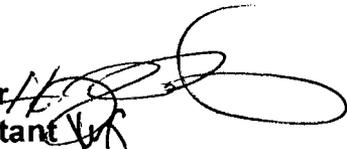


**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Hugh R. Riley, Assistant City Manager 

BY: Ky Spangler, Special Projects Consultant 

DATE: May 23, 2012 (CC Meeting of 6/6/12)

SUBJECT: Consider Additional Funding for Electrical Additions and Revisions and Amendment No. 6 to the Agreement with Taft Electric Company for the Ruben Castro Human Services Center

BACKGROUND & DISCUSSION

The Ruben Castro Human Services Center (RCHSC) is being constructed as a multiple-prime contract project with construction management provided by Barnhart Balfour-Beatty Construction (Balfour-Beatty). Bids were solicited from trades in September, 2010, opened on October 21, 2010 and bids were awarded by the Moorpark City Council on January 19, 2011. Taft Electric Company (Taft) was selected as the lowest responsive and responsible bidder for the Electrical bid package and a construction agreement was executed on March 25, 2011.

Concurrently with the bidding process, the County of Ventura and the City of Moorpark entered into negotiations for the purchase of Building A for use as a County medical facility. A Ground Lease between the City of Moorpark and County of Ventura was approved on January 11, 2011. The Ground Lease also includes a Bill of Sale for purchase and of transfer of Building A to the County upon completion of construction with a purchase price of \$5,600,000.

During the course of construction it was learned that installation of additional in-slab electrical conduit and additional electrical provisions were needed to support the x-ray room located in Ventura County Health Care Agency medical clinic. The added conduit required demolition and reinstallation of a portion of the concrete slab in the x-ray room, and the installation of additional electrical panels for the x-ray table and signal lights. The County was made aware of and approved the changes described. The cost for this additional work is \$42,220.39 (Attachment 1).

Ventura County Health Care Agency has also requested and approved the cost of a number of revisions with respect to the electrical provisions throughout the medical clinic, which were not included in Taft's original scope of work for the medical clinic. Additions and modifications include items such as additional electrical outlets, changing electrical provisions for the emergency power system and future equipment to be placed in the breakroom area, and adding electrical for new exhaust fans to be installed in the medicine room. The cost for this additional work is \$44,287.98 (Attachment 2).

All changes requested by the County are being tracked and any construction costs which exceed the \$5,600,000 building purchase price will be billed to and paid for by the County.

In Building B, the City elected to install above-ceiling conduits to provide for future telecommunications cabling which will be needed to serve future users of the suites within the building (cabling to be provided by tenants). One conduit will be provided to feed each lease space in order to keep communications cabling independent for each future tenant. The cost for this additional work is \$33,366.96 (Attachment 3).

<u>Original Contract</u>	\$ 899,000.00
Amendment No. 1	\$ 11,212.53
Amendment No. 2	\$ 8,819.00
Amendment No. 3	\$ 10,867.50
Amendment No. 4	\$ 14,060.08
Amendment No. 5	<u>\$ 24,100.00</u>
Current Agreement Amount	\$ 968,059.11
<u>Amendment No. 6</u>	
X-ray room electrical changes/additions	\$ 42,220.39
County-requested electrical changes/additions	\$ 44,287.98
Conduit for telecommunications, Building B	<u>\$ 33,366.96</u>
Total Amendment No. 6 Amount	\$ 119,875.33
Revised Agreement Amount	\$1,087,934.44

Currently the remaining contingency available under Taft's contract is \$20,840.89. The cost for the electrical additions and revisions is \$119,875.33 which is \$99,034.44 above the available contingency. Therefore staff is seeking the approval of this additional amount.

FISCAL IMPACT

The Fiscal Year 2011/2012 Capital Improvement budget for the Ruben Castro Human Services Center (Fund 5020) is \$11,038,064. To date \$6,512,302 has been expended with \$3,465,038 left in encumbrances and \$1,060,724 available project balance. Therefore, no additional funds need to be budgeted for the proposed work at this time. Sufficient funds exist in the budget to cover this work.

STAFF RECOMMENDATION (ROLL CALL VOTE)

Approve additional funding in the amount of \$99,034.44 for electrical additions and revisions for the Ventura County Health Care Agency medical clinic, and installation of above-ceiling telecommunications conduit for the Ruben Castro Human Services Center and authorize the City Manager to execute Amendment No. 6 in the amount of \$119,875.33 to Taft Electric Company, subject to final language approval of the City Manager and City Attorney.

