



CITY OF COMMERCE AGENDA REPORT

TO: Honorable City Council

Item No. _____

FROM: City Manager

SUBJECT: Garfield Median Improvements Project Change Order

MEETING DATE: November 12, 2024

RECOMMENDATION

The City Council will consider adopting a Resolution approving a Change Order to the Agreement for essential improvements related to the Garfield Median Improvements Project and allocating reimbursable Measure AA funds for the related improvements.

BACKGROUND

On May 31, 2023, City staff submitted an application for the Clean California Local Grant Program Cycle 2 for the Garfield Avenue Median Beautification and Citywide Cleanup Project. On October 9, 2023, staff was notified that the City had been awarded \$2,358,000.00 to fund the Project. Subsequently, the funding agreement with the state was executed on January 23, 2024.

On June 25, 2024, the City Council approved the plans and specifications for the Garfield Avenue Median Improvements Project from City limit to City limit, and awarded a contract to Superb Engineering, Inc. the lowest responsive and responsible bidder for \$1,604,230.09 and authorized up to 15% or contingencies and 10% for construction Management and inspection.

The improvements along Garfield Ave includes but is not limited to removal of existing trees, shrub and ground cover, irrigation system, concrete pavers and planting drought tolerant trees and ground cover, new irrigation system, infiltration system for compliance with storm water discharge regulation, new water meters, and adjustment of utilities. The Project not only minimizes excessive maintenance and irrigation run off and improves and beautifies the roadway but also implements MS4 best management practices for storm water runoff in compliance with Regional Water Quality Control Board regulation.

ANALYSIS

The construction work on the project commenced and has been ongoing since August 12, 2024. During the ongoing demolition work in the medians the following unforeseen conditions requiring to be addressed were discovered:

1. **Curb Inside the Planter Area:** Approximately 83 linear feet of existing old curb within the median area within the project limit at several locations were discovered. It appears that when median was widened previously, and new perimeter curb was installed the old perimeter curb was not removed. The conflicting portions of the curb will need to be chipped and/or demolished.
2. **Median Perimeter Curb:** Approximately 1,237 linear feet of existing outside curb were found to be unstable due not being securely anchored to the pavement at several locations. To prevent movement of the outside curb doweling of the curb through installation of rebars from top of the curb in good condition will be essential to securely anchor them to the pavement. Dowling will be used in curbs in good condition only. Additionally, approximately 851 linear feet of curb is damaged which needs to be replaced.
3. **Planter Areas Over Concrete:** Approximately 3,290 square feet of 12-inch concrete pavement were discovered under planting area which needs to be removed and replaced with approximately 280 cubic yards of imported soil to ensure the health of the planting material and new 24-inch box trees.

The above-described unforeseen condition was not included in the original bid documents, and it is imperative they are addressed in a timely manner. The cost of proposed improvements is estimated at \$481,170.31 which is significantly above the authorized construction contingencies. Allocation of reimbursable \$328,648.94 in Measure AA funds is requested for this project. The remaining shortfall will come from the previously allocated contingencies. Upon approval, the proposed improvements will be performed through a Change Order to Superb Engineering, Inc. contract (copy attached).

The attached Resolution upon City Council adoption will in summary approve the above-described essential improvements related to the Garfield Median Improvements Project and allocate reimbursable Measure AA funds for the related improvements.

FISCAL IMPACT

The city received Clean California Cycle 2 Grant in the amount of \$2,358,000.00 of which \$2,029,351.06 was approved / appropriated by City Council action on June 25, 2024. This action left \$328,648.94 available for any future allocations, if necessary. As highlighted above, unforeseen conditions require improvements, contingencies, construction management, and inspection services in an amount of **\$481,170.31** of which \$152,521.37 will come from the previously allocated contingencies and \$328,648.94 from the remaining unallocated mentioned above (see below).

Estimated Cost of Proposed Improvements	\$380,371.78
Construction Contingencies (15%)	\$57,055.77
Subtotal	\$437,427.55
Construction Management, Inspection (10%)	\$43,742.76
Total Estimated Cost of Additional Improvements	\$481,170.31
Use of Previously Authorized Contingencies	\$152,521.37
Requested Allocation in Reimbursable Measure AA	\$328,648.94

Grant Fund Summary

Clean California Cycle 2 Grant	\$2,358,000.00
Previously Authorized Reimbursable Amount in Measure AA	\$2,029,351.06
Available unallocated Grant Amount	\$328,648.94

ALTERNATIVES

1. Approve the recommendation.
2. Reject the recommendation.
3. Provide staff with further direction.

RELATIONSHIP TO STRATEGIC GOALS

This agenda item aligns with the 2016 Strategic Plan - Goal #6: "Enhance Quality of Life." This project aims to provide better, more reliable, and effective transportation services to the community, thereby improving the overall quality of life in Commerce.

Approved and recommended by: Vilko Domic, Assistant City Manager

Fiscal Impact Reviewed by: Vilko Domic, Assistant City Manager

Approved as to Form by: Noel Tapia, City Attorney

Respectfully Submitted by: Ernie Hernandez, City Manager

ATTACHMENTS:

1. Resolution
2. Change Order No. 01