

CITY COUNCIL MEMORANDUM

AGENDA ITEM

AUTHORIZE CHANGE ORDER NO. 61 TO THE US 190/FM 2410/ROSEWOOD DRIVE PASS-THROUGH FINANCING CONTRACT WITH JAMES CONSTRUCTION GROUP, LLC.

ORIGINATING DEPARTMENT

PUBLIC WORKS - TRANSPORTATION DIVISION

BACKGROUND INFORMATION

On January 8, 2013 (CCM/R 13-001R), the City Council awarded a construction contract to James Construction Group, LLC for the Pass Through Financing (PTF) Project, US 190/FM 2410/Rosewood Drive. This project included the construction of an overpass at the intersection of US 190 and Rosewood Drive, the widening of FM 2410, and the construction of Rosewood Drive from US 190 to Fawn Drive.

DISCUSSION/CONCLUSION

Change Order No. 61 is necessary to reconcile or balance line item quantities, overruns and underruns. These are items that are typically paid as measured in place. The item amount listed in the plan set is an estimated quantity. Final payment is based upon the field measured quantity for any particular line item. Items that measure greater than the estimated plan quantity are referred to as overruns, and items that measure less than the estimated plan quantity are referred to as underruns. This will reconcile the majority of the items on this project, except for those still under negotiation with the contractor and TxDOT. Approval of this action is necessary as one of the remaining requirements to close out the project and comply with the terms of the associated contract. Approval of this action reconciles actual quantities utilized in the construction of the project throughout the course of its more than three-year construction time period. Failure to approve this action will most likely lead to contractual claims under the terms of the associated contract between the City and James Construction.

Following approval of this action, City staff contemplates one final change order being presented to City Council before final close out can be achieved. The scope of this change order is currently being negotiated with TxDOT and should be determined in the near future.

FISCAL IMPACT

Change Order No. 61 will increase the expenditure for the Project in the Pass-Thru Finance US 190/FM 2410/Rosewood Drive, General Obligation Bonds, US 190/FM 2410/Rosewood Drive Account #341-3490-800.58-23.

The total cost of the project before this change order request was \$22,682,512.76. The cost of this change is a net increase of \$260,109.67 for an updated total contract price of \$22,942,622.43, or a cumulative 4.51% increase to the contract.

The remaining balance in the Rosewood PTF Account for FY16 is \$243,409.55 after the deduction of this Change Order #61. FY17 has allocated \$239,557 for the closeout of this project, which includes necessary improvements to Skylark Field as previously discussed, and totals the remaining amount available for the Rosewood PTF project.

RECOMMENDATION

City staff recommends that the City Council authorize Change Order No. 61 with James Construction Group, LLC, increasing the cost of the contract by \$260,109.67 and request that the Interim City Manager be expressly authorized to execute the same.