



Council Agenda Report

To: Mayor Pierson and the Honorable Members of the City Council

Prepared by: Rob DuBoux, Public Works Director/City Manager

Approved by: Reva Feldman, City Manager

Date prepared: March 22, 2021 Meeting date: April 12, 2021

Subject: Civic Center Way Improvements Project Change Orders

RECOMMENDED ACTION: Authorize an increase to the construction change orders in the amount of \$250,000 to the GMZ Engineering, Inc. Construction Contract, for a total aggregate amount of \$1,086,241.

FISCAL IMPACT: Funding for this project was included in the Adopted Budget for Fiscal Year 2020-2021 in Account No. 310-9061-5100 (Civic Center Way Improvements). This project is fully funded through Measure R funds with the Los Angeles County Metropolitan Transportation Authority. The project budget has sufficient funding available for the additional change orders. There is no impact to the General Fund with this project.

WORK PLAN: This item was included as item 8i in the Adopted Work Plan for Fiscal Year 2020-2021.

DISCUSSION: The Civic Center Way Improvements project consists of improving approximately 0.7 miles of Civic Center Way from Webb Way to Malibu Canyon Road. The project will improve the curvature of the roadway, install pedestrian walkways, a new bike lane, wildlife permeable fencing and landscaping, and the addition of an eastbound right turn lane from Civic Center Way to Webb Way. The project will improve the safety for motorists, pedestrians, and cyclists.

On November 21, 2019, the City advertised the project specifications for the Civic Center Way Improvements Project through the competitive bidding process. Five contractors submitted bids and GMZ Engineering, Inc (GMZ) was the lowest bid in the amount of \$3,345,466. The City Council approved the award and executed a contract with GMZ. The Council also authorized the Public Works Director to approve change orders up to \$836,241, or 25% of the agreement amount.

Since the commencement of construction, the contractor discovered several unforeseen conditions that resulted in the City issuing construction change orders, including a major revision of storm drains that conflicted with existing utilities, the relocation of an existing 12-inch water line that conflicted with the proposed street improvements and the relocation of an existing fire hydrant to increase the on-street parking.

During construction, it was also discovered that additional asphalt concrete on Civic Center Way needed to be removed and replaced. The existing asphalt was damaged and required replacement to provide for a proper roadway surface and to meet the newly designed roadway alignment. Additional traffic signal modifications at Civic Center Way and Webb Way are also needed. These modifications include relocating pull boxes, installing new pedestrian cross walk push buttons, modifying the existing crosswalk striping, and new traffic loops. These improvements will increase safety for the pedestrians at this location. Additional authorization of \$250,000 will be used to compensate the contractor for the additional work.

Staff recommends the Council approve the authorization of \$250,000 of the available project Measure R funding for these change orders.

ATTACHMENTS:

1. Contract Change Order No. 25
2. Contract Change Order No. 26

**City of Malibu
Public Works Department**

CONTRACT CHANGE ORDER

CONTRACT Civic Center Way Improvements SPECIFICATION NO. 2060

PROGRAM MANAGER Jorge Rubalcava, Sr Civil Engineer CONTRACT P.O. NO. _____

TO: GMZ Engineering, Contractor

You are hereby directed to make the following changes to the plans and specifications for this contract.

Note: *Contract Change Orders shall be authorized by the Public Works Director/City Engineer.*

CHANGE ORDER NO: 25

GMZ Engineering is compensated for additional asphalt concrete removal and replacement.

The contract plans direct the contractor to place an asphalt concrete overlay over the existing asphalt concrete surface on Civic Center Way from Malibu Canyon Road to Webb Way. During construction, it was discovered that the existing asphalt on Civic Center Way between STA 33+00 to STA 47+00 was extremely damaged such that an asphalt concrete overlay over the existing pavement would not be feasible. In some locations, the existing asphalt concrete surface was slightly higher than the proposed street improvements.

Therefore, the Engineer directed the contractor to remove and replace 18,000 square feet of asphalt concrete between STA 33+00 to STA 47+00 at locations identified by the City. The work includes 1,500 CY of additional grading and export of subgrade material, placement of 120 CY of base material and 420 Tons of asphalt concrete.

The not to exceed cost, of performing the aforementioned, including labor, transportation, equipment and material, and mark up shall be **\$227,654.**

ORIGINAL CONTRACT PRICE	\$	3,344,966.00
PREVIOUS CHANGE ORDERS	\$	<u>806,708.55</u>
CURRENT CONTRACT PRICE	\$	<u>4,151,674.55</u>
CHANGE ORDER NO. 25	\$	<u>227,654.00</u>
NEW CONTRACT PRICE	\$	<u>4,379,328.55</u>
ADJUSTMENT OF WORKING DAYS		<u>0</u>

The undersigned contractor has given careful consideration to the change proposed, including its effect on the other work already contracted for, and hereby agrees, if this order is approved, that he will provide all equipment, furnish all materials, and perform all services necessary for the work above specified, and will accept as full payment for all costs related in any way thereto the prices shown above including without limitation, costs for changes in sequence of work, direct or indirect delays, disruption, inefficiency, rescheduling, and extended overhead and/or impacts, cumulative or otherwise.

RECOMMENDED BY:

ACCEPTED BY:

Construction Manager Date

Contractor Date

APPROVED BY

Public Works Director Date

