



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		09/27/10		
Department:		Public Works & Engineering		
Department Head:		Alan L. Upchurch		
Agenda Coordinator (include phone #):			Irene Pegues (7198)	
			Project No. 5388	
CAPTION				
To McMahon Contracting, L.P., increasing the contract by \$46,372 for Preston at Legacy Intersection Improvements, Change Order No. 3. Original Bid No. 2009-34-B.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2009-10	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	225,206	2,212,794	0	2,438,000
Encumbered/Expended Amount	-225,206	-1,658,037	0	-1,883,243
This Item	0	-46,372	0	-46,372
BALANCE	0	508,385	0	508,385
FUND(S): STREET IMPROVEMENT CIP				
<p>COMMENTS: Funds are included in the 2009-10 Street Improvement CIP. This change order, in the amount of \$46,372, will leave a current year balance of \$508,385 for the Preston/Legacy Intersection Improvements project.</p> <p>STRATEGIC PLAN GOAL: Intersection Improvements relate to the City's Goal of Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>This change order, in the amount of \$46,372.40 is for adjustments to various quantities determined to be required due to conditions encountered during construction, which differed from original quantities anticipated at the time of bidding.</p> <p>Staff recommends approval of Change Order No. 3. The contract total will be \$1,592,657.05, which includes change orders of 23.20% of the original contract amount of \$1,292,753.10.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Change Order No. 3			N/A	

CHANGE ORDER NO. 3

PRESTON AT LEGACY INTERSECTION IMPROVEMENTS

PROJECT NO. 5388

PURCHASE ORDER NO. 103722

CIP NO. 31441

BID NO. 2009-34-B

A. INTENT OF CHANGE ORDER

The intent of this change order is to modify the provisions of the contract entered into by the **CITY OF PLANO, TEXAS**, and **MCMAHON CONTRACTING, L.P.** for the **PRESTON AT LEGACY INTERSECTION IMPROVEMENTS PROJECT**, dated July 27, 2009.

B. DESCRIPTION OF CHANGE

The change order is for the following modifications to the contract:

1. Item 1 – Barricades, signs and traffic handling is increased by one month to cover the month of July, since the previously approved total of 9 months covered only through June and the project was not completed in June.
2. Item 6A – Remove Asphalt Base was created to pay for this item which should have been set up as a bid item. The quantity is equal to the amount of concrete paving removal, since the asphalt base was present under the concrete paving and had to be removed with the paving.
3. Item 20 – Concrete Curb Ramp had one extra curb ramp set up which was not required.
4. Item 22A – Sidewalk was added at the southwest corner of Preston/Legacy to connect the new curb ramp to the end of existing sidewalk to comply with American Disabilities Act requirements.
5. Item 24 – 15" R.C. Pipe and Item 33 – Remove Pipes had quantity increases due to conditions encountered in the field.
6. Item 43 Permanent Traffic Barrier was eliminated and replaced by added length for Item 44 Metal Beam Guard Fence.
7. Item 44 – Metal Beam Guard Fence length was increased due to elimination of Item 43 (see above) and a requirement for added length due to re-evaluation of design requirements.
8. Item 45 – Guard Fence Terminal Anchor Section was increased by one (1) since it was not required for the original Item 43 (above) but is now required for Item 44 (above)
9. Item 49 – 2" PVC Conduit – Schedule 40 was increased due to additional length requirement determined during construction.
10. Items 76, 77, 79, 80, 82, 83, 84, 86, 93, 94, 97, 98 – Pavement Markings quantities were revised to correspond with actual field measurements.

11. Items 100, 101, 106, 107, 109 – Elimination of Existing Pavement Markings and Surface Presentation for Pavement Marking Installation quantities were revised to correspond with actual field measurements.
12. Item 121 – Traffic Signal Cable (14 AWG) (9 CONDR) quantity was revised to correspond with actual field measurements.
13. Item 137 – Irrigation Relocation was created to cover the cost of relocating, an irrigation system to allow installation of a sign pole for westbound Legacy Drive east of Plano Parkway.

