Resolution 2011-196

Resolution Approving Change Order No. 6 with Ebert Construction Inc., Contract No. 28835, for 2011 Site Improvements at the Theodore Wirth Regional Park in the Amount of $4,893.40 for a New Contract Total of $2,174,780.02

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

Whereas, The Park Board entered into Contract No. 28835 with Ebert Construction Inc. for Theodore Wirth Park Site Improvements in the amount of $1,704,641.04 on February 16, 2011;

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

Whereas, Change Order No. 6, in the amount of $4,893.40, has been prepared to provide for additional earthwork, replacement of a storm sewer grate and other small changes necessary to the work;

Whereas, Staff and the project consultants have reviewed the costs related to Change Order No. 6 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. 6 is available from the original project funding sources;

RESOLVED, That the Board of Commissioners approve Change Order No. 6 with Ebert Construction Inc., Contract No. 28835, for the site improvements at Theodore Wirth Regional Park in the amount of $4,893.40 for a new contract total of $2,174,780.02; 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 October 19, 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: October 19, 2011

SUBJECT: Resolution approving change order No. 6 with Ebert Construction Inc., contract no. 28835, for 2011 site improvements at Theodore Wirth Regional Park in the amount of $4,893.40 for a new contract total of $2,174,780.02

BACKGROUND

The construction work on the project titled "2011 Wirth Lake Site Improvements" in Theodore Wirth Park began in April 2011. The contractor, Ebert Construction Inc., has been working on several project components. The project is approximately 80% complete. Delays caused by the May 22, 2011 tornado damage and unexpected soil contamination among other issues have slowed the work, leading to an expected completion in late fall 2011.

Change Order No. 6 provides for the following changes:

Change Proposal 63-R: Provides for replacement of a standard grate with an ADA accessible grate within an access route. Since the grate is not returnable, MPRB will retain the original grate. The cost is $311.58.

Change Proposal 64: Provides for additional grading in the wetland to cover rubble areas which did not have sufficient growing medium for planting. The cost for this item is $1,359.60.

Change Proposal 66: Provides for construction of a temporary channel to reduce the water level of the wetland during the wetland plug establishment period. The proposal also includes re-filling of the channel in spring of 2012. The completion date for the restoration is June 25, 2012. In spring, erosion control/plant restoration needs will be assessed and billed separately. The cost is $ 3,784.22.

Change Proposal 67: Provides for a credit due to the substitution of a less expensive bench than originally specified. The new bench style is a lighter bench and matches the athletic benches in the volleyball area. Deduct of $ -762.00.

Change Proposal 68: Provides for additional testing required for the reconstruction of the trail at the west settlement pond box culvert as needed by WSB, who is doing construction observation for this repair. The cost is $ 200.

There is no time extension with this change order. However, the channel restoration (seeding and planting) is expected to be completed by June 25, 2012 to accommodate favorable planting conditions. With that exception, the overall contract completion deadline is November 12, 2011.

Total of Change Order No.6 equals $4,893.40 for a new contract total of $2,174,780.02.

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
August 17, 2011	Change Order #3 Approval
September 7, 2011	Change Order #4 Approval
October 5, 2011	Change Order #5 Approval

FUNDING/COST SUMMARY

Sources		**$3,089,369.90**
Parks and Trails Legacy Grant (SG2009-040)	$1,089,369.90	
Parks and Trails Legacy Grant (SG2010-076)	$ 500,000.00	
Metropolitan Council Regional Park Bond (SG 2010-035)	$1,500,000.00	
Uses		**$2,888,229.00**
SWB, Inc. Professional Services Agreement, (including extension #1)	$ 383,452.00	
SWB, Inc. PSA extension #2	$ 129,585.00	
Ebert Construction, Inc. original contract for construction (base bid, Alternate #4,6,7)	$1,704,641.00	
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	
Ebert Construction, Inc. Change Order No. 4	$ 38,951.32	

Ebert Construction, Inc. Change Order No. 5	$	37,471.98
Ebert Construction, Inc. Change Order No. 6 (pending Board approval)	$	4,893.40
Surveying, testing, archaeology, permits, wetland credits, additional testing, additional geotechnical and other prof. services and associated expenses	$	200,412.02
Balance		**$ 201,140.90**

Funding available from the original project funding sources is sufficient to cover the amount requested by Ebert Construction, Inc. for Change Order No. 6.

RECOMMENDATION

Staff recommends that the Board approve change order No. 6 with Ebert Construction Inc., contract no. 28835, for 2011 site improvements at Theodore Wirth Regional Park in the amount of $4,893.40 for a new contract total of $2,174,780.02.

Because of the time sensitive nature of this change order, it is being brought to the Full Board directly instead of first seeking approval of the Planning Committee.

ATTACHMENTS

Change Order No. 6 as submitted by Ebert Construction, Inc. and approved by SWB, Inc., the MPRB's consultant for the work

Prepared by: Andrea Weber, Project Manager, Planning Services
Reviewed by: Bruce Chamberlain, Assistant Superintendent for Planning Services
Approved by: Jayne Miller, Superintendent