

Staff Summary Report

REVISED



Council Meeting Date: 03/20/08

Agenda Item Number: 5B

SUBJECT: Request approval of an addendum to a construction management contract with 3D/International, Inc. and approve an increase to the construction change order contingency for the Tempe Transportation Center.

DOCUMENT NAME: 20080320PWDR06 TEMPE TRANSIT CENTER (1106-06)
PROJECT NO. 60-976762

SUPPORTING DOCS: Yes

COMMENTS: Construction management contract addendum in the amount of \$94,180 with 3D/International, Inc., subject to execution of the final written addendum, and construction change order contingency increase of \$120,756. The original contract amount of \$322,133, plus approval of this addendum will increase the contract amount to \$416,313. The original change order contingency amount of \$1,290,000, plus approval of this request will increase the contingency amount to \$1,410,756.

PREPARED BY: DONNA RYGIEL, ENGINEERING CONTRACT ADMIN. (x8520)

REVIEWED BY: ANDY GOH, DEPUTY PW MANAGER/CITY ENGINEER (x8896)

APPROVED BY: GLENN KEPHART, PUBLIC WORKS MANAGER (x8205)

LEGAL REVIEW AS TO FORM: TERESA VOSS, ASSISTANT CITY ATTORNEY (x8814)

FISCAL NOTE: Sufficient funds are available in Capital Improvement Fund No. 6762.

RECOMMENDATION: Approve addendum and increase construction change order contingency.

ADDITIONAL INFO: The scope of work for this contract addendum is to provide HVAC testing and balancing services and additional construction management services to cover the extended schedule due to archeological investigation and recovery. The fee for 3D/International, Inc. was negotiated by staff and is considered reasonable for the scope of services.

The construction change order contingency increase is needed for the installation of bus shelter foundations at 13 locations within the site. The fee for this work was negotiated by staff with the contractor, Adolfson & Peterson Construction, and is considered reasonable for the scope of work.

8085376

CITY OF TEMPE, ARIZONA
PUBLIC WORKS DEPARTMENT
DIVISION OF ENGINEERING

CONSULTANT AGREEMENT

ADDENDUM NO. ONE

PROJECT NO: 60-976762

PROJECT NAME: TEMPE TRANSPORTATION CENTER

This AGREEMENT made and entered into on the 20th day of March, 2008, by and between the CITY OF TEMPE, ARIZONA, a municipal corporation, hereinafter called the CITY and 3D/International, Inc. hereinafter called the CONSULTANT amends the original Agreement made and entered into by and between the same parties on May 24, 2006, (C2006-132).

For and in consideration of the mutual covenants and conditions hereinafter contained, it is agreed by and between the CITY and the CONSULTANT as follows:

I. The original Agreement shall be extended to cover:

HVAC testing and balancing services and additional construction management services to cover the extended schedule due to archeological investigation and recovery, as described in Exhibit "A" attached.

II. The services for the extension shall be the same as those stipulated under the original contract.

III. For services described in this Agreement Addendum, the method of payment shall be payment by installments. Total compensation for services performed shall be the sum of \$94,180.00, which shall be payment in full for all labor, equipment, materials and supplies needed to perform these services. This fee includes an allowance of \$601.00 for reimbursable expenses, which in no event will ever be more than actual cost.

All other provisions of the original contract Schedule of Payment Section shall apply to this Addendum.

Cost Analysis:	<u>Professional Services</u>	<u>Reimbursables</u>	<u>Total</u>
Initial Contract Amount	\$313,933.00	\$8,200.00	\$322,133.00
Previous Addenda	\$0.00	\$0.00	\$0.00
This Addendum	\$93,579.00	\$601.00	\$94,180.00
NEW CONTRACT AMOUNT			<u>\$416,313.00</u>

IV. The CONSULTANT shall proceed with the work immediately upon execution of this Addendum. The CONSULTANT shall be completed with the work by March 31, 2008.

V. All other provisions of the original Agreement where not inconsistent with this Addendum shall remain binding on the parties hereto.

Tempe Transportation Center
Project No. 60-976762

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this _____ day
of _____, 2008.

CITY OF TEMPE, ARIZONA

By _____
Mayor

By _____
Public Works Manager

Recommended By:



Deputy PW Manager/City Engineer

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

The CONSULTANT warrants that the person who is signing this Agreement on behalf of the CONSULTANT is authorized to do so and to execute all other documents necessary to carry out the terms of this Agreement.

