRA anticipates that this project will require completion of a Categorical Exclusion pursuant to NEPA. *Following NEPA approval through HUD, SHRA will issue a notice to proceed to the City. Construction will not proceed until NEPA is complete and the notice to proceed is issued.*

**Sustainability:** The proposed project supports City Council's sustainability priorities. The transportation sector accounts for 57% of community-wide greenhouse gas emissions, the largest single sector in the community. The City's Climate Action Plan includes several implementation measures to reduce vehicle trips. The project would increase active transportation, reduce vehicular trips, and help ensure more efficient vehicular flow. These actions will reduce greenhouse gas emissions and help improve local air quality.

**Commission/Committee Action:** The project was presented to the Active Transportation Commission (ATC) on November 21, 2019, for review and comment. The ATC was supportive of the project and the benefit of discouraging commuter traffic on Broadway. They also asked about public engagement, disabled access, and transit services on the corridor.

The project was also presented to the Disabilities Advisory Commission (DAC) on September 1, 2021, for review and feedback. The DAC was supportive of the project but wanted to ensure the project accommodated all users and asked for additional accessibility accommodations such as audible pedestrian features, which have been added to the project.

**Rationale for Recommendation:** Staff recommends the City Council approve Change Order No. 5 with George Reed for the City Agreement No. 2023-0961. The proposed Change Order No. 5 provides compensation for additional tree trimming and traffic signal upgrades not identified in the original contract documents. For contracts originally awarded for a price of \$10,000,000 or more, Section 3.04.020(A)(4) of the Sacramento City Code authorizes the city manager or designee to execute contract agreements that increase the contract amount, provided the sum of all contracts amendments does not exceed 6% of the original contract price. As this contract amendment will exceed this percentage, City Council approval is required and staff is requesting the city manager's contract amendment authority be reset.

**Financial Considerations:** The estimated total cost to complete the Broadway Complete Street Project (T15175300) is approximately \$15.2 million. There is sufficient funding in the project to execute Change Order No. 5 with George Reed for an amount not-to-exceed \$99,167 and cover the remaining construction management and all other project related costs.

**Local Business Enterprise (LBE):** The contracts with George Reed, Inc. is a federally funded contracts and as a result Disadvantaged Business Enterprise (DBE) project participation requirements apply. The City's LBE policy is held in abeyance. George Reed, Inc. is subject to DBE participation requirements with a goal of 22%. George Reed, Inc. has met this goal by pledging 22.1% DBE participation.

# CONTRACT ROUTING SHEET

**Contract Cover/Routing Form: Must Accompany ALL Contracts; however, it is NOT part of the contract.**

### General Information (Required)

Original Contract # (supplements only): 2023-0961 Supplement/Addendum #: 05  
Assessor's Parcel Number(s): \_\_\_\_\_  
Contract Effective Date: 10/08/2024 Contract Expiration Date (if applicable): \_\_\_\_\_  
\$ Amount (Not to Exceed): \$ 10,922,988.10 Adjusted \$ Amount (+/-): \$ 99,167.00  
Other Party: GEORGE REED, INC.  
Project Title: BROADWAY COMPLETE STREET PROJECT  
Project #: T15175300 Bid/RFQ/RFP #: B23151131025  
City Council Approval: YES if YES, Council File ID#: 2024-01579

### Contract Processing Contacts

Department: Public Works Project Manager: PHIL VULLIET  
Contract Coordinator: RAQUEL GONZALEZ Email: RAGonzalez@cityofsacramento.org

### Department Review and Routing

Contracts: Raquel Gonzalez 09/04/2024  
Project Manager: Philip Vulliet (Sep 4, 2024 09:09 PDT)  
Supervisor: \_\_\_\_\_  
Division Manager: \_\_\_\_\_

### Special Instruction/Comments (i.e. recording requested, other agency signatures required, etc.)

**Construction Related**  **Other Party Signature Required**

COUNCIL DATE: OCTOBER 8, 2024

-----**FOR CLERK & IT DEPARTMENTS ONLY – DO NOT WRITE BELOW THIS LINE**-----

City of Sacramento  
**CHANGE ORDER**

**Project #:** T15175300  
**Contract #:** 2023-0961  
**Purchase Order #:**

ExtDays: 5  
**Change Order #:** 5

Sacramento, California

**TO:** George Reed, Inc., Contractor

**CONTRACT FOR: Broadway Complete Street Project**

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


**Description:**

**See Exhibit A**

The original contract sum was	<u>\$10,218,402.00</u>
The net change by previous Change Orders was	<u>\$605,419.10</u>
The contract sum prior to this Change Order was	<u>\$10,823,821.10</u>
The contract sum will be increased by this Change Order	<u>\$99,167.00</u>
The new contract sum including all Change Orders	<u>\$10,922,988.10</u>

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 and/or revised work specified herein, and shall fully compensate Contractor for any and all direct and indirect costs that may be incurred by Contractor in connection with such additional and/or revised work, including any changes disruptions or delays in work schedules or in the performance of other work by Contractor. The time for the performance of the contract is increased by 5 Working Days 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 other project work made necessary by this Change Order, shall not constitute a delay which will extend the timelimit for completion of the work as said term is used in the contract between the City and the Contractor for the project.

