



Cover Memorandum/Staff Report

File #: 19-509

Agenda Date: 6/18/2019

Item #: 6.D.

TO: Mayor and Commissioners
FROM: Caryn Gardner-Young, Acting Public Works Director
THROUGH: Neal de Jesus, Interim City Manager
DATE: June 18, 2019

RETROACTIVE APPROVAL OF AMENDMENT NO. 1 TO THE AGREEMENT WITH BAXTER & WOODMAN, INC. FOR CONSTRUCTION, ENGINEERING, AND INSPECTION (CEI) SERVICES FOR AREA 12C RECLAIMED WATER MAIN EXPANSION FOR TWO MONTH CONTRACT EXTENSION

Recommended Action:

Motion to retroactively approve Amendment No.1 to the Agreement with Baxter & Woodman, Inc. for construction, engineering, and inspection (CEI) services for Area 12C Reclaimed Water Main Expansion for a two month contract extension.

Background:

On September 20, 2017, the City advertised ITBC 2017-041, Reclaimed Water Expansion Area 12C. As the lowest responsive bidder, Lanzo Construction (Lanzo) was awarded a contract in an amount not-to-exceed \$4,146,270.50.

On October 19, 2017 the City awarded an agreement to Baxter & Woodman, Inc. (Baxter) for RFQ 2017-042, Construction, Engineering and Inspection Services for Area 12C Reclaimed Water Main Expansion Project (CEI) in an amount not-to-exceed \$275,025.

Lanzo contracted to substantially complete the project on or before November 7, 2018. Because of delays, Lanzo's actual substantial completion date was January 18, 2019. Baxter therefore could not fulfill its CEI professional services obligation to the City due to the construction delays. A change order for \$43,000 was necessary to extend Baxter's final completion date by two additional months. Lanzo has taken full responsibility for the construction delay and has agreed to reimburse the City for the additional CEI fees from Baxter for \$43,000. Additionally, the City has agreed to waive its pursuit of liquidated damages in the sum of 0.01% of the total contract amount (\$4,146.27 per calendar day) from Lanzo.

Attachments:

ITBC 2017-041 Lanzo Construction Agreement
RFQ 2017-042 Baxter & Woodman, Inc. Agreement
Baxter & Woodman, Inc Amendment 1

City Attorney Review:

Funding Source/Financial Impact:
N/A

Timing of Request:
This request is time sensitive.