Resolution 2011-154

Resolution to Approve Change Order No. 3 to Ebert Construction Inc, Contract No. 28835, for Site Improvements at Theodore Wirth Regional Park in the Amount of $85,083.95 for a New Contract Total of $2,093,463.32

Whereas, The Minneapolis Park and Recreation Board (MPRB) is authorized to contract with public and private entities in the performance of its functions;

Whereas, The Board entered into Contract No. 28835 with Ebert Construction Inc. for Theodore Wirth Park site improvements in the amount of $1,704,641.00 on February 16, 2011;

Whereas, Two change orders to the current contract have been approved by the Board to address issues related to found or changed conditions and the need to perform additional work;

Whereas, Change Order No. 3 in the estimated amount of $85,083.95 has been prepared to provide for soil corrections, trail adjustments, additional boardwalk pier lengths, and other small changes to the work;

Whereas, Staff and the project consultant have reviewed the costs related to Change Order No. 3 and determined that the costs are necessary and correct; and

Whereas, Funding sufficient to cover the proposed additional scope of work related to Change Order No. 3 is available from the original project funding sources;

RESOLVED, That the Board approve Change Order No. 3 to Ebert Construction Inc., Contract No. 28835, for site improvements at Theodore Wirth Regional Park in the amount of $85,083.95 for a new contract total of $2,093,463.32; and

RESOLVED, That the President of the Board and Secretary to the Board are authorized to take all necessary administrative actions to implement this resolution.

Adopted by the Minneapolis Park and Recreation Board
In formal meeting assembled on August 17, 2011

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John Erwin, President

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Karen Robinson, Secretary

Approved:

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R.T. Rybak, Mayor

TO: Full Board

FROM: Bruce Chamberlain, Assistant Superintendent for Planning Services

DATE: August 17, 2011

SUBJECT: Resolution to approve Change Order No. 3 to Ebert Construction Inc., contract #28835, for Site Improvements at Theodore Wirth Park 2011 in the amount of $85,083.95 for a new contract total of $2,093,463.32

BACKGROUND

The construction work at Theodore Wirth Park began in April 2011. The contractor, Ebert Construction Inc. has been working on several project components and is making progress in several areas. The project is approximately 50% complete. Delays due to the May 22 tornado and unexpected soil contamination have slowed the work significantly. Most of these delays are now nearly worked though.

A couple of these changes are being made to ensure that this project results in a complete project with a full trail loop. Plans were originally prepared with an expectation that additional phases of work would continue in the Wirth Lake area. Since the CAC is re-considering priorities within the entire park, it is not clear if additional phases of work will be completed and a few changes are being made so that the current project is a complete project when it is finished.

Change Order No. 3 provides for the following changes:

Change Proposal 41: Provides for a specialized storm casting required for an accessible route. The cost is $1,504.36.

Change Proposal 44: Provides for excavation of test pits which were required by MPCA for additional soils testing in the wetland west of the boardwalk (associated with the soil contamination disposal approved in CO2). The cost is $ 749.32.

Change Proposal 45: This change will add a small trail segment connecting the east end of the new north boardwalk and the existing walking trail. This trail segment was not originally included in the project due to anticipated additional phasing of work in the area, which is now under re-consideration. This connection will complete the trail loop around Wirth Lake. A drawing is also attached. The cost is $ 7,516.08

Change Proposal 48: Provides for additional soil corrections under the trail along the west side of the lake based on detailed geotechnical evaluation by Braun Intertec. This proposal includes specified material thicknesses for each segment of the trail based on contract unit pricing and additional equipment mobilization and time for working along a narrow trail corridor. Our

consultant has reviewed the calculations in the proposal and recommends approval. The cost is $ 27,052.48.

Change Proposal 49: This change deducts a stamped colored concrete pavement section which was designated as “the promenade” in the concept master plan replacing it with a standard 8’ bituminous trail. Since additional segments of the promenade were to be improved in future phases, which are now under re-consideration, spending this additional amount on one section of a highly detailed walkway seems premature. The entire promenade concept can be added in future work if prioritized by the CAC. The change is an $18,223 deduction or savings.

Change Proposal 50: Provides for additional pier length required for the north boardwalk. A unit price for additional pier length was included in the bid and the total pier lengths were based on reports provided by the contractor and verified by the project engineers. The cost is $63,908.42

Change Proposal 51: This increases the width of the abutments at the ends of the two boardwalks to better protect the boardwalk ends from moisture and allow for smoother grading. The cost is $ 2,576.29.

Total of Change Order= $85,083.95 for a new contract total of $2,093,463.32.

RELATED BOARD ACTIONS

January 30, 2010	Approval of the Sanders Wacker Bergley consultant team for Wirth Lake Area Planning and Design
March 3, 2010	Approval of the Community Advisory Committee Composition and the CAC charge for Wirth Lake Area Improvements
June 16, 2010	Wirth Lake Area Concept Plan Presentation and Public Hearing
July 7, 2010	Full Board approval of Wirth Lake Area Concept Plan
July 21, 2010	Sanders Wacker Bergly PSA Scope Expansion
February 16, 2011	Approval of bid and authorization to award contract to Ebert Construction, Inc. for Wirth Lake 2011 Site Improvements Project.
June 1, 2011	Change Order #1 Approval
July 7, 2011	Change Order #2 Approval

FUNDING/COST SUMMARY

Sources			**$ 3,200,000.00**
	Parks and Trails Legacy Grant (SG2009-040) approximate unencumbered balance of 1,651,000 grant after Phase 2 construction)	$ 1,200,000.00	
	Parks and Trails Legacy Grant (SG2010-076), half of grant (half dedicated to pavilion)	$ 500,000.00	
	Metropolitan Council Regional Park Bond (SG 2010-035)	$ 1,500,000.00	
Uses			**$ 2,666,567.32**
	SWB, Inc. Professional Services Agreement	$ 383,492.00	

Ebert Construction, Inc. original contract for construction (base bid, Alternate #4,6,7)	$	1,704,641.04
Ebert Construction, Inc. Change Orders No. 1	$	51,473.98
Ebert Construction, Inc. Change Order No. 2	$	252,264.35
Ebert Construction, Inc. Change Order No. 3	$	85,083.95
Surveying, testing, archaeology, permits, wetland credits, additional testing, additional geotechnical and other prof. services and associated expenses	$	189,612.00
Balance		**$ 533,432.68**

Funding available from the original project funding sources is sufficient to cover the amount requested by Ebert Construction, Inc. for Change Order No. 3.

RECOMMENDATION

Staff recommends the Board approve Change Order No. 3 to Ebert Construction, Inc., Contract No. 28835, for Theodore Wirth Regional Park in the amount of $85,083.95 for a new contract total of $2,094,463.32.

ATTACHMENTS

Change Order No. 3 as submitted by Ebert Construction, Inc. and approved by SWB, Inc., the MPRB's consultant for the work.

Drawing of CP 45 trail segment.

Prepared by: Andrea Weber, Project Manager, Planning Services

Reviewed by: Bruce Chamberlain, Assistant Superintendent for Planning Services

Approved by: Jayne Miller, Superintendent