



City Council Staff Report

DATE: August 3, 2016 CONSENT CALENDAR

SUBJECT: APPROVAL OF VARIOUS ACTIONS RELATED TO THE JAMES O. JESSIE DESERT HIGHLAND UNITY CENTER OUTDOOR PERFORMANCE STAGE AND OUTDOOR BALL FIELD LIGHTING PROJECT, CITY PROJECT NO. 14-18

FROM: David H. Ready, City Manager

BY: Engineering Services Department

SUMMARY

This action requests approval of Contract Change Order No. 4 ("CCO 4") in the amount of \$60,000 with M. Brey Electric, Inc., to include the scope of work originally identified on Additive Bid Schedule C associated with installation of sport lighting foundations for the James O. Jessie Desert Highland Unity Center Outdoor Performance Stage and Outdoor Ball Field Lighting Project, City Project No. 14-18 (the "Project"). In order to ensure construction of this project proceeds uninterrupted, this action also requests City Council authority for the City Manager to approve construction contract changes up to an additional amount of \$25,000.

RECOMMENDATION:

1. Authorize an appropriation of \$90,000 from Measure J Capital Project Fund contingency reserve for the James O. Jessie Desert Highland Unity Center Outdoor Performance Stage and Outdoor Ball Field Lighting Project, City Project No. 14-18;
2. Approve Contract Change Order No. 4 in the amount of \$60,000 to include Additive Bid Schedule C to the construction contract (Agreement No. A6832) with M. Brey Electric, Inc., for a revised total contract amount of \$475,528.84 for the James O. Jessie Desert Highland Unity Center Outdoor Performance Stage and Outdoor Ball Field Lighting Project, City Project No. 14-18; and
3. Delegate authority to the City Manager to approve and execute construction contract change orders up to an additional amount of \$25,000 for a total contract not to exceed of \$500,529; and
4. Authorize the City Manager to execute all necessary documents.

STAFF ANALYSIS:

The City is the recipient of a Housing-Related Parks (HRP) Program grant from the State of California, Department of Housing and Community Development (HCD) in the amount of \$266,575 for park and recreational improvements at the James O. Jessie Desert Highland Unity Center. On November 5, 2014, the City Council executed an agreement with the State of California for the HRP grant which is to award cities to make park and recreational improvements in communities where affordable residential units have been built, on a per-bedroom basis. The amount designated for the proposed project was calculated on the Rosa Gardens Apartments total bedroom count. The closest facility to Rosa Gardens is the James O. Jessie Desert Highland Unity Center. The proposed improvements include a new outdoor performance stage with ball field seating (funded with the HRP grant), as well as new outdoor ball field lighting funded through the Measure J Capital Fund. The location of the Project is shown in Figure 1 below.



Figure 1

The scope of the Project includes construction of a raised outdoor performance stage and installation of new outdoor ball field lighting, which was separated into three Bid Schedules; the scope of each Bid Schedule is described here:

Bid Schedule "A" (Outdoor Performance Stage):

The Work comprises the construction of an outdoor performance stage, including: clearing, grubbing and removals, construction of concrete improvements, construction of CMU walls and retaining walls, installation of an underground electrical system, irrigation system, landscaping, 90-day landscape maintenance, and all appurtenant work

Bid Schedule "B" (Outdoor Ball Field Lighting):

The Work comprises the furnishing and installing of a complete outdoor ball field lighting and electrical system (with Musco sports field lighting), and including softball infield reorientation. The work consists of drilling (auguring) into undisturbed subgrade with machinery appropriate for the type of soils described in the Geotechnical Report and concrete backfill within drilled light pole foundations for a typical light pole foundation installation.

Additive Bid Schedule "C" (Outdoor Ball Field Lighting):

The Additive Work compensates the Contractor for additional work to the extent that drilling (auguring) into undisturbed subgrade for light pole foundations in Bid Schedule B is prevented due to the existence of cobbles and/or boulders which refuse drilling by machinery used by the Contractor appropriate for the type of soils described in the Geotechnical Report.

The normal installation of these 70-foot tall light towers requires drilling with an auger to prepare a 30" diameter foundation embedded 12 feet deep into undisturbed natural ground, as generally shown in Figure 2.

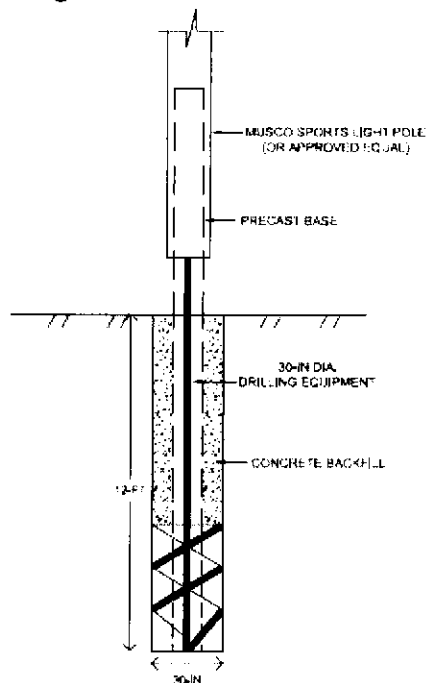


Figure 2

The City's geotechnical engineering report for the excavations required for the Musco light pole towers to be installed for the new outdoor ball field lighting identified the potential for cobble and boulders within the subgrade, which could prevent drilling and augering of the light tower foundations, and would require open excavations. Staff identified an additional scope of work in the original bid documents that would establish an agreed price per light pole foundation for open excavation if cobbles and boulders were encountered that prevented drilling and augering as specified. The additional work via open excavation would require use of excavation equipment, backfill with concrete slurry, and re-drilling and augering into the concrete slurry to provide the 30" diameter foundation embedment for the 70-foot tall light towers, as generally shown in Figure 3.