CONSULTANT
3D/International, Inc.

Name

Title

Federal I.D. No. /Social Security No.

Certified to be a true and exact copy.

Karen M. Fillmore
Records Specialist

EXHIBIT A

PARSONS

2111 E Highland Avenue, Suite 402B • Phoenix, Arizona 85016 • (602) 778-4400 • Fax (602) 778-4444 • www.parsons.com
Direct (602) 361-6674 eFax (866) 766-5170 Phil.Ellsworth@Parsons.com

February 5, 2008

Tom Wilhite, P.E.
City of Tempe
31 East 5th Street
Tempe, AZ 85281

Re.: Tempe Downtown Transportation Center
Added Services Request
Project No. 60-976762

Dear Tom,

Based on our previous discussions, I am submitting this request for additional fees to provide extended services to our current contract.

3D/I's, a Parsons subsidiary, original contract dated 05/24/2006, was based upon an expected completion date of December, 2007. Due to variables beyond the control of the City and CM@R, the schedule was extended to the end of February, and then again to the end of March. 3D/I, in the spirit of partnering, has been able to extend our contract fee through the first extension by reducing the number of hours worked and moving the hours ahead, compensating for the extension to March 1st, 2008. We however, will be unable to continue past March 1, 2008 without an increase in our fee. Based upon the revised completion of May 20th, 2008, the additional cost of our services, based on half-time construction management services for February, March and June, and full time for April and May, would be \$66,480 (Sixty-six thousand, four hundred eighty dollars). We are proposing a full-time effort during the months of April and May since numerous, critical project close-out and acceptance activities will be underway and we would be prepared to fully address and represent the City's best interests during that crucial time period.

Our total fee increase request for extended Construction Management Services is \$66,480

We thank you for this opportunity to work with you and the City on this memorable project.

Sincerely,



Phil Ellsworth
Sr. Project Manager

cc.: Ward Simpson, Parsons
Al Dreska, Parsons
Bonnie Richardson, COT Transportation



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**Change Order #001
Tempe Downtown Transit
Center**

Labor Summary		Total Billable		2008	2008	2008	2008
Direct Job Labor Hours	Rates	Hours	Total	Mar	Apr	May	Jun
0.01 Project Management							
Principal (Included below)	\$125.00	0	\$0				
Project Director	\$115.00	0	\$0				
Construction Manager	\$115.00	520	\$65,879	86.6	173.2	173.2	86.6
Project Manager	\$105.00	0	\$0				
Field Engineer	\$65.00	0	\$0				
MP&E Field Observation	\$85.00	0	\$0				
Admin Support	\$45.00	0	\$0				
	\$126.79	520	\$65,879	86.6	173.2	173.2	86.6
0.02 Estimating & Value Engineering							
Chief Estimator	\$105.00	0	\$0				
Estimators	\$85.00	0	\$0				
MP&E Estimators	\$95.00	0	\$0				
VE Facilitator	\$105.00	0	\$0				
VE Estimator	\$75.00	0	\$0				
VE Engineers	\$95.00	0	\$0				
	#DIV/0!	0	\$0	0	0	0	0
0.03 Design Review							
Design Review - CM	\$115.00	0	\$0	0	0	0	0
Design Review - Engineer	\$95.00	0	\$0	0	0	0	0
	#DIV/0!	0	\$0	0	0	0	0
0.04 Consultants							
None required	\$0.00	0	\$0	0	0	0	0
		0	\$0	0	0	0	0
	\$0.00	0	\$0	0	0	0	0
Direct Job Labor Hours	\$126.79	520	\$65,879	86.6	173.2	173.2	86.6

Total Cost Summary	Mark Up	Pct. Of Const.	Cost				
Billable Labor Costs		#DIV/0!	\$65,879	\$10,980	\$21,960	\$21,960	\$10,980
Subcontractor							
Subcontractor 1			\$0	\$0	\$0	\$0	\$0
Subcontractor w/mark-up	1.00	#DIV/0!	\$0	\$0	\$0	\$0	\$0
Consultant							
0.04 Consultants							
None required	\$0.00		\$0	\$0	\$0	\$0	\$0
	0	\$0.00	\$0	\$0	\$0	\$0	\$0
Subtotal			\$0	\$0	\$0	\$0	\$0
Consultant w/mark-up	1.00	#DIV/0!	\$0	\$0	\$0	\$0	\$0
Reimbursables							
Technology - For Field			\$0	\$0	\$0	\$0	\$0
Printing/Supplies - Reports			\$0	\$0	\$0	\$0	\$0
Postage & Delivery			\$0	\$0	\$0	\$0	\$0
Travel, lodging and per diem			\$601	\$101	\$200	\$200	\$100
Subtotal			\$601	\$101	\$200	\$200	\$100
Reimbursables w/mark-up	1.00	#DIV/0!	\$601	\$101	\$200	\$200	\$100
Nonreimbursables							
Misc. Expenses			\$0	\$0	\$0	\$0	\$0
Subtotal			\$0	\$0	\$0	\$0	\$0
Nonreimburs. w/mark-up	1.00	#DIV/0!	\$0	\$0	\$0	\$0	\$0
Grand Total - Billable		#DIV/0!	\$66,480	\$11,081	\$22,160	\$22,160	\$11,080