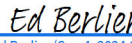
**Approval Recommended by:**

  
Philip Vuilliet (Sep 4, 2024 09:09 PDT)  
Project Manager

**Approved by:**

10/08/2024  
City of Sacramento Executed Date


**Approved by:**

  
Ed Berlier (Sep 4, 2024 12:12 PDT)  
Contractor

**Attested to by:**

\_\_\_\_\_  
City Clerk

**Approved as to form:**

  
Michael Fry (Sep 5, 2024 09:01 PDT)  
City Attorney

**Exhibit A**  
**Broadway Complete Street Project**  
**2023-0961**

<i>Description</i>	<i>Amount</i>
<b>Change Order #5</b>	
<b>PCO # 23.0 Client Initiated Changes</b>	<b>\$842.00</b>
09/03/24 Bike Rack Foundation (PCO#15) -  Per RFI #52 response dated 2/14/24, Contractor was directed to reset bike rack at New Helvetia in new landscape area with concrete footing and bolts. This was necessary to reset the bike rack close to it's pre-construction location.  Payment for this work was tracked on Time and Materials and rounded to \$842.00. This payment constitutes full compensation for all tools, labor, equipment and materials required to complete the work.  This PCO does not affect the critical path contract activities and a time adjustment is not warranted.	
<b>PCO # 24.0 Changes to Bid Documents</b>	<b>\$8,366.00</b>
09/03/24 Signal Pole Swap @ 16th Street (PCO#32) -  Per email Field Order Directive sent on 6/27/24, contractor was directed to relocate signal pole removed at 15th / X St. to the northeast corner of 16th/Broadway. The existing pole is damaged and in poor condition. The work included moving all signal and pedestrian gear to the new pole and associated wiring.  Payment for this work is tracked on Time and Materials and rounded to \$8,366.00. This payment constitutes full compensation for all tools, labor, equipment and materials required to complete the work.  This PCO does not affect the critical path contract activities and a time adjustment is not warranted.	
<b>PCO # 25.0 Changed/Unforeseen Conditions</b>	<b>\$7,500.00</b>
09/03/24 V-Ditch Revisions @ 29th St. (PCO#18) -  Per response to RFI#55 (GR-RFI#51) dated 2/26/24, contractor was directed to regrade a V-ditch and install RSP and sidewalk drains per revised plan sheet. This revision was needed to address drainage.  Payment for this work is at the Agreed Lump Sum of \$7,500.00. The engineer has determined this lump sum to be reasonable for the work proposed. This payment constitutes full compensation for all tools, labor, equipment and materials required to complete the work.  This PCO does not affect the critical path contract activities and a time adjustment is not warranted.	
<b>PCO # 26.0 Changed/Unforeseen Conditions</b>	<b>\$28,683.00</b>
09/03/24 Tree Trimming Entire project limits (PCO#33) -  Per response to RFI#84 dated 6/30/24, contractor was directed to trim trees throughout the project limits to provide minimum clearance of 17' vertical and 325' horizontal for RRFB's, signal and pedestrian heads per table 4D-2 of the CA MUTCD. Trees trimmed at direction of certified arborist.  Payment for this work is at the Agreed Lump Sum of \$28,683.00. The engineer has determined this lump sum to be reasonable for the work proposed. This payment constitutes full compensation for all tools, labor, equipment and materials required to complete the work.  This PCO does not affect the critical path contract activities and a time adjustment is	

not warranted.

