

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: April 11, 2011
	Agenda Item No. 11 Roll Call No. <u>11-570</u> Communication No. <u>11-208</u> Submitted by: Jeb E. Brewer, P.E. City Engineer

AGENDA HEADING:

Approving Change Order No. 1 with McAninch Corporation for additional work on the Mulberry Street Paving – 13th Street to 15th Street for a total not to exceed \$70,599.60.

SYNOPSIS:

Recommend approval of Change Order No. 1 in an amount not to exceed \$70,599.60 with McAninch Corporation, Douglas D. McAninch, President, 4001 Delaware Avenue, Des Moines, IA, 50313, with funding approval by Central Iowa Shelter Services (CISS), Anthony Timm, Executive Director, 1420 Mulberry Street, Des Moines, IA, 50309, for additional work on the Mulberry Street Paving – 13th Street to 15th Street for additional earthwork on the Central Iowa Shelter Services (CISS) building site.

FISCAL IMPACT:

Amount: \$70,599.60

Funding Source: 2011-2012 CIP, Page Street-21, Mulberry Street Paving – 13th/15th, STR247, being \$70,599.60 from Central Iowa Shelter Services.

ADDITIONAL INFORMATION:

The Mulberry Street Paving – 13th Street to 15th Street contract includes the construction of the building pads for Fire Station No. 1 and the CISS building. The consultants designing the CISS building have recommended that additional foundation excavation for their building be completed. The consultants for the CISS building have evaluated options for completing this work and have determined that the most efficient and cost effective option would be to include this work in the Mulberry Street Paving – 13th Street to 15th Street contract. This change order will provide for foundation excavation and replacement with suitable material using contract bid item costs. This change order also provides for placement of the excavation material at the east end of the City-owned property. If the excavation material removed from the CISS site is suitable, it will be placed in the Mulberry Street right-of way, and a second change order will be processed changing the bid items and reducing the cost to CISS. The CISS Board has agreed to fund this additional work and the Legal Department has prepared an Amendment to the Real Estate Purchase Agreement for execution by the City Manager.

The First Amendment to Real Estate Purchase Agreement between the City and CISS also will be attached to and made part by reference of Change Order No. 1. This amendment requires CISS to pay the change order amount as related to the site purchased by CISS from the City, sets forth the terms of said payment, and clarifies certain provisions regarding the escrow account established for payment of

work performed on the CISS site. This Amendment also provides that in the event similar minor and unsubstantial changes to CISS site work are needed during the course of construction, said work can be addressed by the City Manager or designee (City Engineer) by change order.

PREVIOUS COUNCIL ACTION(S):

Date: March 14, 2011

Roll Call Number: 11-0478

Action: [On](#) Mulberry Street Paving – 13th Street to 15th Street: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as McAninch Corporation, (Douglas D. McAninch, President), \$3,197,100. ([Council Communication No. 11-149](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: February 14, 2011

Roll Call Number: 11-0167

Action: [Mulberry](#) Street Paving – 13th Street to 15th Street: Receiving of bids, (3-1-11), Setting date of hearing, (3-14-11). (Construction Estimate - \$3,430,000). ([Council Communication No. 11-090](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: October 25, 2010

Roll Call Number: 10-1760

Action: [On](#) conveyance of excess City-owned real property south of the 1400 block of Mulberry Street, to Central Iowa Shelter & Services, \$507,860. ([Council Communication No. 10-641](#)) Moved by Coleman to adopt. Motion Carried 7-0.

Date: June 28, 2010

Roll Call Number: 10-1019

Action: [Approving](#) Professional Services Agreement with AECOM, Inc. for design and construction phase services for the Mulberry Street Paving – 13th Street to 15th Street, not to exceed \$195,000. ([Council Communication No. 10-386](#)) Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Normal Council actions on construction contracts.

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