City of Galveston

CAPITAL PROJECTS
STAFF REPORT

April 20, 2020

To: Brian Maxwell, City Manager
Hon. Mayor and City Council Members

From: J. Dudley Anderson, Building Program Manager

Re: Consider for approval Change Order No. 6 to the contract with Ardent Construction LLC, for the 30th Street Water & Electric Light Station Rehabilitation project increasing the contract by $63,281.00 from the amount of $3,086,632.51 to a new total amount of $3,149,913.51 and adding 136 days to the contract time. Authorizing the City Manager to execute all necessary documents upon final approval by the City Attorney.

I. Background

A. The U.S. Department of Housing and Urban Development approved the State's amended action plan for $1.7 billion in second round disaster recovery funding associated with Hurricane Ike and Dolly.
B. The amended state plan allocates $1.032 billion to the Houston-Galveston Area Council region.
C. The rehabilitation and renovation of the historic 30th Street pump station was identified as a project to be funded by the CDBG Disaster Recovery Non-Housing Round 2.2 program.
D. The General Land Office approved Arceneaux Wilson & Cole LLC to provide design and construction phase services for the 30th Street Water & Electric Light Station Rehabilitation project.
E. The City Council awarded a contract with Ardent Construction LLC, in the amount of $2,884,729.00 on 13 September 2018 for the construction of this project.
F. The contract was increased $36,299.51 to the amount of $2,920,928.51 in Change Order #1 on 28 March 2019.
G. The contract was increased $41,184.00 to the amount of $2,982,147.51 in Change Order #2 July 15, 2019.
H. The contract was increased $28.033.00 to the amount of $3,010,180.51 in Change Order #3 September 20, 2019.
I. The contract was increased $65,188.00 to the amount of $3,075,368.51 in Change Order #4 December 12, 2019.
J. The contract was increased $11,264.00 to the amount of $3,086,632.51 in Change Order #5 January 7, 2020.

II. Current Situation

A. Funding from CDBG Round 1 has been added to the available funding for this and 3 other Round 2.2 projects under construction for the City of Galveston. These projects were reduced from the desired scope to meet available Round 2.2 funding. That funding has now increased but cannot be utilized on any new projects. The ability to utilize that funding on the 30th Street WELS has allowed the City to add scope into the project and enhance its value.
B. This change order addresses increasing the scope of work to more fully utilize available funding by providing items more fully described in the attached Engineer of Record recommendation.
C. The largest items added back into the project are exterior (security) lighting and restoration of the exterior walkway.
D. Ardent has requested additional fees of $63,281.00 to perform this work.
E. AWC (Engineer of Record) has recommended approval of this request.
F. Approval of this change to the contract will provide the cumulative total increase of 9.19% to the original contract. All of that funding is from CDBG DR Non-Housing Round 2.2.

III. Issues

This work is necessary to complete the project.

IV. Alternatives in order of priority

A. Approve Change Order No. 6 to the contract with Ardent Construction LLC, for the 30th Street Water & Electric Light Station Rehabilitation project increasing the contract by $63,281.00 from the amount of $3,086,632.51 to a new total amount of $3,149,913.51.
B. Do not approve the contract.

V. Recommendation

A. Approve Change Order No. 6 to the contract with Ardent Construction LLC, for the 30th Street Water & Electric Light Station Rehabilitation project increasing the contract by $63,281.00 from the amount of $3,086,632.51 to a new total amount of $3,149,913.51.

VI. Fiscal Impact Report

Requested by:	J. Dudley Anderson Building Program Manager	
Funding Source:	CDBG DR Non-Housing Round 2.2	
Construction Cost	$ 3,086,632.51	(increase of $63,281.00)
Construction Administration	$ 41,184.00	
Total Cost of Implementation	$ 3,127,816.51	

Respectfully Submitted,

J. Dudley Anderson
Building Program Manager

Texas General Land Office
Disaster Recovery

Construction Contract Change Order Request Form

Engineer:	Owner (Contractor Locality):	Contractor:
Arceneaux Wilson & Cole LLC 2901 Turtle Creek Drive Suite 320 Port Arthur, TX 77642 Phone No.: 409.724.7888	City of Galveston 823 Rosenberg Galveston, TX 77550 Phone No.: 409.797.3630	Ardent Construction LLC 133 N. Friendswood Dr., No. 300 Friendswood, TX 77546 Phone No.: 832.900.4805 Agreement Date: 10/18/2018
Date: 12/30/2019 Project Code No.: P21567A-14 Bid Package No.: 228103-1_BID4	Contract For (Project Description): 30th Street Water & Electric Light Station	GLO Contract No.: 15-081-000-8748 Change Order No.: 6

