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Title: Approve Contract Change Order No. 01 in the amount of \$567,390 for the installation of PG&E Rule 16 with Avison Construction Co., Inc. for the TCC Park at MLK Magnet Core Project - Project ID PW00857. (Bid File 12302905) (Council District 3)

Sponsors: Capital Projects Department

Indexes:

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Attachments: 1. 24-779 Contract Change Order No. 01.pdf, 2. 24-779 Vicinity Map

Date	Ver.	Action By	Action	Result
6/20/2024	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

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SUBJECT

Approve Contract Change Order No. 01 in the amount of \$567,390 for the installation of PG&E Rule 16 with Avison Construction Co., Inc. for the TCC Park at MLK Magnet Core Project - Project ID PW00857. (Bid File 12302905) (Council District 3)

RECOMMENDATION

Staff recommends that the City Council approve Contract Change Order No. 01 with Avison Construction Co., Inc., which increases the contract amount by \$567,390, for a revised contract total of \$9,213,683, and adds thirty-two (32) additional working days for the installation of PG&E Rule 16 at the TCC Park at MLK Magnet Core project.

EXECUTIVE SUMMARY

On October 19, 2023, a contract was awarded in the amount of \$8,646,293 to Avison Construction Inc., for the TCC Park at MLK Magnet Core Project. City Council approval of Contract Change Order No. 1 in the amount of \$567,390 and the addition of thirty-two (32) working days of contract time will allow for the installation of the PG&E Rule 16, which will provide the electrical service connection to the new Park. The electrical service trenching and installation was not included in the scope of this project at the time of bid due to the ongoing coordination with PG&E on their service connection. The funding for this contract change order is funded by the TCC Grant funding, local Development Park Impact Fees and a one-third developer contribution for a portion of the supporting improvements, as specified in the West Creek Village Development Agreement.

BACKGROUND

On October 19, 2023, a contract was awarded in the amount of \$8,646,293 to Avison Construction Inc., for the TCC Park at MLK Magnet Core Project. The Notice to Proceed was issued with a starting date of March 25, 2024, and a completion date of October 9, 2024.

City Council approval of Contract Change Order No. 01 for an additional \$567,390 is required by Resolution 2017-158, which sets the approval thresholds for individual Contract Change Orders which exceed 1% of the total contract price or \$100,000.00. The amount of Contract Change Order No. 01 is \$567,390, which is 6.6% of the original Contract amount.

In January 2018, the City was awarded grant funds in the amount of \$66,500,000 from the TCC Grant Program from the State of California through the Strategic Growth Council (SGC) to fund the development and implementation of neighborhood-level coordinated greenhouse gas emissions reduction projects that provide local economic, environmental and health benefits to disadvantaged communities, which was detailed in the Transform Fresno Plan. The Transform Fresno Plan was created by a participatory steering committee comprised of community stakeholders from the Chinatown, Downtown and Southwest Fresno neighborhoods. On February 28, 2019, the City Council unanimously approved the Master Grant Agreement which bound the City and SGC, and then subsequently approved the Sub-Recipient Agreement on January 16, 2020, between the City and Partners who received funds to implement components of the Transform Fresno Plan. Council approved a sub-recipient grant award to the Department of Public Works (DPW) in the amount of \$5,430,466.53, for the implementation of Project 13 - Park at MLK Magnet Core.

The Community Workforce Agreement (PLA), adopted by City Council in September 2021, was included as part of the requirements pursuant to the terms of the PLA.

The scope of work includes, but is not limited to, the construction and development of a ten-acre park and a public street. The new ten-acre park will be located in the center of a planned mixed-use development adjacent to the new West Fresno Satellite Campus (CCI Project #18), on the west side of MLK Jr. Boulevard Between Church and Jensen Avenues. The park design consists of the installation of drought tolerant planting, perimeter bioswales, 100 trees, walking paths, reclaimed water irrigation, a modular restroom, a themed playground, utilities, infrastructure, site furnishing, and LED park lighting. The public street includes but is not limited to the construction of a perimeter loop road (West Creek Village Way), which extends off of Church Avenue. The roadway construction consists of site utilities, drainage, sidewalks, street lighting, curb, and gutter.

ENVIRONMENTAL FINDINGS

A Mitigated Negative Declaration, A-17-007/R-17-010/TPM-17-06/ANX-17-005 was prepared for Plan Amendment Application No. A-17-007, Prezone Application No. R-17-010, Tentative Parcel Map Application No. TMP-2017-06 and Annexation Application No. ANX-17-005. It was adopted on August 24, 2017. The proposed change order work is consistent with the project scope originally evaluated and no further environmental documentation is required for this approval.

LOCAL PREFERENCE

Local preference was not implemented because of the TCC Grant Funding.

FISCAL IMPACT

The TCC Park at MLK Magnet Core Project in the West Creek Village Project Area is located in the City of Fresno, Council District 3. The project is funded by Transformative Climate Communities (TCC) grant funding, local Development Park Impact Fees and a one-third developer contribution for a portion of the supporting improvements, as detailed in the West Creek Village Development Agreement. The project will have no impact to the General Fund.

Attachment: Contract Change Order No. 01
Vicinity Map