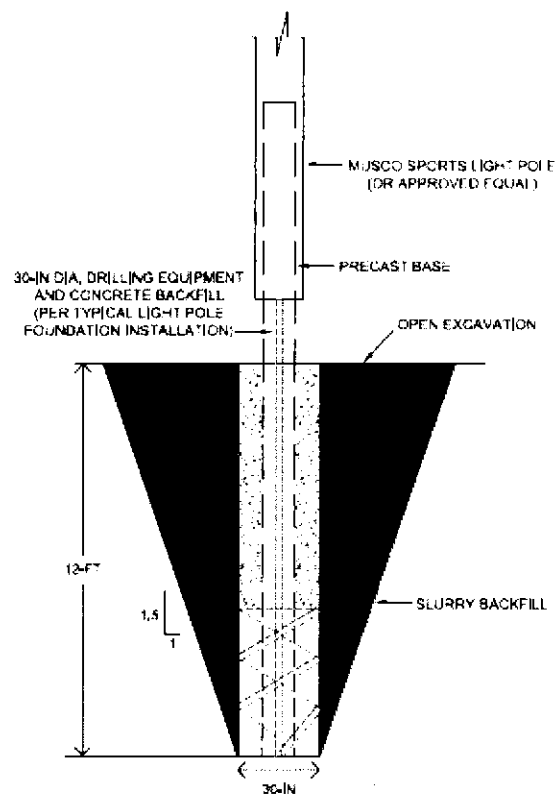


Figure 3

The lowest bid submitted from M. Brey Electric, Inc., (the "Contractor"), includes the following costs for each separate scope of work:

Bid Schedule "A" (Outdoor Performance Stage):	\$221,000
Bid Schedule "B" (Outdoor Ball Field Lighting):	\$178,000
Additive Bid Schedule "C" (6 x \$10,000 Each)	\$60,000
Basis of Award:	\$459,000

On March 2, 2016, the City Council awarded a construction contract to the Contractor for the Project including Bid Schedules A and B, but excluding the additional work identified for Additive Bid Schedule C, for a total contract amount of \$399,000. Staff recommended excluding Additive Bid Schedule C from the original contract award with the expectation that drilling and augering of the foundations for the light towers would be successful.

The City Council also delegated authority to the City Manager to approve and execute construction contract change orders up to an additional amount of \$40,000. Accordingly, since commencement of construction of the Project certain changes and additional work has been required, and the City Manager has administratively approved three Contract Change Orders (CCOs) to accommodate relocation of existing sewer and irrigation lines that were not correctly identified on the City's as-built drawings for the site (which dated back to the 1970s). The cumulative total of these three CCOs is \$16,528.84.

On July 13, 2016, Request for Information ("RFI") No. 8 - Light Pole Bore Refusal was submitted by the Contractor. RFI No. 8 indicated that the Contractor's crew and operators have attempted drilling the 6 new outdoor ball field lighting pole foundations in accordance with the project specifications; however, at each light pole foundation the Contractor has encountered large cobble and boulders within existing subgrade which is preventing the standard drilled foundations from being constructed.

On July 20, 2016, staff received a letter from the City's Owner's Representative and Construction Management Team (Interwest Consulting Group), confirming their observations of the Contractor's drilling efforts and a recommendation to proceed with the alternative foundation construction identified on Additive Bid Schedule C. A copy of Interwest's recommendation is included as **Attachment 1**.

Staff is recommending that the City Council approve CCO 4 to include Additive Bid Schedule C to the contract, in the amount of \$60,000 for a total contract amount of \$475,528.84; a copy of CCO 4 is included as **Attachment 2**.

City Council Approval of Contingency Funds

The Council previously delegated authority to the City Manager to approve CCOs up to a cumulative amount of \$40,000. The City Council's approval of CCO 4 in the amount of \$60,000 exhausts the City Manager's authority to approve CCOs for the Project. To ensure construction of the Project proceeds uninterrupted, to the extent that additional changes to the scope of work are warranted, staff recommends that the City Council delegate to the City Manager authority to approve an additional amount of \$25,000 for a total contract not to exceed of \$500,529.

ENVIRONMENTAL IMPACT:

Section 21084 of the California Public Resources Code requires Guidelines for Implementation of the California Environmental Quality Act ("CEQA"). The Guidelines are required to include a list of classes of projects which have been determined not to have a significant effect on the environment and which are exempt from the provisions of CEQA. In response to that mandate, the Secretary for Resources identified classes of projects that do not have a significant effect on the environment, and are declared to be categorically exempt from the requirement for the preparation of environmental documents. In accordance with Section 15303 "New Construction or Conversion of Small Structures," Class 3 projects consist of construction and location of limited numbers of new, small facilities or structures such as electrical, and other utility extensions, as well as, accessory (appurtenant) structures, therefore, the James O. Jessie Desert Highland Unity Center Outdoor Performance Stage and Outdoor Ball Field Lighting Project, City Project. No. 14-18, is considered categorically exempt from CEQA, and a Notice of Exemption has been prepared and has been filed with the Riverside County Clerk.

FISCAL IMPACT:

As part of the 2012/2013 fiscal year budget, the City Council appropriated \$80,000 from the Measure J Capital Fund for repairs/replacement of existing ballfield lighting at Desert Highland Park. Subsequently, in 2014 the City was awarded the HRP Program grant in the amount of \$266,575; this funding was allocated to the Capital Projects Fund (Fund 261) in Account No. 261-2492-51581.