C. EFFECT OF CHANGE

This change order will have the following effect on the cost of this project:

ITEM NO.	ITEM DESCRIPTION	ORIGINAL QUANTITY	REVISED QUANTITY	UNIT	UNIT PRICE	AMOUNT OF CHANGE
1	Barr., Sign, & T.H.	9.00	10.00	MO	3,500.00	\$3,500.00
6A	Rem. Asph. Base	0.00	5,436.00	SY	\$5.50	\$29,898.00
20	Curb Ramp	11.00	10.00	EA	825.00	-\$825.00
22A	Sidewalk	0.00	45.00	SY	54.00	\$2,430.00
24	15" R.C.P.	5.00	8.00	LF	80.00	\$240.00
33	Rem. Pipes	5.00	13.00	LF	20.00	\$160.00
43	Perm. Barrier	50.00	0.00	LF	85.00	-\$4,250.00
44	MBGF	91.00	300.00	LF	20.00	\$4,180.00
45	GF Term Anchor	1.00	2.00	EA	572.00	\$572.00
49	2" PVC Conduit	1,120.00	1,240.00	LF	7.54	\$904.80
76	Mark. TY1 (W) - Br.	2,377.00	2,590.00	LF	1.00	\$213.00
77	Mark. TY1 (W) - 4" DOT	24.00	70.00	LF	1.00	\$46.00
79	Mark. TY1 (W) 8" Solid	2,150.00	2510.00	LF	1.43	\$514.80
80	Mark. TY1 (W) 12" Solid	969.00	921.00	LF	2.48	-\$119.04
82	Mark. TY1 (W) 18" YLD	33.00	82.00	LF	8.80	\$431.20
83	Mark. TY1(Y) 4" Solid	4,932.00	5,593.00	LF	1.00	\$661.00
84	Mark. TY1 (Y) 12" Solid	411.00	582.00	LF	2.48	\$424.08
86	Mark. TYII (W) 4" DOT	24.00	0.00	LF	1.00	-\$24.00
93	Mark. TYII (W) 12" Solid	411.00	582.00	LF	2.48	\$424.08
94	Mark. TYC (W) Arrow	34.00	37.00	EA	248.00	\$744.00
97	Mark. TYII - CR	232.00	374.00	EA	3.25	\$461.50
98	Mark. TYW Butt.	242.00	247.00	EA	2.86	\$14.30
100	Elim. Mark. 8" Raised	600.00	1,228.00	LF	1.54	\$967.12
101	Elim. Mark. 24" Raised	186.00	757.00	LF	4.40	\$2,512.40
106	Pav. Surf Prep. 8" Mark.	2,150.00	2,510.00	LF	0.11	\$39.60
107	Pav. Surf. Prep. 12" Mark.	1,380.00	1,503.00	LF	0.28	\$34.44
109	Pav. Surf Prep. Arrow	34.00	35.00	EA	11.00	\$11.00
121	Tr. Sig. Cbl. (14AWG-9)	690.00	1,135.00	LF	1.16	\$516.20
137	Irrig. Reloc.	0.00	1.00	LS	1,690.92	\$1,690.92
	TOTAL					\$46,372.40

Original Contract Amount	\$ 1,292,753.10
Contract Amount (Including Previous Change Orders)	\$ 1,546,284.65
Amount, Change Order No. 3	\$ 46,372.40
Revised Contract Amount	\$ 1,592,657.05
Total Percent Increase Including Previous Change Orders	23.20%

D. EFFECT OF CHANGE ON CONTRACT TIME

The work required under this change order will add 0day(s) to this project:

Original Contract Time	<u>140 working days</u>
Amount (Including Previous Change Orders)	<u>150 working days</u>
Amount, Change Order No. 3	<u>0 working days</u>
Revised Contract Time	<u>150 working days</u>
Total Percent Increase Including Previous Change Orders	<u>7.14%</u>

E. AGREEMENT

By the signatures below, duly authorized agents of the **CITY OF PLANO, TEXAS**, and **MCMAHON CONTRACTING, L.P.**, do hereby agree to append this Change Order No. 3 to the original contract between themselves, dated July 27, 2009.

OWNER: CITY OF PLANO

**CONTRACTOR: MCMAHON
CONTRACTING, L.P.**
A Texas Limited Partnership

By: _____
(signature)

By:  _____
(signature)

Print
Name: Thomas H. Muehlenbeck

Print
Name: Shawn McMahon

Print
Title: City Manager

Managing General Partner of
JSM Management Company,
Print
Title: LLC, General Partner of
McMahon Contracting, L.P.

Date: _____

Date: September 13, 2010

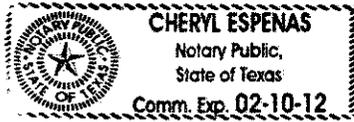
APPROVED AS TO FORM:

By: _____
Diane C. Wetherbee, City Attorney

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on the 13th day of September, 2010, by **SHAWN MCMAHON, MANAGING GENERAL PARTNER OF JSM MANAGEMENT COMPANY, LLC, GENERAL PARTNER OF MCMAHON CONTRACTING, L.P.**, a TEXAS Limited Partnership, on behalf of said limited partnership.



Cheryl Espenas
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2010, by **THOMAS H. MUEHLENBECK, CITY MANAGER** of the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

Notary Public, State of Texas