



CITY OF MENIFEE

SUBJECT: Contract Change Order Ratification

MEETING DATE: May 1, 2024

TO: Mayor and City Council

PREPARED BY: Carlos Geronimo, Engineering Manager

REVIEWED BY: Nick Fidler, Public Works Director

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Ratify Contract Change Order No. 1 with JCOS Development, Inc. for Fire Station No. 68 Improvements Project, Capital Improvement Program (CIP) Project No. CIP 21-03 in the amount of \$38,032 pursuant to Menifee Municipal Code (MMC) §3.12.090; and
2. Ratify Contract Change Order No. 3 with Roadway Engineering and Contracting, Inc. for Menifee and Garbani Road Traffic Signal Improvement Project No. CIP 21-11 in the amount of \$29,800.96 pursuant to MMC §3.12.090; and
3. Ratify Contract Change Order No. 1 with Pavement Coating, Co. for the Potomac and Meadows Resurfacing Project, Pavement Management Program (PMP) Project No. PMP 22-02 in the amount of \$35,150.46 pursuant to MMC §3.12.090.

DISCUSSION

The City's Capital Improvement Program (CIP) is dedicated to enhancing and expanding our city-managed infrastructure. Operating within the bounds of our Municipal Code and the state's Public Contract Code, Menifee diligently seeks to execute projects under the CIP in a timely and cost-effective manner. However, it's not uncommon for projects to encounter unforeseen circumstances during the transition from design to construction. Consequently, our staff rigorously evaluates and negotiates change order requests to ensure both necessity and cost-effectiveness. Efficient management of change orders is crucial for maintaining project timelines and budgets.

Although staff makes every effort to carefully study and anticipate the extent of the scope of work required to achieve project goals, unforeseen needs are often encountered as a project

progresses. Pursuant to MMC §3.12.090, change orders in an amount greater than 10% of the contract amount or that exceed \$25,000 must be approved by the City Council. In addition to the acceptance of the improvements and Notices of Completion (NOC) previously approved, the Contract Change Orders (CCO) associated with Fire Station No. 68 CIP Project No. 21-03, Menifee and Garbani Road Traffic Signal Improvement CIP Project 21-11, and Potomac and Meadows Resurfacing PMP Project No. 22-02 require ratification by the City Council in keeping with the provisions of the MMC. A summary of the projects and corresponding CCOs are outlined below.

Fire Station No. 68 Improvements Project (CIP 21-03)

CIP 21-03 consisted of remodeling the existing fire facility to accommodate additional equipment and personnel, to provide modifications to meet current standards, and house a future medic response team. The Project consisted of improvements which included remodeling existing bathrooms, expanding the bedroom areas to accommodate additional fire staff, and installation of ADA improvements throughout the existing facility. All CCOs approved for this Project are summarized in Table No. 1 below. All costs to complete the Project were supported within the previously approved Fiscal Year 2022/2023 Capital Improvement Program Budgets. The total of the CCOs is \$11,312 or 1.48% of the total contract amount, well below the 10% threshold established in Menifee Municipal Code.

TABLE NO. 1 – CIP 21-03 CHANGE ORDER SUMMARY

CCO No.	Date Approved	Description of Services	Amount
	July 20, 2022	Prime contractor agreement	\$762,000
1	January 30, 2023	Additional work exceeding the original contract work (see below)	\$38,032
2	June 30, 2023	Relocation of ceiling lights, access panel for attic, relocation of plumbing and additional signage to comply with ADA requirements	\$16,280
3	July 8, 2023	43 days of liquidated damages (project timeline delayed by 43 working days)	(\$43,000)
TOTAL			\$773,312

CCO No.1 in the table above included the following items:

- Structural steel footing conflicts with the existing grade beam: At the time of bidding, the extent of the existing grade beam was unknown. Additional labor and equipment were required to properly form and build footings around existing the grade beam.
- Relocation of tankless water heater: The tankless water heaters were originally designed to be in the existing water heater closet. During construction, the contractor noted physical constraints at the proposed location. The Engineer relocated the tankless water heater which required additional plumbing, electrical conduits, and installation of dry wells.
- Fire Sprinkler drain exterior access panel: An exterior access panel to the fire sprinkler system which needed to be installed was not included in the plans.