On November 19, 2015, the Measure J Commission recommended that the City Council approve an additional \$225,000 appropriation from the Measure J Capital Project Fund contingency reserve to accommodate replacement of all of the outdoor ballfield lighting at Desert Highland Park. On March 2, 2016, the City Council appropriated \$170,000 from the Measure J Capital Fund contingency reserve and awarded the contract excluding Additive Bid Schedule C.

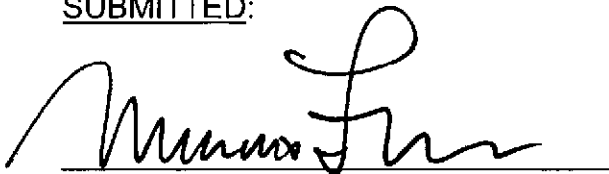
On June 15, 2016, the City Council approved the Measure J Capital Project Fund for the 2016/2017 Fiscal Year budget which included a contingency reserve of \$155,113 in the Measure J "Unscheduled Capital Projects", Account No. 260-4500-50000. Staff recommends that the City Council approve an appropriation of \$90,000 from the contingency reserve for the Project in Account No. 260-4500-59401. On the basis that the City Council approves the appropriation from the Measure J Capital Project Fund contingency, the estimated Project budget and incurred expenditures are identified in Table 1 on the next page.

Table of Project Costs	Amount
HRP Program Grant	\$266,575
FY12/13 Measure J Fund	\$80,000
FY15/16 Measure J Fund	\$170,000
FY16/17 Measure J Fund	\$90,000
Design Services	(\$62,400)
Geotechnical Services	(\$5,618)
Project Administration (through 7/25/16)	(\$9,335)
Project Administration (Estimated)	(\$2,000)
Construction Management	(\$23,900)
Construction Contract	(\$399,000)
Contract Change Orders 1 – 3	(\$16,529)
Contract Change Order 4	(\$60,000)
Construction Contingency	(\$25,000)
Remaining Budget	\$2,793

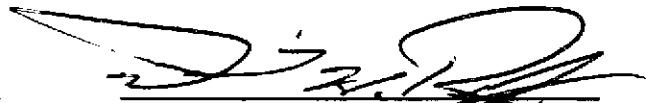
Table 1

With the City Council's approval of the additional budget appropriation of \$90,000 from the Measure J Capital Improvement Fund contingency reserve, sufficient funding to approve CCO4 in the amount of \$60,000 will be available in Measure J Capital Fund Account No. 260-4500-59401.

SUBMITTED:



Marcus L. Fuller, MPA, P.E., P.L.S.
 Assistant City Manager/City Engineer



David H. Ready, Esq., Ph.D.
 City Manager

Attachments:

1. Interwest Recommendation Letter
2. Contract Change Order No. 4

ATTACHMENT 1



July 20, 2016

City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Attn: Gianfranco Laurie

Re: Recommendation – RFI 8 – Light Pole Bore Refusal
J.O.J. Highland Unity Center – Outdoor Performance Facility - City Project No. 14-18

Dear Mr. Laurie,

During the progress meeting held on July 6, 2016, M. Brey Electric, Inc. made notification that while drilling for the sports lighting foundations in several locations, they have encountered cobble that is preventing the drilling from reaching its ultimate design depth of 12'. On Thursday July 7, 2016, the drilling operation was observed and noted to have the conditions as described by MBEI during the progress meeting. MBEI has since followed up with RFI 8 – Light Pole Bore Refusal, to document the condition.

During the site observation, it was noted that cobble was present in all six sports lights locations at varying depths, from 3' to 6' deep. The drilling operation was observed at Sport Light A1. This location had been drilled to an approximate depth of 4' and appeared to be well-graded sand at the bottom. The auger was lowered into the hole and immediately stopped. The operator of the equipment adjusted the location of the auger and began drilling again. Again, the auger was stopped shortly into the operation. After removing the auger from the hole, it was evident there was large cobble in the excavation causing the issues. Likewise, similar conditions were observed at all six of the sports lights locations.

The soils investigation report for this project indicates in Section 8.1.4 that "difficult drilling conditions can be expected with depth due to the presence of cobbles. Although not encountered during our investigation, boulders may be encountered during excavations." Section 8.2.2 reiterates this statement and also states "If CIDH pier excavations cannot be completed due to the presence of cobbles and boulders, excavations can be made using conventional earthmoving equipment. The excavations should be made in accordance with the recommendations set forth in Section 8.1.2 of this report." The recommendation as stated in Section 8.1.2 of the soils investigation reports states "If sport lighting poles foundations cannot be drilled to the planned depth in native soil, the pole foundations should be excavated down approximately 1 foot below the planned depth, then backfilled with soil, moisture conditioned to approximately optimum moisture content and be compacted to at least 90% relative compaction. Once the excavation has been backfilled with compacted fill it should then be drilled to planned depth."

The soils investigation report that was provided at bid time to the contractor also indicated the presence of cobble in many of the borings that were performed. There were two details provided in the specifications entitled "Standard Drawing for Typical Light Pole Foundation – Drilling" and "Standard Drawing for Alternate Light Pole Foundation – Excavation". Both details are attached for reference.



