

Memorandum

To: Honorable Mayor Shetter and members of the Burleson City Council

From: Peter Krause, Director of Parks and Recreation

Date: April 20, 2009

Subject: Award the bid for the "Early Out" construction bid for the grading, drainage and paving for Chisenhall Farms Baseball Park to Dean Electric.

Council Action Requested:

Staff requests the City Council:

1. Accept the Guaranteed Maximum Price of \$2,442,097.63 for Phase 1A improvements to Chisenhall Farms Sports Complex (Early Out Package); and
2. Authorize the City Manager to execute Amendment No. 1A to the Construction Management at Risk Contract with Dean Construction for construction of the improvements.

Background Information:

On June 26, 2008, City Council authorized the City Manager to execute a Construction Manager at Risk (CM@R) contract with Dean Construction for the management of construction of Chisenhall Park, Bartlett Park Soccer Fields and Village Creek Trail. Plans for an Early Out Package that includes demolition, grading, utilities and paving have been completed and bid. The established budget for the components of this phase of construction was set at \$2,849,408.00 with received bids coming at \$2,010,499; leaving a savings of \$833,908.00. The additional \$431,598 included in the Guaranteed Maximum Price are allowances for survey work, site general conditions, contingency, and the percentage payment allowed for the CM@R. Staff, Dean Electric and HNTB have interviewed the prospective contractors and have set the Guaranteed Maximum Price for Phase 1A work at \$2,442,097.63 with the construction for this phase expected to last through August.

Staff anticipates that the bidding for the final phase of construction will occur in early May with the award coming to Council for approval at the June 1st, 2009 meeting. This

second phase of construction will run slightly behind phase 1A with the park anticipated to open for the 2010 spring league.

Financial Considerations:

Part two of the Construction Manager at Risk (CMR) engages Dean Construction to perform Phase 1A construction of baseball and softball fields at Chisenhall Park for a Guaranteed Maximum Price of \$2,442,097.63. Funding is available from Project PK6021 in the following account.

Account No.	Balance
334-6021-456.72-05	\$13,317,460

Legal:

The original contract was reviewed by Wade Adkins with TOASE.

Attachments:

1. Amendment 1A to AIA Document A121 CMc 2003 establishing Guaranteed Maximum Price and completion date.

Staff Contact:

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 **AIA® Document A121™ CMc – 2003**
Amendment No. 1 _A

Amendment No. 1 _A
TO AGREEMENT BETWEEN OWNER AND CONSTRUCTION MANAGER

Pursuant to Section 2.2 of the Agreement, dated June 3, 2008 between
City of Burleson (Owner) and Dean Elec Inc. dba Dean Constr (the Construction Manager),
for Chisenhall Fields (the Project), the Owner and Construction Manager
establish a Guaranteed Maximum Price and Contract Time for the Work as set forth below.

ARTICLE I GUARANTEED MAXIMUM PRICE

The Construction Manager's Guaranteed Maximum Price for the Work, including the estimated Cost of the Work as defined in Article 6 and the Construction Manager's Fee as defined in Article 5, is Two million Four Hundred forty-two thousand Ninety-seven dollars and 63 cents Dollars (\$ 2,442,097.63). This Price is for the performance of the Work in accordance with the Contract Documents listed and attached to this Amendment and marked Exhibits A through F, as follows:

- Exhibit A Drawings, Specifications, addenda and General, Supplementary and other Conditions of the Contract on which the Guaranteed Maximum Price is based, pages 1 through 1, dated April 7, 2009
- Exhibit B Allowance items, pages 1 through 1, dated April 7, 2009
- Exhibit C Assumptions and Clarifications made in preparing the Guaranteed Maximum Price, pages 1 through 1, dated April 7, 2009
- Exhibit D Completion Schedule, pages 1 through 1, dated April 7, 2009
- Exhibit E Alternate Prices, pages 1 through 1, dated April 7, 2009
- Exhibit F Unit Prices, pages 1 through 1, dated April 7, 2009

ARTICLE II CONTRACT TIME

The date of Substantial Completion established by this Amendment is:

OWNER

CITY OF BURLESON

(Signature)

(Printed name and title)

Date

ATTEST

CONSTRUCTION MANAGER

DEAN ELECTRIC, INC. DBA DEAN CONSTRUCTION


(Signature)

