



Legislation Text

File #: 23-56, **Version:** 1

STRATEGIC PRIORITY: Transportation & Infrastructure

AGENDA DATE: June 28, 2023

COUNCIL DISTRICT(S): 1, 10

DEPARTMENT: Water Utilities Department

EXECUTIVE: Kimberly Bizer Tolbert

SUBJECT

Authorize **(1)** cancellation of 10720, 10726 Meadowcliff Lane Erosion Control Project (\$1,117,220.00); **(2)** an increase in the construction services contract with Stoic Civic Construction for emergency erosion control improvements at 1501 Brookhaven Drive in the amount of \$428,410.00; **(3)** a disbursement of funds in an amount not to exceed \$428,410.00 to Stoic Civil Construction, Inc. from the Storm Drainage Management Capital Construction Fund; and **(4)** an increase in the contract time by ninety working days for completion of improvements - Not to exceed (\$688,810.00) from \$4,773,436.64 to \$4,084,626.64 - Financing: Storm Drainage Management Capital Construction Fund (see Fiscal Information)

BACKGROUND

On November 11, 2020, the City Council authorized a construction services contract with Stoic Civil Construction, Inc. for erosion control and storm drainage improvements at eight locations by Resolution No. 20-1815. The project includes the installation of gabion walls, retaining walls, gabion mattresses, slope and channel improvements to protect structures and to minimize creek bank erosion at eight locations throughout the city. On October 13, 2021, the City Council authorized an increase in the construction services contract (Change Order No. 1) for emergency work at the pedestrian bridge over White Rock Creek in RP Brooks Park by Resolution No. 21-1684. RP Brooks Park bridge is an emergency project requested by the Park Department to retrofit the bridge and undermined trail and install gabion wall structure to protect and restore the scoured creek embankment. On November 2, 2022, Change Order No. 2 was approved by Administrative Action reducing work quantities for 5 locations and increasing work quantities at 3 locations. Change Order No. 3 was approved by administrative action on February 17, 2023 to add additional working days to the contract.

After award of the original construction contract, the property owners at 10720 and 10726 Meadowcliff Lane refused to grant the necessary easements to complete the planned erosion control improvements. City staff communicated with both property owners since 2021 but were not able to secure the necessary easements. After coordination with the council office, it was decided to remove the Meadowcliff Lane site from the construction services contract and reprogram the 2017 Bond Funds to another erosion control site in Council District 10, identified as 10732 Haven Creek Court.

During the course of the construction services contract, City staff were notified of significant erosion encroaching upon Brookhaven Drive. The roadway has been severely undercut by Cedar Creek, which poses a threat to the roadway traffic and requires emergency improvements to prevent any further erosion and potential harm to the public. City staff worked with an engineer to expedite design improvements for approximately 110 feet of 20-foot-high gabion walls along the creek embankment. Stoic Civil Construction, Inc. was approached and provided a cost proposal to complete the emergency improvements for \$428,410.00 by change order to their existing contract. The proposed cost was reviewed by City staff and found to be a good value for completing the emergency work.

This action will authorize the cancellation of the 10720, 10726 Meadowcliff Lane erosion control project, reprogram 2017 Bond Program Funds from the 10720, 10726 Meadowcliff Lane erosion control project to the 10732 Haven Creek Court Erosion Control Project, and authorize Change Order No. 4 to the construction services contract with Stoic Civil Construction, Inc. to remove the 10720, 10726 Meadowcliff Lane site and add the emergency installation of erosion control improvements at 1501 Brookhaven Drive. The change order will also increase the contract time by 90 working days for the completion of improvements at 1501 Brookhaven Drive.

ESTIMATED SCHEDULE OF PROJECT

Began Construction October 2020
Complete Construction November 2023

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 11, 2020, the City Council authorized a construction contract with Stoic Civil Construction, Inc. for the erosion control and storm drainage improvements at eight locations by Resolution No. 20-1815.

On October 13, 2021, the City Council authorized an increase to the construction services contract with Stoic Civil Construction, Inc. for emergency work at the pedestrian bridge over White Rock Creek in R.P. Brooks Park by Resolution No. 21-1692.

FISCAL INFORMATION

Fund	FY 2023	FY 2024	Future Years
Storm Drainage Management Capital Construction Fund	\$428,410.00	\$0.00	\$0.00

Note: A portion of the funds for 10720, 10726 Meadowcliff Lane Erosion Control Projects will be reprogrammed for the 10732 Haven Creek Court Erosion Control Project. The department will come back to council with an agenda item at a later date.

Construction Contract	\$4,522,689.50
Change Order No. 1	\$ 170,064.00
Change Order No. 2	\$ 80,683.14
Change Order No. 3	\$ 0.00
Change Order No. 4 (this action)	<u>\$ (688,810.00)</u>
Total Project Cost	\$4,084,626.64

<u>Council District</u>	<u>Amount</u>
1	\$ 428,410.00
10	<u>\$(1,117,220.00)</u>
Total	\$ (688,810.00)

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
(\$688,810.00)	Construction	32.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
100.00%	18.15%	\$822,138.28
• This contract exceeds the M/WBE goal.		
• Change Order No. 4 - 18.15% Overall M/WBE participation.		
• Stoic Civil Construction, Inc. - Local; Workforce - 78.57% Local		

OWNER

Stoic Civil Construction, Inc.

James A. Fee, President

MAP

Attached