At bid time, the specifications for this project included Additive Bid Schedule C, which is an additional cost per each location for the additional cost should the drilling operation encounter refusal as described in the soils investigation report. This was clarified by an addendum issued prior to bid:

Special Note: This Additive Bid Schedule C shall be used by the City to compensate the Contractor for additional work to the extent that drilling (auguring) into undisturbed subgrade for light pole foundations is prevented due to the existence of cobbles and/or boulders which refuse drilling by machinery used by the Contractor appropriate for the type of soils described in the Geotechnical Report included in the Appendix as a reference to the Contractor. Bidders shall identify an additional cost per light pole foundation that includes: 1) a reasonable cost for initial efforts leading to refusal of drilling equipment; 2) mobilization of excavators or other machinery required to excavate open foundations; 3) open excavation to specified depth; and 4) installation of Controlled Density Fill (CDF) or Type 100-E-100 or other approved concrete backfill material within the open excavation for the light pole foundation – all as generally identified on the “Standard Drawing for Alternate Light Pole Foundation – Excavation” included in the Appendix. Payment for subsequent drilling into the CDF or approved concrete backfill material for setting light poles, and installation of concrete backfill within the drilled light pole foundations is excluded from this Additive Bid Schedule C unit price, as that cost is already considered and included as part of the lump sum price of Bid Schedule B.

Upon notification from MBEI of the conditions, Interwest Consulting Group began evaluating if alternative equipment and/or construction methods are used for these conditions and any additional alternatives to the open excavation method presented in the contract documents. Several alternatives were suggested by both the geotechnical firm and drilling contractors who have encountered similar conditions previously. Below are the options that were proposed and considered:

1. Extracting the Cobble/Boulders from the Excavation and Continue Drilling – the equipment which would be used to accomplish this option is too large to fit within the confines of the 30” diameter hole. Because the excavations are greater than allowed by OSHA without requiring excavation support, manual extraction of the cobble/boulders is not feasible.
2. Drill/Auger an Oversized Hole (+/- 60” diameter) – based upon the size of the cobble that has been encountered thus far, the hole would need to be quite large to allow the auger to bring large cobble/boulders to the surface. This would require much larger drilling equipment (which would still be at additional cost) and is also not a guaranteed solution as the remaining soil condition below 3’-6’ depth is unknown. There could be larger boulders at lower elevations, which may lead to refusal of the larger drilling diameter. This option would also lead to increased concrete costs. Estimated costs for larger drilling operation would be approximately \$50,000 or more, and would also carry the risk that the operation may not be able to be completed if the revised operation encounters refusal. Additional structural analysis may be required to determine if reinforcing steel is necessary in a larger foundation and there are additional costs if reinforcing is required.



3. Re-Design the Foundations – this alternative would require the re-design of the structural foundation for the poles. Several unsuccessful attempts were made to contact the structural engineer for the Musco light poles to discuss the feasibility and if this condition has ever been encountered previously. Due to the height and wind load that would be considered in the foundation design, we have assumed a fairly large reinforced concrete spread footing would be required. Construction costs for this alternative may also be in the range of the Bid Schedule C cost.

Based upon the site observation, it is evident that the construction of these foundations cannot be completed by the standard equipment for the conditions. Several alternatives have been considered in attempts to minimize the cost and time impact for this condition. One of these options is not feasible as described above; and two other alternatives would still require additional cost which may meet or exceed the cost of Bid Schedule C and potentially the risk of still encountering refusal.

In consideration of the conditions and these alternatives, I recommend that the City proceed with Bid Schedule C at the cost of \$10,000 EA for the six (6) sport light foundations required for the project, for a total Contract Change Order of \$60,000. Please advise if the City concurs with this recommendation.

If you have any questions, please contact me at (714) 293-0044 or by email, rschultz@interwestgrp.com.

Regards,

A handwritten signature in black ink, appearing to read "Ryan Schultz", with a long horizontal flourish extending to the right.

Ryan Schultz
Interwest Consulting Group



Excerpts from

Geotechnical Investigation
prepared by SCST Engineering
dated March 4, 2016

representative should observe conditions exposed in the bottom of the excavation to determine if additional excavation is required.

8.1.2 Remedial Grading

The existing material should be excavated down approximately 2 feet below the deepest planned footing bottom for the new stage. Horizontally excavation should extend to a distance of 3 feet beyond the footprint of the planned footing. Soil at exposed in the bottom of the excavation should be moisture conditioned to near optimum moisture content and be compacted to at least 90% relative compaction.

If sport lighting poles foundations cannot be drilled to the planned depth in native soil, the pole foundations should excavated down approximately 1 foot below the planned depth, then backfilled with soil, moisture conditioned to approximately optimum moisture content and be compacted to at least 90% relative compaction. Once the excavation has been backfilled with compacted fill it should then be drilled to planed depth.

8.1.3 Compacted Fill

Excavated material, except for roots, debris and rocks greater than 6 inches, can be used as compacted fill. Concrete slabs should be underlain by at least 2 feet of material with an expansion index of 20 or less. We expect that onsite materials will meet the expansion index criteria.

Fill should be moisture conditioned to near optimum moisture content and compacted to at least 90% relative compaction. Fill should be placed in horizontal lifts at a thickness appropriate for the equipment spreading, mixing, and compacting the material, but generally should not exceed 8 inches in loose thickness. The maximum dry density and optimum moisture content for the evaluation of relative compaction should be determined in accordance with ASTM D 1557. Utility trench backfill beneath structures, pavements and hardscape should be compacted to at least 90% relative compaction. The top 12 inches of subgrade beneath pavements should be compacted to at least 95% relative compaction.

8.1.4 Site Excavation Characteristics

It is anticipated that shallow excavations in alluvial flood plain deposits can be achieved with conventional earthwork equipment in good working order. However, difficult drilling conditions can be expected with depth due to the presence of cobbles. Although not encountered during our investigation, boulders may be encountered during excavations.

8.1.5 Oversized Material

Excavations may generate oversized material. Oversized material is defined as rocks or cemented clasts greater than 6 inches in largest dimension. Oversized material should be broken down to no greater than 6 inches in largest dimension for use in fill, used as landscape material, or disposed offsite.