Gregory Firebaugh, Vice President
(Printed name and title)

April 7, 2009
Date


ATTEST

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

April 7, 2009

The Fields at Chisenhall

SHEET INDEX	EXHIBIT "A"
Sheet	Title
DM.00 – DM.11A	DEMOLITION PLANS
EC.01 – EC.03	EROSION CONTROL PLANS
GR.01 – GR.28	GRADING PLANS
DA1.01	SITE LAYOUT – DRAINAGE AREA MAP
DR1.01	PROJECT LAYOUT DRAINAGE PLAN
DC1.01 – DC1.04	DRAINAGE CALCULATIONS
D1.01 – D1.10	DRAINAGE PLANS/PROFILES
UT1.01	PROJECT LAYOUT – WATER AND SEWER
W1.01	LAYOUT PLAN – WATER
SS1.01 – SS1.03	SANITARY SEWER – PLAN/PROFILE
PV1.01 – PV1.03	HIDDEN CREEK PAVING PLANS
TC1.01 – TC1.02	TRAFFIC CONTROL PLANS
PM1.01 – PM1.02	PAVEMENT MARKING PLANS
DD.01 – DD.07	DRAINAGE DETAILS
WD.01 – WD.03	WATERLINE DETAILS
SD.01 – SD.05	SANITARY SEWER DETAILS
PD.01 – PD.03	PAVING DETAILS
VPV.01 – VPV.08	PARKING/ROADWAY LAYOUT & DIMENSIONING PLANS
SLV.01	VEHICULAR PAVING SLEEVING PLANS
DT.01 – DT.04	DETAILS
ADDENDUM #1 & #2	

EXHIBIT "B"

April 7, 2009
The Fields at Chisenhall

ALLOWANCE, SURVEY

\$150,000.00

EXHIBIT "C"

GMP is based on the following.

April 7, 2009

The Fields at Chisenhall

1) Erosion control		\$11,026.00
2) Demo		64,800.00
3) Earthwork		201,000.00
4) Utilities		537,600.00
5) Entry drive/parking		994,275.00
6) Segmental retaining walls		281,294.00
7) Sleeving		<u>39,333.00</u>
	Sub total	\$2,129,328.00
Alt. #1		<u>(118,828.35)</u>
	Sub total	\$2,010,499.65
Preconstruction fee		10,000.00
Survey allowance		<u>150,000.00</u>
	Sub total	\$2,170,499.65
Contingency		<u>65,114.99</u>
	Sub total	\$2,235,614.64
4.6% General conditions		<u>102,838.27</u>
	Sub total	\$2,338,452.91
3.25% CM Fee		<u>75,999.72</u>
	Sub total	\$2,414,452.63
Bond		<u>27,645.00</u>
	Total	\$2,442,097.63

EXHIBIT "E"

April 7, 2009
The Fields at Chisenhall

ALTERNATE PRICES

Alternate #1 ADS pipe in lieu of RGP Deduct \$118,828.35

EXHIBIT "F"

April 7, 2009

The Fields at Chisenhall

Unit Prices

After the award of the Contract and in the event a greater or lesser amount of work is done, the following unit prices will apply. Unit prices cover the cost of the work and materials in place, including materials, equipment, labor, taxes, overhead, profit, maintenance and guarantee required to render the same complete.

Construction Items

Price

1. Concrete parking and drives (5")	\$ 19.95	per sq. yd
2. Concrete parking and drives (6")	\$ 21.35	per sq. yd
3. Segmental retaining walls	\$ 26.00	per face ft
4. Earthwork - mass cut & fill	\$ 3.00	per cu. yd.
5. Earthwork - export onsite material	\$ 5.00	per cu. yd.
6. Earthwork - import common fill	\$ 12.00	per cu. yd.
7. Earthwork - import topsoil	\$ 20.00	per cu. yd.
8. 12" RCP	\$ 26.10	per lin. ft.
9. 18" RCP	\$ 29.61	per lin. ft.
10. 21" RCP	\$ 34.04	per lin. ft.
11. 24" RCP	\$ 38.56	per lin. ft.
12. 8" PVC water line	\$ 18.16	per lin. ft.
13. Fire hydrant	\$2890.00	each
14. 6" PVC Sanitary Sewer	\$ 18.45	per lin. ft.
15. 8" PVC Sanitary Sewer	\$ 19.71	per lin. ft.