- Attachment 1: Taft Electric Proposal dated February 7, 2012
- Attachment 2: Taft Electric Proposal dated January 16, 2012
- Attachment 3: Taft Electric Proposal dated December 7, 2011
- Attachment 4: Amendment No. 6 to Taft Electric Company

ATTACHMENT 1

Change Order Request

Detailed, Grouped by Each Number

FF # 309

2167 Ruben Castro Human Services Center
612 Spring Road
Moorpark, CA 93021

Project # 2167
Tel: Fax:

TAFT ELECTRIC COMPANY

Change Order Request: 031

Date: 2/7/2012

To: Dennis Kuykendall Barnhart Inc 350 Esplanade Drive, #350 Oxnard, CA 93036	From: Brian Stamper TAFT ELECTRIC COMPANY P.O. Box 3416 Ventura, CA 93006
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Description	Category	Status
CHANGES TO X-RAY ROOM - RFI 276		Submitted

Reference	Required By	Days Req	Amt Req
CHANGES TO X-RAY ROOM - RFI 276	2/14/2012	10	42,220

Notes:
This change proposal is based on the usual cost elements such as labor, materials, and markup and does not include any amounts for impacts such as interference, trade stacking, disruptions, rescheduling, changes in the sequence of work, delays, and/or associated acceleration costs. We expressly reserve our right to submit our request for any of these items should we be faced with performing work under any of these conditions.

This cost proposal supersedes all previously submitted cost proposals relating to this same work. The work of other trades which may be required to complete this change order is not part of this proposal.

This quote is valid for 30 calendar days from the above date. We reserve our right to re-quote this change proposal should the approval take longer than 30 days.

- Qualifications/Exclusions:
1. All work to be done during normal working hours. No overtime or premium time is included.
 2. Estimate for electrical work is based on Phillips Drawings E1, ED1, EN and EL dated 2/2/12.
 3. Patching of any finished surfaces is excluded.
 4. Layout/locations of boxes, floorbox to be confirmed by Balfour and Phillips prior to sawcut and final placement.
 5. Sawcut and demo of floor is included per the attached quote. Concrete and earth spoils to be stockpiled on site for removal by others.
 6. Backfill and floor/slab pour back to be 4,000 PSI concrete.

Please sign this proposal and provide a Contract Change Order for billing purposes if you agree as proposed.

PCO No	Date	Reference	Amt Prop	Days Req	Category	Reason
Description			Notes			

Approved By:

Signature _____

Name _____ Date _____

ATTACHMENT 2

Change Order Request

Detailed, Grouped by Each Number

2167 Ruben Castro Human Services Center
612 Spring Road
Moorpark, CA 93021

Project # 2167
Tel: Fax:

TAFT ELECTRIC COMPANY

Change Order Request: 012-R001

Date: 1/16/2012

To: Dennis Kuykendall
Barnhart Inc
350 Esplanade Drive, #350
Oxnard, CA 93036

From: Brian Stamper
TAFT ELECTRIC COMPANY
P.O. Box 3416
Ventura, CA 93006

Description	Category	Status
IB 5 DRAWING CHANGES - INCLUDES IB 5 AR & BR SHEETS AS NOTED		Proceed

Reference	Required By	Days Req	Amt Req
IB 5 DRAWING CHANGES - INCLUDED IB 5 AR & BR SHEETS AS NOTED	1/23/2012	15	44,288

Notes

Change Order Request
Detailed, Grouped by Each Number

This change proposal is based on the usual cost elements such as labor, materials, and markup and does not include any amounts for impacts such as interference, trade stacking, disruptions, rescheduling, changes in the sequence of work, delays, and/or associated acceleration costs. We expressly reserve our right to submit our request for any of these items should we be faced with performing work under any of these conditions.

This cost proposal supersedes all previously submitted cost proposals relating to this same work. The work of other trades which may be required to complete this change order is not part of this proposal.

This quote is valid for 30 calendar days from the above date. We reserve our right to re-quote this change proposal should the approval take longer than 30 days.

Qualifications/Exclusions:

1. All work to be done during normal working hours. No overtime or premium time is included.
2. Pricing includes electrical changes shown on sheets E0.1, E3.1, E3.2 and E5.1 dated 5/25/11.
3. Door buzzer provided and installed by others.
4. Card readers provided and installed by others includes only what is shown on drawings. No manufacturers cut sheets or instructions were included.
5. Box and provision for electrical connection included per Note 15. Only equipment shown on drawings specifically for X-Ray machine has been included, disconnect, transformer, additional breaker.
6. Any additional or machine specific disconnecting means, warning lights, x-ray termination door switches, pull boxes or raceways are not included. No manufacturers cut sheets or instructions were included.
7. Taft will assist x-ray manufacturer/installer in coordination and final connection of x-ray machine if required.
8. A new dedicated circuit for door switches, warning lights, computer equipment or other x-ray specific equipment are not shown on the drawings and are not included.
9. Switchgear changes are not included in this pricing.
10. Additional Sheets included are E3.1, E3.2, E3.3 and E5.1 dated 10/6/11.

