



City of Grand Island

Tuesday, November 13, 2007

Council Session

Item G15

**#2007-282 - Approving Change Order #2 - Water Main District
455 - Park-View Area**

Staff Contact: Gary R. Mader; Wesley Nespor

Council Agenda Memo

From: Gary R. Mader, Utilities Director
Wesley Nesper, Asst. City Attorney/Purchasing

Meeting: November 13, 2007

Subject: Water Main District 455 – Commerce Avenue and
Pioneer Blvd. – Change Order #2

Item #'s: G-15

Presenter(s): Gary R. Mader, Utilities Director

Background

In March of this year, the City entered into a contract for Water Main District 455 with the Starostka Group Unlimited, Inc., of Grand Island, to install water lines and services to the properties along Commerce Avenue and Pioneer Blvd., in the Park-View Subdivision, located in the south-central portion of the City.

The contract specifies that after the pipe lines have been installed, the excavated material is to be placed back into the trench and re-compacted for proper pipe support and to prevent future settling. To insure surface areas do not settle, the soils are tested for proper density. The tests for fill materials specify they are to be compacted to 95% of maximum density within the street right-of-way. The Contractor is then responsible for maintenance of the trench backfill for one year from the date of acceptance of the project by the City.

Discussion

During the past summer, Grand Island received rainfall well above normal amounts. This resulted in groundwater levels rising to approximately 4 to 4.5 feet below grade and saturation of the subsurface soils. Whereas optimum soil moisture for obtaining maximum soil compaction should be around 10%, the moisture test results during this wet construction season have ranged to over 24%. Consequently, the high moisture content of the excavated materials prevented it from being backfilled and compacted as specified.

The Utilities Department and Legal Department have been working with the Contractor to resolve the soil density issue. As a result of these discussions, the Contractor is willing to extend the warranty period on the backfill for three years. The time extension would

provide time for several yearly freeze-thaw cycles to occur, thereby verifying the backfill was effectively placed. The Contractor will remedy any problems, if settling occurs during the warranty period.

This Change Order is only for the extension of the warranty period for the backfill compaction. There is no change to the Contract's price.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve Change Order #2 to the Contract for Water Main District 455 with the Starostka Group Unlimited, Inc., to extend the warranty period from one year to three years for backfill compaction. There is no change to the Contract's price.

Sample Motion

Move to approve Change Order #2 to the contract for Water Main District 455 with the Starostka Group Unlimited, Inc., to extend the backfill compaction warranty period to three years.



CHANGE ORDER #2

TO: Starostka Group Unlimited, Inc.
429 Industrial Lane
Grand Island, NE 68803

Project: Water Main District 455 (Commerce Avenue and Pioneer Blvd.)

You are hereby directed to make the following change in your contract:

1. A 3 year warranty for compaction related issues. Any settling or related issues that arise from inadequate compaction will be remedied within 14 days of notice or as soon as possible thereafter in case of inclement weather. The warranty will not include areas of the project that are re-excavated by a third party.
2. This warranty is in addition to any warranty contained in the original bid specifications, contract, and prior amendments. It is intended to supplement such warranties, whether express or implied, and not to replace them.

Change Order #2

\$ 0.00

Approval and acceptance of this Change Order acknowledges understanding and agreement that commencement of the warranty extension to begin with acceptance of the project as dated on the Certificate of Final Completion. Additional claims will not be considered.