8.1.6 Temporary Excavations

Temporary excavations 3 feet deep or less can be made vertically. Deeper temporary excavations in alluvial deposits should be laid back no steeper than ½:1 (horizontal:vertical). The faces of temporary slopes should be inspected daily by the contractor's Competent Person before personnel are allowed to enter the excavation. Any zones of potential instability, sloughing or raveling should be brought to the attention of the Engineer and corrective action implemented before personnel begin working in the excavation. Excavated soils should not be stockpiled behind temporary excavations within a distance equal to the depth of the excavation. SCST should be notified if other surcharge loads are anticipated so that lateral load criteria can be developed for the specific situation. If temporary slopes are to be maintained during the rainy season, berms are recommended along the tops of slopes to prevent runoff water from entering the excavation and eroding the slope faces. Slopes steeper than those described above will require shoring. A shoring system consisting of soldier piles and lagging can be used.

8.1.7 Temporary Dewatering

Groundwater seepage may occur locally due to local irrigation or following heavy rain. Temporary dewatering can be accomplished by sloping the excavation bottom to a sump and pumping from the sump. A layer of gravel about 6 inches thick placed in the bottom of the excavation will facilitate groundwater flow and can be used as a working platform.

8.1.8 Imported Soil

Imported soil should consist of predominately granular soil free of organic matter and rocks greater than 6 inches. Imported soil should have an expansion index of 20 or less and should be inspected and, if appropriate, tested by SCST prior to transport to the site.

8.1.9 Slopes

All permanent slopes should be constructed no steeper than 2:1 (horizontal:vertical). Faces of fill slopes should be compacted either by rolling with a sheep-foot roller or other suitable equipment, or by overfilling and cutting back to design grade. All slopes are susceptible to surficial slope failure and erosion. Water should not be allowed to flow over

allowable lateral pressure of 350 psf per foot of depth below the ground surface for level ground conditions. Reductions for sloping ground should be made. The passive pressure can be increased by $\frac{1}{3}$ when considering the total of all loads, including wind or seismic forces. The upper 1 foot of soil should not be relied on for passive support unless the ground is covered with pavements or slabs.

8.2.2 Deep Foundations-Ball Field Lighting

The sport lighting poles can be constructed on cast-in-drilled hole (CIDH) concrete piers. The bottom of the piers should extend to dense or very dense alluvial deposits or compacted fill. An allowable bearing capacity of 3,500 pounds per square foot (psf) can be used for concrete piers bearing on dense alluvial deposits or compacted fill. The bearing value can be increased by $\frac{1}{3}$ when considering the total of all loads, including wind or seismic forces. Passive pressure on the concrete piers can be computed using a lateral pressure value of 350 psf per foot of depth below the ground surface. The upper 1 foot of soil should not be relied on for passive support unless the ground is covered with pavements or slabs. The bottom of the drilled hole should be free of loose material prior to placing concrete.

The potential for caving of open holes is minor due to the presence of relatively dense soil. However, difficult drilling should be anticipated due to cobbles. Boulders should also be anticipated.

If CIDH pier excavations cannot be completed due to the presence of cobbles and boulders, excavations can be made using conventional earthmoving equipment. The excavations should be made in accordance with the recommendations set forth in Section 8.1.2 of this report.

8.2.3 Settlement Characteristics

Total foundation settlements are estimated to be less than 1 inch. Differential settlements between adjacent columns and across continuous footings are estimated to be less than $\frac{1}{2}$ inch over a distance of 40 feet. Settlements should be completed shortly after structural loads are applied.

8.2.4 Foundation Plan Review

SCST should review the foundation plans to ascertain that the intent of the recommendations in this report has been implemented and that revised recommendations are not necessary as a result of changes after this report was completed.



Addendum 2 for

James O. Jessie
Desert Highland Unity Center
Outdoor Performance Stage and Outdoor
Ball Field Lighting Project

City Project No. 14-18



City of Palm Springs

Public Works and Engineering Department
3200 East Tahquitz Canyon Way • Palm Springs, California 92262
Tel: (760) 323-8253 • Fax: (760) 322-8360 • Web: www.palmspringsca.gov

Addendum Number 2 **James O. Jessie Desert Highland Unity Center** **Outdoor Performance Stage and Outdoor Ball Field Lighting Project** **City Project No. 14-18**

To all prospective bidders under Specifications for the James O. Jessie Desert Highland Unity Center Outdoor Performance Stage and Outdoor Ball Field Lighting Project, City Project No. 14-18, which are to be received by the City of Palm Springs at the Office of the Procurement and Contracting Manager at 3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262, until **3:00 P.M. on February 11, 2016:**

The intent of this Addendum No. 2 is to address certain requests for information received. This is the final Addenda to be issued.

I. The following responses to Requests for Information shall be acknowledged:

Question 1: This bid has Bid Schedules A, B & C. Is it your intent to award Bid Schedules A, B, & C to different contractors?

Answer 1: The Basis of Award is Bid Schedules A + B and the construction contract will be awarded to one (1) Contractor.

Question 2: Will the City accept an equivalent alternate lighting manufacturer?

Answer 2: Yes, the City will accept an approved equal lighting manufacturer as specified in the Special Provisions, Section 4-1.6 "Trade Names or Equals" of the contract bid documents.

Question 3: I am a bit confused by contract time and Liquidated Damages in your bid documents. Basically, you are saying that the 90 day landscape maintenance period is included in the 30 day construction period and therefore we would be liable for liquidated damages the day we start? Also, no drawing of the reconfigured baseball diamond was included in Addendum #1.