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No.	Description of Changes: Quantities, Units, Unit Prices, Change in Completion Scheduled, Etc.	Decrease in Contract Price	Increase in Contract Price
87	Furnish and Install Sod 2,617.33 S.F. @ $ 0.75/S.F.		$ 1,963.00
88	Furnish and Install HydroMulch 14,491.66 S.F. @ $ 0.24/S.F.		$ 3,478.00
89	Furnish and Install Steel Edging 165.2 L.F. @ $ 2.50/L.F.		$ 413.00
90	Furnish and Install Fabric 2,000 S.F. @ $ 0.35/S.F.		$ 700.00
91	Furnish and Install Gravel 85 C.Y. @ $ 85.00/C.Y.		$ 7,225.00
92	Reset & Move Concrete Curbs & Regrade 1 L.S. @ $ 16,506.00/L.S.		$ 16,506.00
93	Installation of New Exterior Lighting with Concrete Bases 1 L.S. @ 32,996.00		$ 32,996.00

Change in Contract Price		Change in Contract Time (Calendar Days)	
Original Contract Price:	$2,884,729.00	Original Contract Time:	365 days
Previous Change Order(s): No. 1 to No. 5	$201,903.51	Net Change From Previous Change Orders:	105 days
Contract Price Prior to this Change Order:	$ 3,086,632.51	Contract Time Prior to this Change Order:	470 days
Net Increase/~~Decrease~~ of this Change Order:	$ 63,281.00	Net Increase/~~Decrease~~ of this Change Order:	136 days
Contract Price With all Approved Change Orders:	$ 3,149,913.51	Contract Time With all Change Orders:	606 days
Cumulative Percent Change in Contract Price (+/-):	+9.19 %	Grantee Contract End Date: (mm/dd/yy)	12/31/2020
Construction Contract Start Date: (mm/dd/yy)	10/18/2018	Construction Contract End Date: (mm/dd/yy)	6/15/2020

Reimbursements of costs included in this change order are subject to review by the GLO-DR program.

*** This document may be executed prior to submission for GLO-DR program review, but all parties involved will be held responsible if the change order or the amendment warranted as a result of this change order is not in compliance with CDBG or HUD requirements.**

RECOMMENDED:	APPROVED:	ACCEPTED:
By: _____	By: _____	By: _____
ENGINEER	OWNER	CONTRACTOR
Arceneaux, Wilson & Cole LLC	City of Galveston	Ardent Construction LLC
Date: 04/14/2020	Date: _____	Date: 4/20/2020

JUSTIFICATION FOR CHANGE

1. Will this Change Order increase or decrease the number of beneficiaries? ☐ Increase ☐ Decrease ☒ No Change
   If there is a change, how many beneficiaries will be affected? Total ____ L/M ____
2. Effect of this change on scope of work: ☒ Increase ☐ Decrease ☐ No Change
3. Effect on operation and maintenance costs: ☐ Increase ☐ Decrease ☒ No Change
4. Are all prices in the change order dependent upon unit prices found in the original bid? ☐ Yes ☒ No
   If "No", explain:
   Added construction items not included in original bid:

Pricing is competitive for this type of work.		
5. Has this change created new circumstances or environmental conditions which may affect the project's impact, such as concealed or unexpected conditions discovered during actual construction?	☐ Yes	☒ No
If "Yes", is an Environmental Re-assessment required?		
6. Is the Texas Commission on Environmental Quality (TCEQ) clearance still valid? (if applicable)	☒ Yes	☐ No
7. Is the TCEQ permit approval still valid? (sewer projects only)	☐ Yes	☐ No
8. Are the handicapped access requirements/approval still valid? (if applicable)	☒ Yes	☐ No
9. Are other Disaster Recovery contractual special condition clearance still valid?	☒ Yes	☐ No
(If no, specify):		

NOTE: Generally, a cumulative change in the contract price in excess of 25% cannot be reviewed (18% **decrease** for counties).

ARCENEAUX WILSON & COLE
engineering | surveying | planning

April 14, 2020

Mr. Dudley Anderson, AIA
Architectural Project Manager
City of Galveston
823 Rosenberg
Galveston, TX 77550

RE: RECOMMENDATION OF APPROVAL for CHANGE ORDER No. 6
30th Street Water and Electric Light Station
AWC Job No.: COG-080

Dear Mr. Anderson:

We have reviewed the cost submitted by Ardent Construction LLC for Change Order No. 6 for the 30th Street Water and Electric Light Station. Based on the scope of work the cost for Change Order No. 6 are acceptable. AWC recommends that the City of Galveston approve Change Order No. 6 in the amount of $63,281.00, which will increase the Total Contract Amount for the project to $3,078,565.51. In addition, AWC recommends that the contract completion date be extended by 136 calendar days for a new completion date of June 15, 2020 for the project.

If you have any questions or require additional information, please don't hesitate to contact the undersigned by email at joe.wilson@awceng.com or by phone at 409-724-7888.

Sincerely,

ARCENEAUX WILSON & COLE LLC

Joe M Wilson, Jr., PE
President

409.724.7888
2901 Turtle Creek Dr., Suite 320
Port Arthur, TX 77642
awceng.com