



Staff Report

May 8, 2018

TO: Honorable Mayor and Members of the Town Council
FROM: Brit Snipes, Town Engineer
DATE: May 8, 2018
RE: Downtown Master Plan Phase 2

Recommendation

Adopt resolution approving Contract Amendment #1 with Martin Brothers Construction, Inc., increasing the total contract amount to \$2,651,392, for the Downtown Master Plan Construction Project and accepting the project as complete.

Issue Statement and Discussion

On April 11, 2017, Town Council awarded the Downtown Master Plan construction project to Martin Brothers Construction, Inc. in the amount of \$2,422,911. The improvements included reconstruction of curb, gutter and sidewalk on Taylor Road between Oak Street and Horseshoe Bar Road. High visibility crosswalks and bike lane stripping were also added.

Work was completed on April 25, 2018.

Several change orders have occurred during the project. Change Order 1 in the amount of \$197,825 was executed on November 15, 2017, after the Town Council on October 10, 2017 authorized the Town Manager to directly negotiate with a contractor for the landscaping portion of the Taylor Road Project not to exceed \$240,000. This change order added the landscaping items and materials to be placed and provided during construction.

Proposed Change Order 2 in the amount of \$117,969 was prepared to reflect the changes in work and additional work provided during construction (additional overlay paving).

Proposed Change Order 3 in the amount of \$41,900 was prepared to reflect the additional work attributed to the water services.

Proposed Change Order 4 in the amount of \$ 9,510 was prepared to reflect the additional work attributed to the sewer services.

Proposed Change Order 5 in the amount of negative \$160,771 was prepared to reflect actual quantities of items and materials placed and provided during construction (deletion of roadway micro surfacing).

Proposed Change Order 6 in the amount of \$22,049 was prepared to reflect changes in work including the special handrail.

Original Contract \$ 2,422,911

Change Order 1	\$ 197,825
Proposed Change Order 2	\$ 117,969
Proposed Change Order 3	\$ 41,900
Proposed Change Order 4	\$ 9,510
Proposed Change Order 5	\$ (160,771)
Proposed Change Order 6	\$ 22,049

Final Contract Amount \$ 2,651,392

It should be noted that the Town will receive offsetting reimbursements for some of the above work:

1. PCWA will reimburse the Town for the work described in Proposed Change Order number 3 in the amount of \$41,900.
2. SPMUD will reimburse the Town for the work described in Proposed Change Order number 4 in the amount of \$ 9,500.
3. \$ 20,754 will be returned to the General Fund Reserves designated for Capital Projects.

If accepted, the one-year warrantee period will begin. If no warranty issues are identified in the next twelve months, the project bonds will be released.

CEQA Requirements

This project is exempt under the California Environmental Quality Act (CEQA) Section 15301. (c&d) (Class 1), "Existing Facilities" of the guidelines.

Financial and/or Policy Implications

A total of \$402,000 from General Fund Reserves was provided from the General Fund Reserves designated for Transportation Projects. A total of \$20,754 will be returned to the General Fund Reserves designated for Transportation Projects.

Attachments

- A. Resolution
- B. Amendment No. 1

TOWN OF LOOMIS

RESOLUTION NO. 18-XX

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS
ACCEPTING DOWNTOWN MASTER PLAN PHASE 2 CONSTRUCTED BY MARTIN
BROTHERS CONSTRUCTION, INC.**

WHEREAS, the Town Council at its April 11, 2017 regular meeting awarded the above referenced project to Martin Brothers Construction, Inc; and

WHEREAS, the improvements included curb, gutter sidewalk, high visibility crosswalks, lighting and asphalt paving; and

WHEREAS, On November 15, 2017 the Landscaping portion of the project was added to the project; and

WHEREAS, during construction additional work was required to complete the project and the actual quantiles placed during construction were identified resulting in potential Change Orders; and

WHEREAS, the total of the contract, including potential change orders, exceeds the original contract amount original contract amount of \$2,422,911; and

WHEREAS, a contract amendment is required in order to complete the project; and

WHEREAS, funding was provided by the General Fund Reserves designated for Capital Projects; and

WHEREAS, the work has been completed and the one-year warrantee will begin.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town of Loomis amends the original contract with Martin Brothers Construction from \$2,422,911 to \$2,651,392.

BE IT FURTHER RESOLVED that the Town Council of the Town of Loomis hereby accepts the Downtown Master Plan as constructed by Martin Brothers Construction, Inc., as complete.

PASSED AND ADOPTED by the Town Council of the Town of Loomis this 10th day of April 2018 by the following vote:

- AYES:**
- NOES:**
- ABSTAINED:**
- ABSENT:**

ATTEST:

Mayor

Town Clerk

**Amendment No. 1
to the Contract for Construction Services
between the Town of Loomis and Martin Brother Inc.
Dated April 24, 2017**

This Amendment No. 1 to the Contract for Services between the **Town of Loomis** ("Town") and Martin Brothers which was entered into on April 24, 2017, is made and entered into this 8th day of May 2018 (the "Effective Date").

RECITALS

WHEREAS, the Town and Martin Brothers entered into the April 24, 2017 Contract for Construction Services ("Contract"), in the amount of \$2,422,911 to retain Martin Brothers to construct the Downtown Master Plan Phase 2 project; and

WHEREAS, during construction potential change orders were identified and negotiated to complete construction

WHEREAS, the Town and Martin Brothers now desire to approve an amendment to the Contract to increase the total allowable compensation under the Contract to \$2,651,392.

NOW, THEREFORE, IT IS MUTUALLY AGREED by parties hereto to amend said Contract as follows:

- I. Amendment. Section 3.A of the Contract is hereby amended by replacing the figure \$2,422,911 with the figure \$2,651,392.
- II. Remaining Terms Unaffected:
Except as expressly provided herein, nothing in this Amendment No. 1 shall be deemed to waive or modify any of the other provisions of the Contract. In the event of any conflict between this Amendment No. 1 and the Contract, the terms of this Amendment shall control.

IN WITNESS WHEREOF the parties hereto have executed this Amendment No. 1 as of the Effective Date.

Town of Loomis

By: _____
Mayor

Approved as to form:

By: _____
Jeffrey Mitchell, Town Attorney

Attest:

By: _____
Charleen Strock, Town Clerk

Martin Brothers

By: _____