

Legislation Details (With Text)

File #:	BILL NO. 17-165	Name:	
Type:	Ordinance - Committee	Status:	Passed
File created:	7/7/2017	In control:	City Council - Regular Session
On agenda:	7/27/2017	Final action:	7/27/2017
Title:	AN ORDINANCE APPROVING CHANGE ORDER #8 TO THE CONTRACT WITH MIDWEST HEAVY CONSTRUCTION, L.L.C. FOR THE JEFFERSON STREET IMPROVEMENTS PROJECT, AN INCREASE OF 50 CALENDAR DAYS FOR A TOTAL OF 758 CALENDAR DAYS TO REACH SUBSTANTIAL COMPLETION AND 788 CALENDAR DAYS TO REACH FINAL COMPLETION. (PWC 7/18/17)		
Sponsors:	Public Works Admin & Engineering		
Indexes:			
Code sections:			
Attachments:	1. Ordinance, 2. Change Order #8, 3. Change Order #8 Reasons		

Date	Ver.	Action By	Action	Result
7/27/2017	1	City Council - Regular Session	for second reading	Pass
7/27/2017	1	City Council - Regular Session	adopted and numbered	Pass
7/18/2017	1	Public Works Committee	recommended for approval	Pass

AN ORDINANCE APPROVING CHANGE ORDER #8 TO THE CONTRACT WITH MIDWEST HEAVY CONSTRUCTION, L.L.C. FOR THE JEFFERSON STREET IMPROVEMENTS PROJECT, AN INCREASE OF 50 CALENDAR DAYS FOR A TOTAL OF 758 CALENDAR DAYS TO REACH SUBSTANTIAL COMPLETION AND 788 CALENDAR DAYS TO REACH FINAL COMPLETION. (PWC 7/18/17)

Issue/Request:

AN ORDINANCE APPROVING CHANGE ORDER #8 TO THE CONTRACT WITH MIDWEST HEAVY CONSTRUCTION, L.L.C. FOR THE JEFFERSON STREET IMPROVEMENTS PROJECT, AN INCREASE OF 50 CALENDAR DAYS FOR A TOTAL OF 758 CALENDAR DAYS TO REACH SUBSTANTIAL COMPLETION AND 788 CALENDAR DAYS TO REACH FINAL COMPLETION.

Key Issues:

Utility Delays:

- ☐ As a result of the unidentified Google fiber, the contractor was unable to construct two turn lanes, which directly impacted the critical path for constructing Jefferson Street.
- ☐ The contractor was able to continue critical path work up to and including April 27, 2017. The Google fiber was relocated and the contractor was able to resume work on June 7, 2017, resulting in a loss of 39 calendar days.

Abnormal Weather Conditions:

- ☐ The contract allows for an equitable adjustment in time based on "abnormal weather conditions".
- ☐ For the purpose of analysis, it was agreed that "abnormal weather conditions" would be defined as conditions in excess of one standard deviation from the mean. "Nowdata" for the Kansas City area, available through the

national weather service, was used in the analysis. Only rain events exceeding 0.1 inch in a 24 hour period were considered. The analysis showed the project received 11 rain events in excess of one standard deviation from the mean.

Proposed City Council Motion:

FIRST MOTION: I move for a second reading of AN ORDINANCE APPROVING CHANGE ORDER #8 TO THE CONTRACT WITH MIDWEST HEAVY CONSTRUCTION, L.L.C. FOR THE JEFFERSON STREET IMPROVEMENTS PROJECT, AN INCREASE OF 50 CALENDAR DAYS FOR A TOTAL OF 758 CALENDAR DAYS TO REACH SUBSTANTIAL COMPLETION AND 788 CALENDAR DAYS TO REACH FINAL COMPLETION.

SECOND MOTION: I move for adoption of AN ORDINANCE APPROVING CHANGE ORDER #8 TO THE CONTRACT WITH MIDWEST HEAVY CONSTRUCTION, L.L.C. FOR THE JEFFERSON STREET IMPROVEMENTS PROJECT, AN INCREASE OF 50 CALENDAR DAYS FOR A TOTAL OF 758 CALENDAR DAYS TO REACH SUBSTANTIAL COMPLETION AND 788 CALENDAR DAYS TO REACH FINAL COMPLETION.

Background:

39 calendar days are being added to the contract as a result of an unmarked Google fiber utility. This fiber optic utility was in conflict with a right turn lane on Persels onto Jefferson Street, as well as a right turn lane on Jefferson Street into the Summit Christian Academy. While the utility was discovered in early March, the contractor was able to continue critical path work up to and including April 27, 2017. The Google fiber was relocated and the contractor was able to resume work on June 7, 2017. This accounts for 39 calendar days. An additional 11 calendar days are being added to the contract to account for "abnormal weather conditions" as allowed in the contract documents. For the purpose of analysis, it was agreed that "Abnormal weather conditions" would be defined as conditions in excess of one standard deviation from the mean. [Nowdata <http://w2.weather.gov/climate/xmacis.php?wfo=eax>](http://w2.weather.gov/climate/xmacis.php?wfo=eax) for the Kansas City area, available through the national weather service, was used in the analysis. Only rain events exceeding 0.1 inch in a 24 hour period were considered. These 11 days represents complete and final settlement for weather days for the entire project duration. As a result of these two changes, a total of 50 calendar days are being added to the contract by this change order.

Presenter: Michael Anderson, Construction Manager

Recommendation: Staff recommends approving change order #8 to the contract with Midwest Heavy Construction for the Jefferson Street improvements project, an increase of 50 calendar days for a total of 758 calendar days to reach substantial completion and 788 calendar days to reach final completion.

Committee Recommendation: The Public Works Committee voted 3-1 (Councilmember Binney "no") to recommend to City Council approval of AN ORDINANCE APPROVING CHANGE ORDER #8 TO THE CONTRACT WITH MIDWEST HEAVY CONSTRUCTION, L.L.C. FOR THE JEFFERSON STREET IMPROVEMENTS PROJECT, AN INCREASE OF 50 CALENDAR DAYS FOR A TOTAL OF 758 CALENDAR DAYS TO REACH SUBSTANTIAL COMPLETION AND 788 CALENDAR DAYS TO REACH FINAL COMPLETION.