Answer 3: The 90 day landscape maintenance period will begin following the completion of landscape installation in accordance with the Special Provisions. Liquidated damages as specified in the Special Provisions, Section 6-9, "Liquidated Damages", will start on the 1st day after the expiration of the working days through the day of Contract acceptance. If all work (except plant establishment) is completed and the total number of working days has expired, liquidated damages are \$950 per day. Otherwise, the liquidate damages are \$1,900 per day as determined in the contract bid documents. The revised Demolition Plan comprised of written changes, in addition to, redlined mark-ups to the construction drawing as identified in Addendum Number 1.

James O. Jessie Desert Highland Unity Center
Outdoor Performance Stage and Outdoor Ball Field Lighting Project
City Project No. 14-18
Addendum No. 2
February 9, 2016
Page 2

Question 4: Please clarify if Additive Bid Schedule C is to still be required as the drilling, open excavation, and slurry back fill for the light pole foundation is now included in the lump sum price for Addendum 1 Bid Schedule B?

Answer 4: Yes, the Additive Bid Schedule C is still required. Bid Schedule B compensates the Contractor for drilling (auguring) and concrete backfill into the undisturbed subgrade. If refusal is encountered during the work identified in Bid Schedule B, the Contractor shall be required to open excavate the subgrade necessary to install sport light foundation as described in Additive Bid Schedule C. The work performed necessary to open excavate the subgrade shall be per EACH and shall follow the work described in the Special Note identified in Additive Bid Schedule C and provided herewith:

“Special Note: This Additive Bid Schedule C shall be used by the City to compensate the Contractor for additional work to the extent that drilling (auguring) into undisturbed subgrade for light pole foundations is prevented due to the existence of cobbles and/or boulders which refuse drilling by machinery used by the Contractor appropriate for the type of soils described in the Geotechnical Report included in the Appendix as a reference to the Contractor. Bidders shall identify an additional cost per light pole foundation that includes: 1) a reasonable cost for initial efforts leading to refusal of drilling equipment; 2) mobilization of excavators or other machinery required to excavate open foundations; 3) open excavation to specified depth; and 4) installation of Controlled Density Fill (CDF) or Type 100-E-100 or other approved concrete backfill material within the open excavation for the light pole foundation – all as generally identified on the “Standard Drawing for Alternate Light Pole Foundation – Excavation” included in the Appendix. Payment for subsequent drilling into the CDF or approved concrete backfill material for setting light poles, and installation of concrete backfill within the drilled light pole foundations is excluded from this Additive Bid Schedule C unit price, as that cost is already considered and included as part of the lump sum price of Bid Schedule B.”

Question 5: Is the entire softball field receiving new grass?

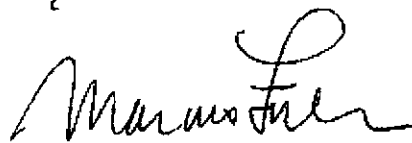
Answer 5: No, the entire softball field will not be receiving new grass. However, the Contractor will be required to adjust the existing grass line by removing and installing grass where appropriate including adjustments of infield clay and the irrigation system as a result of the infield reorientation.

James O. Jessie Desert Highland Unity Center
Outdoor Performance Stage and Outdoor Ball Field Lighting Project
City Project No. 14-18
Addendum No. 2
February 9, 2016
Page 3

The Special Provisions as originally issued shall be used in submitting bids, and an acknowledgment of receipt of this Addendum No. 2 shall be entered on Page 2 of the Bid Forms. Failure to provide such acknowledgment may render the bid as non-responsive and subject to rejection.

Date: February 9, 2016

BY ORDER OF THE CITY OF PALM SPRINGS



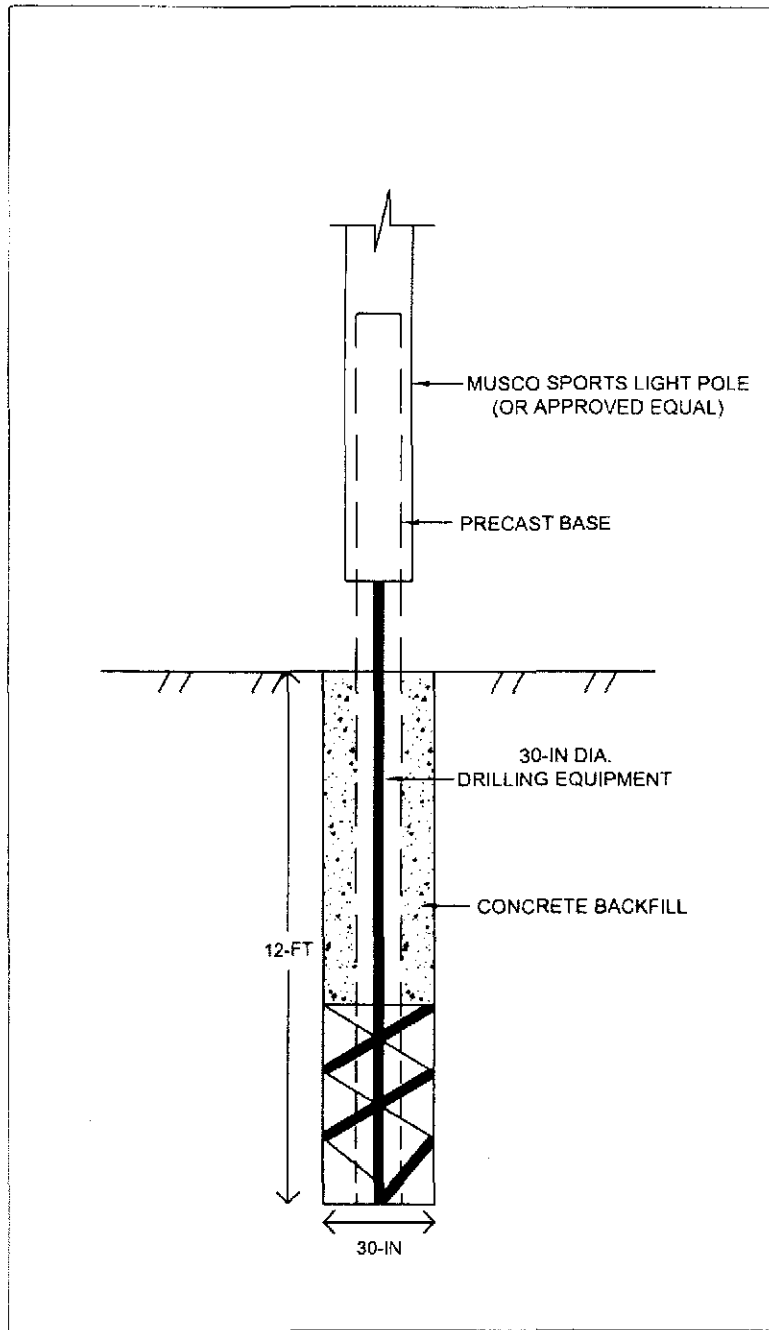
By

Marcus L. Fuller, P.E., P.L.S.
City Engineer
RCE 57271



Drilling / Open-Excavation Details

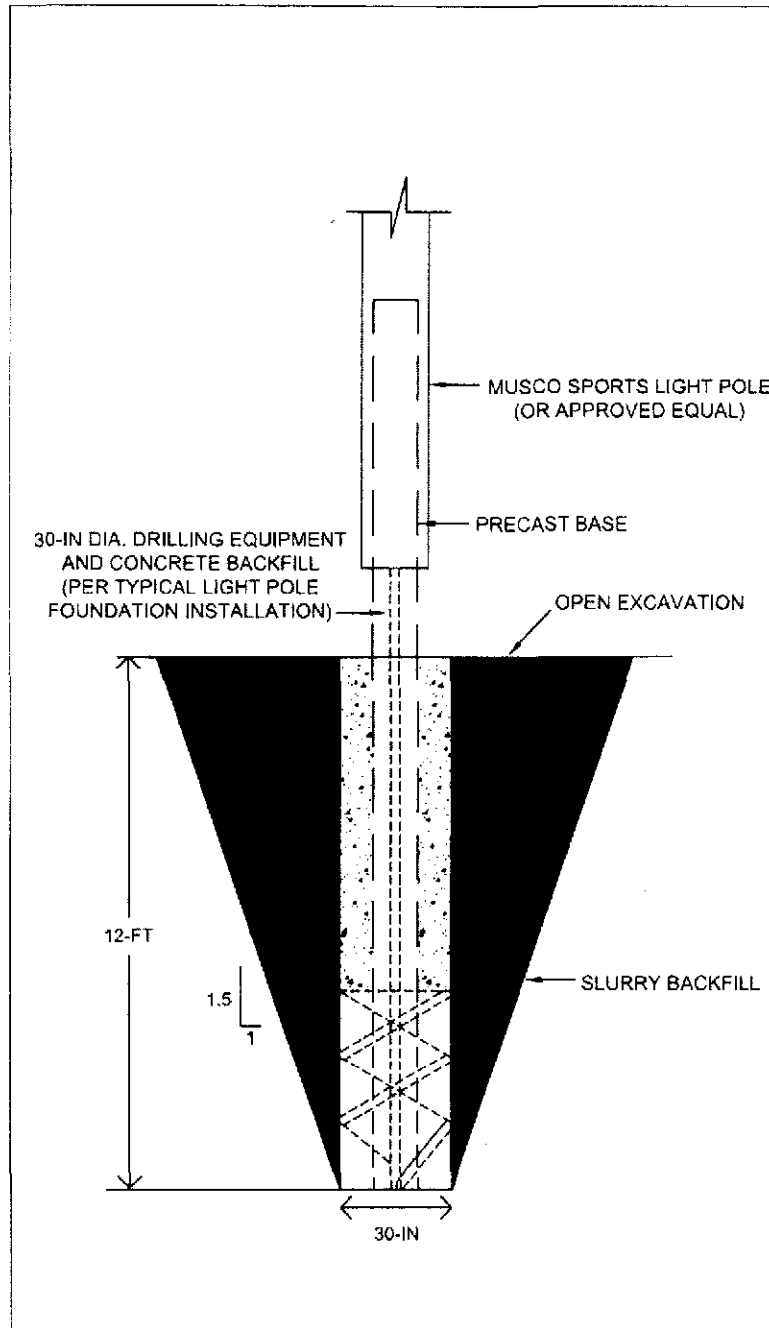
from the Appendix of
the Special Provisions on
City Project 14-18



STANDARD DRAWING FOR TYPICAL LIGHT POLE FOUNDATION - DRILLING

NOTE: THIS TYPICAL DETAIL SHALL BE USED FOR COST ESTIMATING PURPOSES ONLY. THE INSTALLATION OF THE LIGHT POLE FOUNDATION SHALL FOLLOW MANUFACTURER GUIDELINES AND/OR SUPPLEMENTAL GEOTECHNICAL DOCUMENTATIONS.





STANDARD DRAWING FOR ALTERNATE LIGHT POLE FOUNDATION - EXCAVATION

NOTE: THIS TYPICAL DETAIL SHALL BE USED FOR COST ESTIMATING PURPOSES ONLY. THE INSTALLATION OF THE LIGHT POLE FOUNDATION SHALL FOLLOW MANUFACTURER GUIDELINES AND/OR SUPPLEMENTAL GEO-TECHNICAL DOCUMENTATIONS PROVIDED.





Bid Schedule C

Bid Documents of M. Brey Electric, Inc.

ADDITIVE BID SCHEDULE C
Schedule of Prices for the Construction of the:
JAMES O. JESSIE DESERT HIGHLAND UNITY CENTER
(OUTDOOR BALL FIELD LIGHTING)
CITY PROJECT NO. 14-18

Item No.	Description	Estimated Quantity	Unit	Unit Price	Amount
1.	Initial Drilling (and refusal), Mobilization and Open Excavation, and Slurry Backfill for Light Pole Foundation	6	EA	\$10,000.	\$60,000.
TOTAL OF ALL ITEMS OF ADDITIVE BID SCHEDULE C:					
\$ 60,000.					
(Price in figures)					
Sixty Thousand Dollars & 00/100					
(Price in words)					

Special Note: This Additive Bid Schedule C shall be used by the City to compensate the Contractor for additional work to the extent that drilling (auguring) into undisturbed subgrade for light pole foundations is prevented due to the existence of cobbles and/or boulders which refuse drilling by machinery used by the Contractor appropriate for the type of soils described in the Geotechnical Report included in the Appendix as a reference to the Contractor. Bidders shall identify an additional cost per light pole foundation that includes: 1) a reasonable cost for initial efforts leading to refusal of drilling equipment; 2) mobilization of excavators or other machinery required to excavate open foundations; 3) open excavation to specified depth; and 4) installation of Controlled Density Fill (CDF) or Type 100-E-100 or other approved concrete backfill material within the open excavation for the light pole foundation – all as generally identified on the "Standard Drawing for Alternate Light Pole Foundation – Excavation" included in the Appendix. Payment for subsequent drilling into the CDF or approved concrete backfill material for setting light poles, and installation of concrete backfill within the drilled light pole foundations is excluded from this Additive Bid Schedule C unit price, as that cost is already considered and included as part of the lump sum price of Bid Schedule B.

M. Brian Esposito, Inc.
 Name of Bidder or Firm

ATTACHMENT 2



CITY OF PALM SPRINGS CONTRACT CHANGE ORDER

To: M. Brey Electric, Inc.
408 Elm Avenue
Beaumont, CA 92223
Tel: (951) 845-5438
Fax: (951) 845-5642

Date: July 25, 2016
Project No:14-18
Project: James O. Jesse Outdoor Performance Stage
& Outdoor Ball Field Project
Change Order No: 04
Purchase Order No: 16-0975

Attn: Matthew A. Brey

Account Number: 260-4500-59401

CHANGES IN WORK:

Drilled foundations for the sports lighting to be installed on the project have been modified to an open excavation procedure due to the presence of cobbles in the existing soils, which has caused refusal of the drilling operation for the sports lighting foundations. Sports lighting foundations will be open excavated to a depth of 1 foot deeper than the planned drilled excavation and the open excavation will be filled with Controlled Density Fill (CDF) or Type 100-E-100 concrete backfill. Foundations will then be drilled through the CDF or concrete backfill.

CHANGES IN COST:

The cost for this additional work was received at bid time as part of Bid Schedule C. Additional cost is \$10,000 per each sport lighting foundation which has encountered refusal. There are a total of six (6) foundations which have encountered refusal.

The changes in cost total to the amount of \$60,000.00

CHANGES TO CONTRACT TIME:

The soils conditions encountered have stopped the progress of the sports lighting installation on the project, which will need to be resumed after completion of the changed work. The time remaining for this installation is 9 working days.

M. Brey Electric, Inc., is requesting 6 working days to perform the additional work related to perform the open excavation of the foundations in lieu of the drilled foundations. Therefore, a total of 15 working days are being requested to perform all changes in work described above.

SOURCE OF FUNDS:

Funds are available in the following account: 260-4500-59401

REASONS FOR CHANGE:

In performing the drilled foundations for sports lighting to be installed on the project, M. Brey Electric, Inc. encountered cobble, which has prevented the continuation of drilling for these foundations. The possibility of encountering this condition was discussed in the soils investigation report for the project and incorporated into the bid documents as Bid Schedule C, which provided an additional cost for open excavation of the foundations should the conditions required.

After observing this condition in the field, several alternatives were considered in order to complete the drilling of the foundations without the addition of Bid Schedule C to the contract. One such alternative was not feasible due to the conditions presented in the field. Two other alternatives would have still required additional cost, which could have met or exceeded the cost of Bid Schedule C and also carried a risk of encountering refusal due to the soils conditions present at the site.

SUMMARY OF COSTS:

Original Contract Amount:	\$ 399,000.00	Original Completion	30 Working Days
This Change Order:	\$ 60,000.00	Days Added	15
Previous Change Order(s):	\$ 16,528.84	Previous Days Added:	15
Revised Contract Amount:	\$ 475,528.84	Revised Completion	60 Working Days

[SIGNATURES ON NEXT PAGE]

I have received a copy of this Change Order and the above AGREED PRICES are acceptable to Contractor

M. Brey Electric, Inc.

	_____ Signature	_____ Date
	_____ Printed Name and Title	

Interwest Consulting Group

	_____ Signature	_____ Date
	_____ Printed Name and Title	

City of Palm Springs

Recommended By:

	_____ Marcus Fuller, Assistant City Manager / City Engineer	_____ Date
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Approved By:

	_____ David H. Ready, City Manager	_____ Date
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Attest By:

	_____ James Thompson, City Clerk	_____ Date
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Distribution:

Original Conformed Copy:

Contractor (1)
City Clerk (1)

Conformed - File Copy:

Engineering Pay File (1)
City Project File (1)
Purchasing (1)
Finance (1)