



**Brawley City Council &
Successor Agency to Brawley
Community Redevelopment Agency
Special Meeting Agenda
Friday, July 27, 2018 @ 11:00 AM
City Council Chambers
383 Main Street
Brawley, California 92227**

George A. Nava, Mayor
Donald L. Wharton, Mayor Pro-Tempore
Norma Kastner-Jauregui, Council Member
Luke Hamby, Council Member
Sam Couchman, Council Member

Alma Benavides, City Clerk
William S. Smerdon, City Attorney/
City Treasurer
Rosanna Bayon Moore, City Manager/
Executive Director

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

1. APPROVAL OF AGENDA

- 2. PUBLIC APPEARANCES/COMMENTS** (Not to exceed 4 minutes) this is the time for the public to address the Council **on any item not appearing on the agenda** that is within the subject matter jurisdiction of the City Council. The Mayor will recognize you and when you come to the microphone, please state your name for the record. You are not allowed to make personal attacks on individuals or make comments which are slanderous or which may invade an individual's personal privacy. **Please direct your questions and comments to the City Council.**

3. REGULAR BUSINESS

- a. Discussion and Potential Action to Approve Contract Change Order No. 3 in the amount of \$6,896.70 to Masters Construction for Contract No. 2018-01: Hinojosa Park ADA Improvements.

4. CITY COUNCIL MEMBER REPORTS

ADJOURNMENT Regular Meeting, **Tuesday, September 4, 2018 @ 6:00 PM**, 383 Main Street, Brawley, California. Supporting Documents are available for public review in the Office of the City Clerk, 383 Main Street, Brawley, California 92227 - Monday through Friday during Regular Business Hours; Individuals who require special accommodations are requested to give 48 hours prior notice. Contact: Office of the City Clerk @ 760-351-3080.

Alma Benavides, City Clerk

COUNCIL AGENDA REPORT
City of Brawley

Meeting Date: July 27, 2018

City Manager: 

PREPARED BY: Andy Miramontez, Associate Civil Engineer

PRESENTED BY: Guillermo Sillas, Public Works Director

SUBJECT: Contract Change Order No. 3 for Contract No. 2018-01 Hinojosa Park ADA Improvement.

CITY MANAGER RECOMMENDATION: Authorize Contract Change Order No. 3 in the amount of \$6,896.70 to Masters Construction and authorize the City Manager to execute all documentation in relation to this project.

DISCUSSION: The City of Brawley awarded Contract No. 2018-01 Hinojosa Park ADA Improvements Project to Masters Construction in the amount of \$818,895.00. They City Council also approved Contract Change Order No. 1 for \$18,996.89 and Contract Change Order No. 2 for \$83,510.54 to address unforeseen conditions discovered during construction.

Contract Change Order No. 3 proposes \$6,896.70 in additional improvements, described as follows:

1 – Import & Spread Soil: The area between the East Baseball Diamond and Basketball Court was a high traffic area during the construction phase and was not able to receive adequate water. The soil that will be imported will be spread throughout the impacted area so that the area can get reseeded. **\$6,896.70**

The Contractor will be paid the agreed price upon completion of the work. The above listed prices include full compensation for all labor, materials, tools and equipment required to complete the work in compliance with plans and original contract specifications and to the satisfaction of the Director of Public Works. The revised contract amount is **\$928,299.13**.

The Contract Change Order No. 3 document shall become an Amendment to the Contract and all provisions of the Contract shall apply thereto.

FISCAL IMPACT: \$6,896.70 (Fiscal Year 2017/2018 13-CDBG-8954 Funds)

ATTACHMENTS: Change Order No. 3



A Division of Farmers Land Leveling, Inc.
 1610 E. Main Street, Brawley, CA 92227
 PH: 760-344-7400 * 760-344-2900
 FX: 760-344-2668 EM: mastersconstruction01@gmail.com
 License No: 447247 * Cal T/CA# 009271
 Estimate & Agreement

City of Brawley
 400 Main Street
 Brawley, CA 92227

Bid: We hereby propose to furnish materials and labor to complete work outlined for the sum of:
\$6,896.70
 Six Thousand Eight Hundred Ninety Six Dollars and Seventy Cents
 Payment to be made as follows: Due upon receipt of invoice

Hinojosa Change Order #3

We are pleased to hereby submit our price for the following work:

Price to purchase 8 load of Carrot Dirt from Havens and Sons Trucking and Masters Construction to spread the dirt where directed by Mr. Miguel Perez.

