

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 6, 2023 AGENDA**

Subject:	Type:	Submitted By:
CHANGE ORDER NO, 1 – CENTRAL PARK PAVILION AND SITE IMPROVEMENTS (THE LINK)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

SYNOPSIS

A resolution has been prepared to approve Change Order No. 1 to the contract with JE Dunn Construction Co. to provide for changes and additions to the project resulting from design progression and unforeseen conditions in the amount of \$685,971 bringing the total contract price to \$16,641,774.

FISCAL IMPACT

The FY23/FY24 Biennial Budget provides funding for this project.

RECOMMENDATION

Approval.

BACKGROUND

A construction contract with JE Dunn was approved on February 1, 2022, authorizing them to proceed with Pre-Construction Services necessary to complete design of the Central Park Pavilion and Site Improvement Project (The Link), which consisted of constructing a two-story pavilion structure with restroom and service facilities as well as adjacent site improvements to provide pedestrian connectivity between Central Park and the adjacent mixed-use redevelopment project (City Centre).

On March 15, 2022 an amendment to the contract was approved establishing the scope, costs, schedule and a guaranteed maximum price (GMP) of \$15.9 million.

In a typical Construction Manager at Risk (CMR) project the GMP is established at the point of construction documents being completed and approved. Because this project had a very short timeline for completion in order to align with agreements between the City and the developer of City Centre/The Astro, along with the skyrocketing steel prices related to the supply chain issues at the time, JE Dunn provided a GMP at the design document stage with the understanding that there was design work yet to be completed before getting to construction documents.

As the design work and the project progressed, there were unforeseen conditions identified in the geotechnical soil study, design progression updates, and items requested by the City that resulted in the attached request for a change order (see following list). The City and project architect RDG, agree that these additional charges are warranted. There are some remaining items that we are continuing to work through with JE Dunn that may result in an additional change order.

City Direction and Design Progression	\$326,629	<ul style="list-style-type: none"> -Additional guardrail (\$100,000) -Waterproofing additional hot applied membrane (\$89,300) -Joint Sealants upgraded version (\$10,653) -Added thermal barrier paint at roof (-\$37,030) -Removed moving spotlight fixtures (-\$166,971) -Additional work on Outlot C, replace ADA ramps in the development, & add acid washing of XI's walls (\$69,616) -Added cast in place coping at the redi-rock wall which was not shown or included in budget (\$50,000) -Added PVC jacket & duct wrap on kitchen exhaust (\$32,238) -Added 4,300 lbs. of outside air duct (\$35,000) -Modification of mechanical locations (\$17,064) -Other aggregate items (\$126,759)
Unforeseen Conditions (Geo-Tech Updates)	\$320,727	<ul style="list-style-type: none"> -Increase in foundation and wall sizes -Increased # of masonry load bearing walls & changed assumed rebar spacing -Changed boardwalk structure
Insurance, Bond, etc.	\$ 38,615	
Total Change Order	\$685,971	

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH JE DUNN CONSTRUCTION CO., OMAHA, NEBRASKA, TO PROVIDE FOR CHANGES AND ADDITIONS TO THE PROJECT, FOR AN INCREASED AMOUNT OF \$685,971 AND A TOTAL PROJECT AMOUNT OF \$16,641,774.

WHEREAS, the City has determined it is necessary to make changes and additions of work to the contract; and

WHEREAS, the FY23/FY24 Biennial Budget provides funding for this project.

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for Change Order No. 1 to the contract with JE Dunn Construction Co., Omaha, Nebraska, to provide for additional items of work, for an increased amount of \$685,971 and a total project amount of \$16,641,774.

PASSED AND APPROVED THIS 6TH DAY OF JUNE 2023.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Patti Anderson
Deputy City Clerk



J.E. Dunn Construction Company

CHANGE ORDER

NO. OWNER001

1001 Locust St
Kansas City MO 64106

Printed On: 05/31/2023
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TITLE: OCO #01
PROJECT: Central Park Pavilion and Site Improvements
TO: CITY OF LA VISTA NE
8116 PARK VIEW BLVD
LA VISTA NE 68128

ISSUE DATE: 05/31/2023
JOB: 21046300
CONTRACT: 21046300

Phone: 402-331-4343 Fax: 402-331-4375

<u>Description</u>	<u>Phase</u>	<u>Category</u>	<u>Bill Amount</u>
Changes based on City direction design progression and unforeseen conditions. This change acts as a partial update to the GMP for drawings and Addendums issued since DD drawings incorporated in original GMP. Future change forthcoming to capture all drawing updates to date.	BR Insurance - 01602	MA	2,617.00
	Bond - 01615	MA	5,311.00
	Sub Default - 01616	MA	6,797.00
	GL Insurance - 01618	MA	7,159.00
	Unforeseen Conditions - 35200	MA	320,727.00
	City Direction/Design Progression - 35200	MA	326,629.00
	Fee - 50000	FE	16,731.00

Total: **\$685,971.00**

City Direction and Design Progression

- Additional guardrail (\$100,000)
- Additional drain tile and graffiti repellent on masonry (\$89,300)
- Joint Sealants quality upgrades (\$10,653)
- Added thermal barrier paint at roof (-\$37,030)
- Removed moving spotlight fixtures (-\$166,971)
- Additional work on Outlot C, replace ADA ramps in the development, & add acid washing of IX's walls (\$69,616)
- Added cast in place coping at the redi-rock (\$50,000)
- Added PVC jacket & duct wrap on kitchen exhaust (\$32,238)
- Added 4,300 lbs. of outside air duct (\$35,000)
- Modification of mechanical locations (\$17,064)
- Other aggregated items (\$126,759)

Unforeseen Conditions (based on Geo-technical Report updates)

- Increase in foundation and wall sizes
- Increased # of masonry load bearing walls and changed assumed rebar spacing
- Changed boardwalk structure

The Original Contract Sum was	\$15,955,803.00
Net Change by Previously Authorized Requests and Changes	\$0.00
The Contract Sum Prior to This Change Order was	\$15,955,803.00
The Contract Sum will be Increased	\$685,971.00
The New Contract Sum Including This Change Order	\$16,641,774.00
The Contract Time Will Not Be Changed	
The Date of Substantial Completion as of This Change Order therefore is	07/07/2023

ACCEPTED:

J.E. Dunn Construction Company

CITY OF LA VISTA NE

By: _____

By: _____

Date: _____

Date: _____