Please sign this proposal and provide a Contract Change Order for billing purposes if you agree as proposed.

PCO No	Date	Reference	Amt Prop	Days Req	Category	Reason
Description			Notes			

Approved By:

Signature _____

Name _____ Date _____

ATTACHMENT 3

Change Order Request

Detailed, Grouped by Each Number

2167 Ruben Castro Human Services Center
612 Spring Road
Moorpark, CA 93021

Project # 2167
Tel: Fax:

TAFT ELECTRIC COMPANY

Change Order Request: 019

Date: 12/7/2012

To:	Dennis Kuykendall Barnhart Inc 350 Esplanade Drive, #350 Oxnard, CA 93036	From:	Brian Stamper TAFT ELECTRIC COMPANY P.O. Box 3416 Ventura, CA 93006
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Description	Category	Status
ADDED TENANT TELEPHONE CONDUITS		Proceed

Reference	Required By	Days Req	Amt Req
ADDED TENANT TELEPHONE CONDUITS	12/14/2012	10	33,367

Notes

This change proposal is based on the usual cost elements such as labor, materials, and markup and does not include any amounts for impacts such as interference, trade stacking, disruptions, rescheduling, changes in the sequence of work, delays, and/or associated acceleration costs. We expressly reserve our right to submit our request for any of these items should we be faced with performing work under any of these conditions.

This cost proposal supersedes all previously submitted cost proposals relating to this same work. The work of other trades which may be required to complete this change order is not part of this proposal.

This quote is valid for 30 calendar days from the above date. We reserve our right to re-quote this change proposal should the approval take longer than 30 days.

Qualifications/Exclusions:

1. All work to be done during normal working hours. No overtime or premium time is included.
2. At the request of Balfour Beatty, Taft designed multiple conduit routes for 3" EMT telephone conduit.
3. Taft installed 3" EMT telephone conduit according to Balfour Beatty approved routing and direction.
4. Telephone/Data or other cables or associated services are not included in this price. Conduit only was installed for use by others.
5. Work is complete. Any additional future work will be a Change Order.

Please sign this proposal and provide a Contract Change Order for billing purposes if you agree as proposed.

PCO No	Date	Reference	Amt Prop	Days Req	Category	Reason
		Description	Notes			

Approved By:

Signature _____

Name _____ Date _____

ATTACHMENT 4

SIXTH AMENDMENT TO AGREEMENT 2011-072 FOR BID PACKAGE #16 – ELECTRICAL AT THE RUBEN CASTRO HUMAN SERVICES CENTER

THIS SIXTH AMENDMENT TO THE AGREEMENT FOR BID PACKAGE #16 – ELECTRICAL (“Sixth Amendment”), is made and entered into this ____ day of _____, 2012, (“the Effective Date”) between the City of Moorpark, a municipal corporation, hereinafter referred to as “CITY”, and Taft Electric Company, a California corporation, hereinafter referred to as “CONTRACTOR”.

WITNESSETH:

WHEREAS, on March 25, 2011, the CITY and the CONTRACTOR entered into an Agreement for electrical work for the Ruben Castro Human Services Center; and

WHEREAS, on July 28, 2011, the CITY and the CONTRACTOR executed a First Amendment in an amount not-to-exceed eleven thousand two hundred twelve dollars and fifty-three cents (\$11,212.53) for additional electrical work for the Ruben Castro Human Services Center increasing the total not-to-exceed amount to nine hundred ten thousand two hundred and twelve dollars and fifty-three cents (\$910,212.53); and

WHEREAS, on October 10, 2011, the CITY and the CONTRACTOR executed a Second Amendment in an amount not-to-exceed eight thousand eight hundred nineteen dollars (\$8,819.00) for additional electrical work for the Ruben Castro Human Services Center increasing the total not-to-exceed amount to nine hundred nineteen thousand thirty-one dollars and fifty-three cents (\$919,031.53); and

WHEREAS, on January 11, 2012, the CITY and the CONTRACTOR executed a Third Amendment in an amount not-to-exceed ten thousand eight hundred sixty-seven dollars and fifty cents (\$10,867.50) for construction of a reinforced concrete footing for the Art in Public Places sculpture for the Ruben Castro Human Services Center increasing the total not-to-exceed amount to nine hundred twenty-nine thousand eight hundred eighty-nine dollars and three cents (\$929,899.03); and

WHEREAS, on February 7, 2012, the CITY and the CONTRACTOR executed a Fourth Amendment in an amount not-to-exceed fourteen thousand sixty dollars and eight cents (\$14,060.08) for additional electrical work for the Ruben Castro Human Services Center increasing the total not-to-exceed amount to nine hundred forty-three thousand nine hundred fifty-nine dollars and eleven cents (\$943,959.11); and

WHEREAS, on June ____, 2012, the CITY and the CONTRACTOR executed a Fifth Amendment in an amount not-to-exceed twenty-four thousand one hundred dollars (\$24,100.00) for additional electrical work for the Ruben Castro Human Services Center increasing the total not-to-exceed amount to nine hundred sixty-eight thousand fifty-nine dollars and eleven cents (\$968,059.11); and

WHEREAS, the CITY wishes to further amend the Agreement to include changes required for electrical conduit in Room 548 (x-ray) in Building A for the Ventura County Health Care Agency medical center at a cost not-to-exceed forty-two thousand two hundred twenty dollars and thirty-nine cents (\$42,220.39) as described in the CONTRACTOR'S Change Order Request dated February 7, 2012, and incorporated herein as Exhibit R to the Agreement by this Sixth Amendment; and

WHEREAS, the CITY wishes to further amend the Agreement to include various electrical additions and modifications for the Ventura County Health Care Agency medical center located in Building A per the County of Ventura's request at a cost not-to-exceed forty-four thousand two hundred eighty-seven dollars and ninety-eight cents (\$44,287.98) as described in the CONTRACTOR'S Change Order Request dated January 16, 2012, and incorporated herein as Exhibit S to the Agreement by this Sixth Amendment; and

WHEREAS, the CITY wishes to further amend the Agreement to include the addition of above-ceiling telecommunications conduit to serve future tenants in Building B at a cost not-to-exceed thirty-three thousand three hundred sixty-six dollars and ninety-six cents (\$33,366.96) as described in the CONTRACTOR'S Change Order Request dated December 7, 2011, and incorporated herein as Exhibit T to the Agreement by this Sixth Amendment; and

WHEREAS, this total dollar amount of \$119,875.33 exceeds the ten percent (10%) contingency amount approved with the original Agreement; and

WHEREAS, on June 6, 2012 the City Council of the City of Moorpark approved additional funding for these revisions to electrical and miscellaneous work.

NOW, THEREFORE, in consideration of the mutual covenants, benefits, and premises herein stated, the parties hereto AMEND the aforesaid Agreement follows:

I. Section 2 of the Agreement is amended to include:

CONTRACTOR'S Scope of Services is amended to include the labor and materials required to:

- demolish and re-install concrete slab, and install two (2) two and one-half inch (2 ½") electrical conduits to feed the x-ray table, add signal light for the exterior of the x-ray room, and other miscellaneous electrical items to support the x-ray equipment located in Room 548 per the electrical engineer's response to RFI 276, the architect of record's Instructional Bulletin #20, and per Change Order Request 031 (16.15); and
- install electrical provisions for Room 544 (breakroom), add electrical outlets in specified locations, add additional electrical for new exhaust fans in medicine room, and revise emergency power provisions for the Ventura County Health Care Agency medical center per the request of the County of Ventura, per the architect of record's Instructional Bulletin #5AR, and per Change Order Request 012-R1 (16.16); and
- install three (3) three-inch (3") conduits above-ceiling from the Minimum Point of Entry (MPOE) room to the Main Distribution Frame (MDF) room and back to each lease space in Building B to be used for future telecommunications needs per the request of the City and per Change Order Request 019 (16.17).

The Scope of Services for the installation of additions, revisions and modifications are described in the CONTRACTOR'S Change Order Requests dated February 7, January 16, 2012; and December 7, 2011 respectively, attached hereto and incorporated herein as Exhibits R, S and T to the Agreement by this Sixth Amendment.

II. Section 7 of the Agreement is amended to include:

CITY hereby increases the not-to-exceed amount of \$968,059.11 under this Agreement by \$119,875.33 to \$1,087,934.44.

III. Remaining Provisions

All other terms and conditions of the original Agreement shall remain in full force and effect.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

CITY OF MOORPARK

TAFT ELECTRIC COMPANY

By: _____
Steven Kueny
City Manager

By: _____
Brian Stamper
Project Manager

ATTEST:

Maureen Benson, City Clerk

- Exhibit R – Contractor's Change Order Request #031 dated February 7, 2012 (16.15)
- Exhibit S – Contractor's Change Order Request #012-R1 dated January 16, 2012 (16.16)
- Exhibit T – Contractor's Change Order Request #019 dated December 7, 2011 (16.17)