

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO: Honorable City Council**

**FROM: Hugh R. Riley, Assistant City Manager**

**BY: Patty Anderson, Assistant to the Assistant City Manager**

**DATE: April 26, 2013 (CC Meeting of 5/15/2013)**

**SUBJECT: Consider Amendment No. 5 to the Agreement with Steelcon, Inc. for Structural Steel and Miscellaneous Metals at the Ruben Castro Human Services Center; and Consider the Resolution Amending the Fiscal Year 2012/13 Budget to Appropriate \$13,100 from the RDA-SA 2006 TAB Proceeds Fund 9104 to Cover the Cost of Amendment No. 5 to the Steelcon, Inc. Agreement**

**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. Steelcon, Inc., (Steelcon) was selected as the lowest responsive and responsible bidder for the Structural Steel and Miscellaneous Metals bid package, and a construction agreement was executed on March 25, 2011.

There have been four (4) amendments issued for changes, modifications, and construction alterations requested or required during the course of construction. A recap of the original contract and amendments issued to date is provided on the following page.

Changes to the work, which have already been completed by the contractor, include modifications to the courtyard fencing and gates, and modifications to the structural, bent angles at the extension of Building B.

<u>Original Contract</u>	\$1,101,575.00
Amendment No. 1	\$ 34,024.40
Amendment No. 2	\$ 41,051.61
Amendment No. 3	\$ 54,749.42
Amendment No. 4	\$ 2,490.78
Current Agreement Amount	\$1,233,891.21
<u>Amendment No. 5</u>	
Modifications to courtyard fencing and gates	\$ 8,373.18
Modifications to structural bent angle at ext. of Bldg B	\$ 4,671.47
Total Amendment No. 5 Amount	\$ 13,044.65
<b>Revised Agreement Amount</b>	<b>\$1,246,935.86</b>

Currently there is no contingency remaining within Steelcon's contract. The cost for the additions, revisions, and associated labor and materials is \$13,044.55, which exceeds the available contingency; therefore staff is seeking the approval of this additional amount.

**FISCAL IMPACT**

The construction of the Ruben Castro Human Services Center (CIP 5020) and the Steelcon, Inc. contracts are included in the approved Recognized Obligation Payment Schedule III (ROPS III) for the period January 1, 2013, to June 30, 2013. However, there are no available appropriations to cover the cost of Amendment No. 5. A budget amendment of \$13,100 is required from the RDA-SA 2006 TAB Proceeds Fund (Fund 9104). This fund is estimated to have \$2,999,443 fund balance at year-end with the proceeds from the sale of Building A to the County of Ventura.

**STAFF RECOMMENDATION      ROLL CALL VOTE**

Adopt Resolution No. 2013-\_\_\_\_ amending the FY 2012/13 Budget to appropriate \$13,100 from the RDA-SA 2006 Tab Proceeds Fund (9104) to cover the cost of Amendment No. 5 to the Steelcon, Inc. Agreement.

Attachments:

1. Amendment No. 5 to Steelcon, Inc.
2. Resolution No. 2013 - \_\_\_\_\_.

RESOLUTION NO. 2013-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING THE FISCAL YEAR 2012/13 BUDGET TO APPROPRIATE \$13,100 FROM THE RDA-SA 2006 TAB PROCEEDS FUND (9104) TO COVER THE COST OF AMENDMENT NO. 5 TO STEELCON INC. AGREEMENT

WHEREAS, on June 20, 2012, the City Council adopted the Operating and Capital Improvement Budget for Fiscal Year 2012/13; and

WHEREAS, on October 14, 2012 the State of California Department of Finance approved the Recognized Obligation Payment Schedule III (ROPS III) for the period January 1, 2013 through June 30, 2013; which included the Ruben Castro Human Services Center Project (CIP 5020) and the obligation to Steelcon, Inc. for structural steel, miscellaneous metals, metal decking, fences and gates; and

WHEREAS, a staff report has been presented to City Council discussing the changes requested or required during the construction CIP 5020 and the need to execute Amendment No. 5 to the Agreement with Steelcon, Inc.; and

WHEREAS, changes to the work, which have already been completed by the contractor, include modifications to the courtyard fencing and gates, and modifications to the structural, bent angles at the extension of Building B; and

WHEREAS, an additional appropriation of \$13,100 is requested from the RDA-SA 2006 TAB Proceeds Fund (Fund 9104) to cover the cost of Amendment No. 5; and

WHEREAS, Exhibit "A" hereof describes said budget amendment and its resultant impacts to the budget line item.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. A budget amendment allocating \$13,100 from the RDA-SA 2006 TAB Proceeds Fund (Fund 9104) for the modifications covered in Amendment No. 5 to the Agreement with Steelcon, Inc., as more particularly described in Exhibit "A" attached hereto is hereby approved.

SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

Honorable City Council  
May 15, 2013  
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PASSED AND ADOPTED this 15<sup>th</sup> day of May, 2013.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk

Attachment: Exhibit A – Budget Amendment

**EXHIBIT A**

**BUDGET AMENDMENT FOR RDA-SA 2006 TAB PROCEEDS FUND 9104  
 TO COVER THE MODIFICATIONS IN AMENDMENT NO. 5 OF THE AGREEMENT  
 WITH STEELCON INC. FOR THE CONSTRUCTION OF THE RUBEN CASTRO  
 HUMAN SERVICES CENTER PROJECT 5020  
 FY 2012/13**

**FUND ALLOCATION FROM:**

FUND TITLE	FUND ACCOUNT NUMBER	AMOUNT
RDA-SA 2006 TAB Proceeds	9104-5500	\$13,100
<b>Total</b>		<b>\$13,100</b>

**DISTRIBUTION OF APPROPRIATION TO EXPENSE ACCOUNTS:**

BUDGET NUMBER	CURRENT BUDGET	REVISION	ADJUSTED BUDGET
2701-2100-5020-9601	\$17,625.26	\$0.00	\$17,625.26
4004-2410-5020-9620	\$2,690,829.50	\$0.00	\$2,690,829.50
9101-2411-5020-9603	(\$3,020.00)	\$0.00	(\$3,020.00)
9101-2411-5020-9620	(\$1,278,992.55)	\$0.00	(\$1,278,992.55)
9104-2411-5020-9601	(\$58,980.35)	\$0.00	(\$58,980.35)
9104-2411-5020-9603	\$18,152.67	\$0.00	\$18,152.67
9104-2411-5020-9620	\$175,458.54	\$13,100.00	\$188,558.54
9104-2411-5020-9625	\$58,372.50	\$0.00	\$58,372.50
9104-2411-5020-9632	\$10,451.16	\$0.00	\$10,451.16
9104-2411-5020-9650	\$427,000.00	\$0.00	\$427,000.00
<b>Total</b>	<b>\$2,056,896.73</b>	<b>\$13,100.00</b>	<b>\$2,069,996.73</b>

Finance approval: 