APPROVED: **CITY OF GRAND ISLAND**

By: _____
Mayor

Date _____

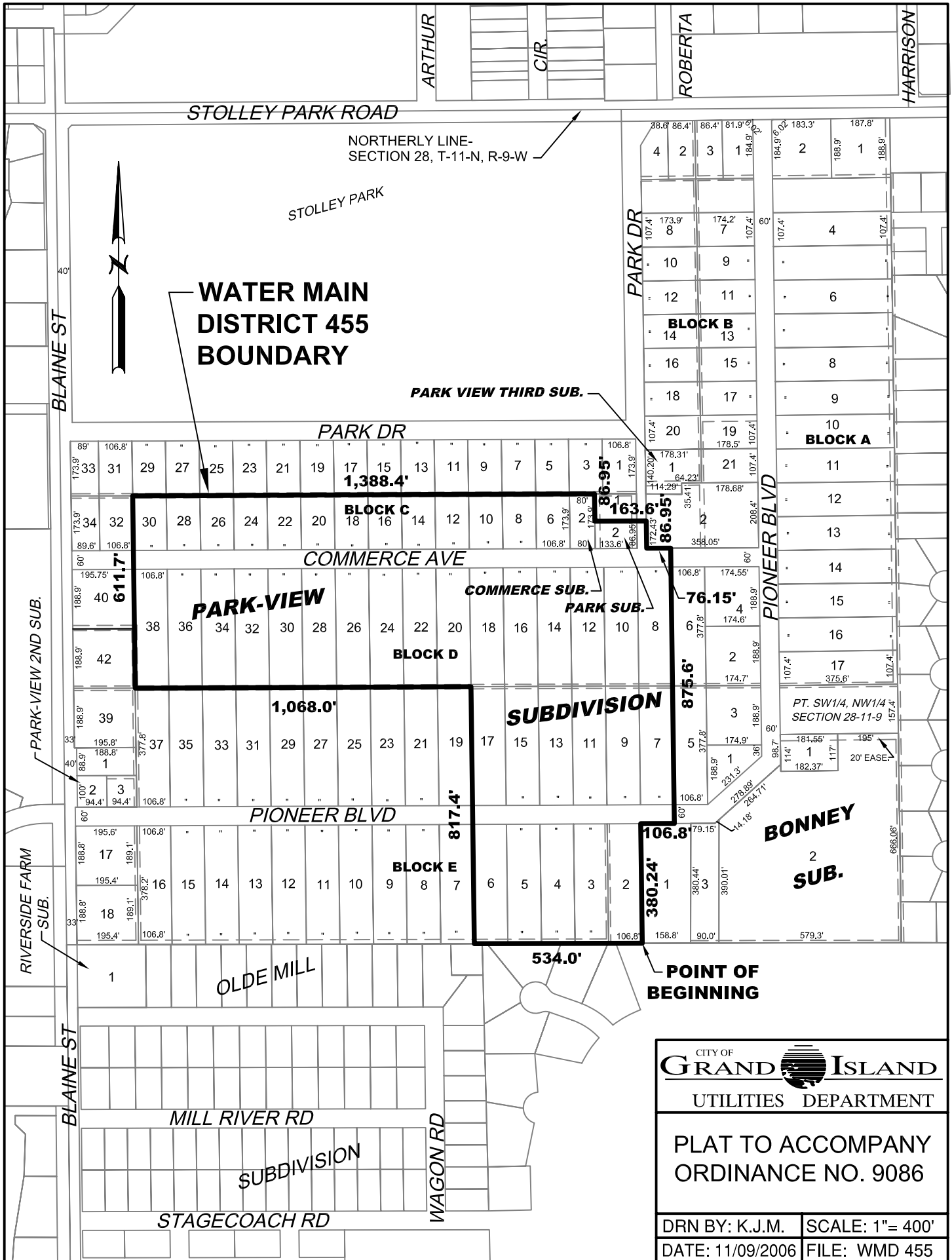
Attest: _____


Approved as to Form, City Attorney

ACCEPTED: **STAROSTKA GROUP UNLIMITED, INC.**

By: Max Starostka

Date 11/5/07



CITY OF
GRAND ISLAND
 UTILITIES DEPARTMENT

**PLAT TO ACCOMPANY
 ORDINANCE NO. 9086**

DRN BY: K.J.M. | SCALE: 1" = 400'
 DATE: 11/09/2006 | FILE: WMD 455

RESOLUTION 2007-282

WHEREAS, on February 27, 2007, by Resolution 2007-43, the City of Grand Island awarded a bid in the total amount of \$219,862.80 for the construction of Water Main District No. 455 to Starostka Group Unlimited, Inc., of Grand Island, Nebraska; and

WHEREAS, on August 28, 2007, by Resolution No. 2007-202, the City of Grand Island approved Change Order No. 1 for additional expense for directional boring water service lines for Water Main District No. 455; and

WHEREAS, because of rainfall received well above the normal amounts, the contractor, Starostka Group Unlimited, Inc., of Grand Island, Nebraska, has agreed to extend the warranty period on the backfill for three years for Water Main District No. 455; and

WHEREAS, Change Order No. 2 is for the extension of the warranty period only for the backfill compaction and will not change the contract price of Water Main District No. 455.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No.2 for Water Min District No. 455.

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Adopted by the City Council of the City of Grand Island, Nebraska, November 13, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk