TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER           DEPARTMENT: COMMUNITY SERVICES

DATE: JANUARY 14, 2002           CMR:108:02

SUBJECT: APPROVAL OF CHANGE ORDER NO. 3 TO CONTRACT NO. C1129753 WITH BRAGATO CONSTRUCTION COMPANY IN THE AMOUNT OF $19,891 TO PROVIDE ADDITIONAL BARRIERS, AMENITIES AND PLANTS AT THE DUCK POND PARKING LOTS

RECOMMENDATION
Staff recommends that Council approve and authorize the City Manager or his designee to negotiate and execute a change order to the contract with Bragato Construction Company for additional traffic controlling bollards, painting of curbs and pavement, cutting of curbs at a trail crosswalk, and adding an overflow drain for Duck Pond parking lots, the total value of which shall not exceed $19,891.

BACKGROUND
At its November 2000 meeting, Council approved a contract for the paving and rehabilitation of the two parking lots adjacent to the Duck Pond (Attachment A). The scope of the work included removing the existing asphalt surface; regrading and properly compacting the subgrade surface; paving the surface; creating bio-swales for the collection and filtering of run-off water; and applying stripes, curbs and directional arrows.

DISCUSSION
Since the original contract was approved, Council has approved two change orders. The first in the amount of $66,527 (CMR:209:01) was for unanticipated stabilization of the soft bay soil discovered after excavation of the existing parking lot. The second change order in the amount of $28,131 (CMR:386:01) provided the replacement of asphalt walkways between the edge of the duck pond and the new parking lot.
Construction on this project started March 19, 2001, and was substantially completed on November 30, 2001. During the construction period there have been three significant rainstorms. The high volume of rain has allowed staff to evaluate the drainage of the new parking lots and the flow of water through the naturally filtering bio-swales at the end of the parking lot. Staff has found that, because of unusually high ground water around the duck pond, the south parking lot swale becomes easily saturated with water and floods. An overflow water drain is necessary for this lot. Since the parking lots have been reopened to the public, staff has also found that the public is parking along curbs and driveways, where parking was not intended. Additional painting of curbs with red paint and designation of certain areas as restricted parking are necessary to control the proper flow of traffic and parking. The addition of two removable bollards near the restrooms at the north parking lot will prevent cars from blocking the access to the restrooms. Raised cement curbs on both sides of the driveway near the Ranger Station leading to footpaths need to be cut and reduced in height to allow adequate ADA access. Staff will seek reimbursement from the design consultant in the amount of $2,580 for this design error.

A bid from Bragato Construction was requested for this additional work. Both the City’s design consultants and Community Services Department staff have evaluated the bid price of $19,891. Both the consultant and staff believe the bid is reasonable.

Staff hopes to proceed at once with the work covered by the change order in order to complete the project. The parking lots are currently open to the public. The proposed additional work will not result in the closure of the lots, restriction of traffic, or inconvenience to the public.

**RESOURCE IMPACT**
Funds for the change order are available in Capital Improvement Program Project 10003. This change order amount is an increase to the original approved contract change order authority, bringing the total change order authority to $134,549, which represents 101 percent of the contract amount.

**POLICY IMPLICATIONS**
Recommendations of this staff report are consistent with existing City policies.

**ENVIRONMENTAL REVIEW**
This is a maintenance project and is therefore categorically exempt from CEQA.

**ATTACHMENTS**
Attachment A: CMR:426:00