<b>PCO # 27.0</b>	<b>Client Initiated Changes</b>	\$14,663.00
09/03/24	Striping and Signage Revisions. (PCO#31) -  Per Field Order direction email dated 7/26/24 and responses to RFI#83 and RFI#82 dated 6/11/24, contractor was directed to perform striping and signage revisions at various locations as shown on revised plan sheets SS-2 thru SS-7. These changes were needed to address existing field conditions and adjacent property concerns that were not addressed in plans.  Payment for this work is at the Agreed Lump Sum of \$14,663.00. The engineer has determined this lump sum to be reasonable for the work proposed. This payment constitutes full compensation for all tools, labor, equipment and materials required to complete the work.  This work affects the controlling activity and the City agrees to grant a non-compensable time extension of 5 working days for these changes.	
<b>PCO # 28.0</b>	<b>Changed/Unforeseen Conditions</b>	\$20,213.00
09/03/24	Signal Revisions – SW 16th St. (PCO#36) -  Per Field Order direction email dated 7/26/24, contractor was directed to perform signal work per revised plan sheets E-10 and E-11. This work is necessary to provide bike detection push button and new 1B pole. Signal gear and blank out sign moved to new pole to allow for better visibility.  Payment for this work is at the Agreed Lump Sum of \$20,213.00. The engineer has determined this lump sum to be reasonable for the work proposed. This payment constitutes full compensation for all tools, labor, equipment and materials required to complete the work.  This PCO does not affect the critical path contract activities and a time adjustment is not warranted.	
<b>PCO # 29.0</b>	<b>Changed/Unforeseen Conditions</b>	\$12,197.00
09/03/24	Street Light and fiber conduit conflicts – 29th/Broadway (PCO#22) -  Per response to RFI#58 dated 3/21/24, contractor was directed to lower 1 ½” conduit that is in conflict with subgrade, pull wire back to box, repair conduit and splice wire. Work also included pulling City fiber from Hwy 99 off ramp signal to 29th and splice to City fiber system. Contractor also encountered and removed existing buried foundation in conflict with Pole F in preparation for bore operation.  Payment for this work is at the Time and Materials and rounded to \$12,197.00. This payment constitutes full compensation for all tools, labor, equipment and materials required to complete the work.  This PCO does not affect the critical path contract activities and a time adjustment is not warranted.	
<b>PCO # 30.0</b>	<b>Changed/Unforeseen Conditions</b>	\$4,778.00
09/03/24	Pothole for Caltrans Irrigation relocation (PCO#14) -  Caltrans required the new irrigation be completed to the tie in point located at the SW corner of Hwy 99 On-ramp. Contractor required to pothole to verify and confirm new tie in locations on both sides of Broadway.  Payment for this work is at Time and Materials and rounded to \$4,778.00. This payment constitutes full compensation for all tools, labor, equipment and materials required to complete the work.  This PCO does not affect the critical path contract activities and a time adjustment is not warranted.	
<b>PCO # 31.0</b>	<b>Client Initiated Changes</b>	(\$275.00)
09/03/24	Administrative Adjustments to CCO#3 and CCO#4  Adjustment to CCO#3 PCO#15 Total Amount – Due to administrative math error, total amount of PCO#15 is incorrect. Total Contract amount shall be reduced by	



\$50.00.

Adjustment to CCO#4, Table 1 Bid Items #40 and #41 – The incorrect unit prices were included for Bid Items #40 and #41 and shall be corrected below.

Bid Item #40 – Minor Concrete (Curb and Gutter Type 2 MOD) -

Incorrect: -0.5 CY X \$1,800/CY = (\$900.00)

Correct: -0.5 CY x \$900/CY = (\$450.00)

Total Contract amount shall be adjusted by \$450.00

Bid Item #41 – Minor Concrete (Curb and Gutter) (Caltrans Type A2-6) -

Incorrect: -6.75 CY x \$900/CY = (\$6,075.00)

Correct: -6.75 CY x \$1000/CY = (\$6,750.00)

Total Contract amount shall be adjusted by (\$675.00)

This PCO does not affect the critical path contract activities and a time adjustment is not warranted

**PCO # 32.0 Client Initiated Changes** **\$2,200.00**

09/03/24 Correction of Bid Item Removal in CCO#4

CCO#4 incorrectly removed quantity from Bid Item #29. The following quantity adjustment to bid item #29 is provided to correct that error and allow payment for work performed by the contractor.

Adjustment to CCO#4, Table 1 Bid Items #29 Adjust Meter Box to Grade – Bid Item #29 quantity was incorrectly deleted in Table 1. Add 2 EA x \$1,100/EA = \$2,200.00

This PCO does not affect the critical path contract activities and a time adjustment is not warranted

10 **Items** **Total for Change Order # 5** **\$99,167.00**

2 <b>Change Orders</b>	10 <b>Items</b>	<b>Total for Contract # 2023-0961</b>	<b>\$99,167.00</b>
<b>Totals By Reason</b>		<b>Changed/Unforeseen Conditions</b>	<b>\$73,371.00</b>
		<b>Changes to Bid Documents</b>	<b>\$8,366.00</b>
		<b>Client Initiated Changes</b>	<b>\$17,430.00</b>