- Existing mechanical duct extension: The existing HVAC duct terminated at the existing building limits; the duct was extended to terminate at the end of the new building addition.
- Low Voltage Conduit Installation: During construction, it became evident that it would be beneficial to have a low voltage system installed. This required a plan change to allow for the design and installation of a low voltage system.

Menifee and Garbani Road Traffic Signal Improvement Project (21-11)

CIP 21-11 consisted of the installation of new traffic signal, controller cabinet foundation, service cabinet, a closed-circuit television (CCTV) camera system, wireless radios, an ethernet switch, new poles with foundations, conduit, pull boxes, detection loops, signing/stripping, and pedestrian curb ramps. All CCOs approved for this Project are summarized in Table No. 2 below. All costs to complete the Project were supported within the previously approved Fiscal Year 2023/2024 Capital Improvement Program Budgets. The total of the CCOs is \$50,625.76 or 4.49% of the total contract amount, well below the 10% threshold established in Menifee Municipal Code.

TABLE NO. 2 – CIP 21-11 CHANGE ORDER SUMMARY

CCO No.	Date Approved	Description of Services	Amount
	<i>December 15, 2021</i>	<i>Prime contractor agreement</i>	<i>\$1,127,922.00</i>
1	April 14, 2023	Relocate crosswalk push button to comply with ADA standards	\$8,643.80
2	August 21, 2023	Additional striping and traffic loops to address traffic safety	\$12,181.00
3	October 2, 2023	Quantity overages and additional work claim resolution related to installation of SCE conduit (See below)	\$29,800.96
TOTAL			\$1,178,547.76

CCO No. 3 in the table above included the following items:

- Various overages in material quantities from those stated in the bid documents: The overages in materials correspond to additional work required at the direction and approval of the Inspector and Construction Manager to meet the intent of the construction documents. Bid quantity items are estimates of the amount of material needed to complete the work, these quantities often increase or decrease due to field conditions.
- SCE Conduit Installation: Following the start of the project it was determined that the contract documents did not clearly identify the Southern California Edison conduit installation as part of the stated contract work. The contract documents were updated to include the approximately 300 linear feet of trenching, conduit installation, backfill, and re-compaction required to complete the Project.

Potomac and Meadows Resurfacing Project (PMP 22-02)

PMP 22-02 consisted of resurfacing existing roads with chip seal/slurry seal, restriping, and reconstruction of 22 non-compliant ADA ramps in the Menifee Meadows and Potomac neighborhoods. The Project was completed in two parts, beginning with a crack seal of the project area followed by the final resurfacing by chip seal/slurry seal throughout both neighborhoods. The

Project resurfaced approximately 7.5 miles collectively between both neighborhoods. All CCOs approved for this Project are summarized in Table No. 3 below. All costs to complete the Project were supported within the previously approved Fiscal Year 2022/2023 Capital Improvement Program Budgets. The total of the CCOs is \$35,150.46 or 4.59% of the total contract amount, well below the 10% threshold established in Menifee Municipal Code.

TABLE NO. 3 – PMP 22-02 CHANGE ORDER SUMMARY

CCO No.	Date Approved	Description of Services	Amount
	April 6, 2022	Prime contractor agreement	\$756,613
1	November 16, 2022	Chip and seal coating and application; extra curb and gutter placed to complete project. (See below)	\$35,150.46
TOTAL			\$791,763.46

CCO No. 1 in the table above included the following items:

- Various overages in material quantities from those stated in the bid documents: These overages in materials correspond to additional work needed to be done at the direction and approval of the Inspector and Construction Manager to meet the intent of the construction documents. Bid quantity items are estimates of the amount of material needed to complete the work, these quantities often increase or decrease due to field conditions.

All the identified Projects were properly closed out and NOCs were filed following City guidelines. The agenda packets associated with the acceptance of improvements and NOCs for each of the identified Projects are attached for reference.

STRATEGIC PLAN OBJECTIVE

Regular City Business

FISCAL IMPACT

There were adequate funds in the existing respective Project budgets to support the above identified CCOs. There are no additional fiscal impacts associated with the recommended actions.

ATTACHMENTS

1. CIP 21-03 Notice of Completion - Aug. 2, 2023, Agenda Packet
2. CIP 21-11 Notice of Completion - Dec. 6, 2023, Agenda Packet
3. PMP 22-02 Notice of Completion - Feb. 1, 2023, Agenda Packet