8 loads Carrot Dirt \$425.00/ld x 8 loads	\$3,400.00
570 Skip Loader \$140.00/hr x 15 Hours	\$2,100.00
Mobilization of Skip Loader	\$ 145.00
Tax on Material	<u>\$ 263.50</u>
Subtotal	\$5,908.50
15% Overhead & Profit	\$886.28
1.5% Bond	<u>\$101.92</u>
Total for Change Order #3	\$6,896.70

****Work to be done during normal business hours; M-F: 6:30AM-2:00PM, excluding holidays and weekends. Price based doing the work in one mobilization and on prevailing wages.****

Price excludes any permits, excavation, encroachment permits, import or export of material unless specified above, any excavated material to be placed onsite, landscaping, topsoil, visqueen, grinding, pulverizing, permits, testing, staking, concrete, herbicide, BMP, SWPP & traffic control. This proposal excludes any and all work unless expressly provided above including: (a) permits, any required fees or bonds; (b) engineering, testing, or staking; (c) bond premiums; (d) dewatering. Unless expressly included in above listing of work, unusual site conditions such as buried trash, concrete, abandoned utilities, mud, etc. that were not apparent on the surface or expressly disclosed in writing prior to the date hereof, shall be deemed for additional compensation and cessation of work until agreement for same has been reached. Unless expressly provided in the proposal, Masters Construction will not be responsible for the clean up of other trades or removal of hazardous waste. Masters Construction's proposal must be signed within 48 hours from date of proposal for price to be good until July 31, 2018. If signed within 48 hours Masters Construction reserves the right to withdraw this quote after 30 days if work has not substantially commenced. Masters Construction also reserves the right to charge additional compensation to cover any extra expenses due to/upon fuel price escalation. All disputes arising out of or relating to the transaction, which is subject of this invoice, will be resolved through arbitration under the auspices of the arbitration association pursuant to it's construction industry rules then prevailing such hearing to be conducted in Imperial County, California. The party which prevails in that arbitration or if arbitration is waived and litigation ensues through litigation, including actual attorney's fees. Expert witness fees if any fees paid to the American arbitration association or otherwise. Fees paid to the arbitrator hearing the matter and such other fees and costs are permitted by law. Masters Construction has implemented and maintains employee safety programs as required by current CAL-OSHA regulations, including the Injury and illness Prevention Program mandated by SB 198 and HAZ-COM procedures per 29 CFR (1910-1220). Masters Construction maintains a safe and drug free work environment. (*) Annual 24% service charge on past due amounts. Attorney fees and court costs charged if action brought to enforce collection.

CONTRACTOR'S GUARANTEE

We guarantee all material used in this contract to be as specified above the entire job to be done in a neat, workmanlike manner. Any variations from plan or alterations requiring extra labor or materials will be performed only upon a written work order and billed in addition to the sum covered by this contract. Agreements made with our workmen are not recognized.

CUSTOMER ACCEPTANCE OF BID

The above specifications, terms and contract are satisfactory, and (we) hereby authorize the performance of this work.

Date: _____ Signed: _____

Date: _____ Signed: _____

Bid No.: 7232018A_
 Date: July 23, 2018_



CONTRACT CHANGE ORDER

Date: July 27, 2018	Project Name: Hinojosa Park ADA Improvement Project
To: Masters Construction 1610 East Main St. Brawley, CA 92227	Contractor: Masters Construction Contract No.: 2018-01 Change Order No.: 3
Attn.: Karen Blue	Schedule: A Subject: Import & Spread Soil

Description and Justification of Change in Scope:

(1) **Import & Spread Soil:** The area between the East Baseball Diamond and Basketball Court was a high traffic area during the construction phase and was not able to receive adequate water. The soil that will be imported will be spread throughout the impacted area so that the area can get reseeded.

Cost Estimate for the Above:

Schedule A						
Item	Description	Qty	Unit	Unit Price	Total	
1	Import & Spread Soil	1	LS	\$6,896.70	\$6,896.70	
	TOTAL AMOUNT OF THIS CHANGE ORDER:					\$6,896.70

The contractor will be paid the agreed upon price upon completion of the work. The above list prices includes full compensation for all labor, materials, tools and equipment required to complete the work in compliance with plans and original contract specifications and to the satisfaction of the Director of Public Works. Specifications, where pertinent and not in conflict with the above shall apply to these changes.

The contract completion date is increased by **30** Calendar Day(s). Contract completion date is **August 3, 2018**. This document shall become an amendment to the contract and all provisions of the contract shall apply thereto.

TOTAL ADDITIVE CHANGE: \$6,896.70



CONTRACT CHANGE ORDER

Current Contract amount:	\$921,402.43
Amount of Change:	\$6,896.70
New Contract amount:	\$928,299.13

CITY OF BRAWLEY:

City: _____
Construction Manager _____ Date _____

City: _____
Director of Public Works _____ Date _____

City: _____
City Manager _____ Date _____

City: _____
Director of Finance _____ Date _____

CONTRACTOR:

Accepted By: _____

Date: _____

Title: _____