TWN

PARSONS

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February 5, 2008

Tom Wilhite, P.E.
City of Tempe
31 East 5th Street
Tempe, AZ 85281

Re.: Tempe Downtown Transportation Center
Added Services Request
Project No. 60-976762

Dear Tom,

Based on our previous discussions, I am submitting this request for additional fees to provide added services of a Test and Balance consultant under our contract.

3D/I, now a Parsons subsidiary, was requested to provide a proposal to engage an HVAC Test and Balance consultant. The consultant would provide testing and balancing of the air (only) systems within the Tempe Transportation Center and Community Room. We have planned to engage this sub consultant's services approximately 2 weeks from today. The additional fee for this Test and Balance service is \$27,700, exclusive of a 3D/I markup. Upon your approval, I will contract with this company and manage their services for this work.

We thank you for this opportunity to work with you and the City on this memorable project.

Sincerely,



Phil Ellsworth
Sr. Project Manager

cc.: Ward Simpson, Parsons
Al Dreska, Parsons
Bonnie Richardson, COT Transportation





ROC Lic. # 099027



HVAC Independent Testing & Balancing Air * Water * Hydronic * Systems Commissioning Diagnostics

QUOTE

PROJECT: Tempe Transportation Center
Sally Port

Date: 1/17/2008
Revised

Date of plans: July-07

Architect: Architekton

Engineer: LSW

We propose to test and balance the above project according to plans and specs for the following sum:

Test and Balance	\$13,684.00
Price is based on the following equipment: 115 air distribution, 39 VAV's, 4 DHs, 4 AHU's with cooling coils, 12 EF's, 4 Pumps, 1 Chiller, 2 CT's, 1 HX, 2 Mini splits, 2 CRAC, 9 FCs with cooling coils, 9 OSA traverse. Excludes in-floor grilles.	
Seasonal Test - Opposite season	\$1,300.00
Adjust floor grilles (365 devices if required)	\$6,020.00
Commissioning Participation Not to exceed 40 hours \$65 thereafter	\$1,800.00
Smoke Detector Test and Certification	\$1,345.00
Price for certification of 15 smoke detectors, 7 smoke/fire dampers and 7 SD's associated with them	

One Test each NO PE Stamp

Smoke detector and smoke/fire damper stipulations:

- ❖ If monitored through a fire control panel (due to additional information required by the fire inspector), additional personnel (to be provided by others) will be required to assist our technician.
- ❖ Trip charge of \$180.00 per trip to be charged whenever the above devices are not ready to be tested when CSA arrives and testing cannot be started and completed on that trip.
- ❖ If smoke detectors are over 12' high, contractor will provide means of access.
- ❖ It is the contractor's responsibility to confirm accurate numbers of smoke devices. Add or subtract \$50.00 each device if count different from above.

Exclusions / Exceptions / Conditions:

It is the contractor's responsibility to confirm accurate count of all equipment and devices.

Sheave and belt changes are excluded.

Price quoted is for normal working hours (6 am to 6 pm); additional charges apply for after hours or

Weekend work when agreed to by both parties.

TAB contractor involvement in commissioning is excluded from the above pricing.

This Quote is strictly confidential and is not to be shared with, or made available to, anyone other than the intended recipient.

Any further use or distribution is prohibited. This Quote is valid for a period of 30 days. This Quote is subject to final review by CSA and may be voided if significant math errors are detected in the review process.

*REVIEWED
02/01/08 * 27700*

2050 Whispering Wind DR #152, Phoenix, AZ 85020 * (623) 780-0222 * FAX (623) 780-0775

*ADD FOR 5% RETEST \$1500
CONTINGENCY 42051
TWW*