



COMMISSIONERS COURT COMMUNICATION

AGENDA DATE: July 9, 2012

CONSENT OR REGULAR: Consent

CONTRACT REFERENCE NO: 2012-0298
(IF APPLICABLE):

SUBJECT: Approve and authorize the County Judge to sign Change Order No. 001 for \$14,040.00 that enables the County to reflect necessary changes to its Fixed Price Construction Contract between Owner and Contractor with Sunlight Enterprises Co., Inc. (K11-367) signed September 12, 2011 and reflects the final contract cost of \$498,355.00 and a substantial completion date of August 1, 2012.

BACKGROUND/DISCUSSION OF TOPIC:

Commissioners Court authorized the expenditure of capital improvement funds to refresh various facilities in Ascarate Park. Bid No. 11-024 was to renovate the Ascarate Park Pavilion. This structure returned to the County after the termination of the Western Playland lease. The renovation included the opportunity to make the facility year around asset for the Park. The contractor added new accessible restrooms and upgraded the building and surrounding area. The Fixed Price contract allowed for the replacement of purlins, part of the roof infrastructure. The contractor and architect identified two for replacement. Once construction began, the architect recommended changes based on field conditions to the water source for the facility. Park staff also accepted a recommendation to add a counter to the preparation area so that users of the facility could lay out food for their guests. The architect also recommended the addition of a small stage for the Pavilion, which would be useful for entertainment. There was additional work to repair concrete around the building and fencing changes around the structure. The architect rolled the credits and the additional charges into one Change Order at the conclusion of the project. The only remaining issue is the installation of a new fire hydrant at the request of the Fire Department. Staff is working with El Paso Water Utilities to facilitate that effort. The installation of the fire hydrant has delayed substantial completion and this Change Order reflects a new date for substantial completion.

FISCAL IMPACT:

This adds \$14,040.00 to the contract cost and funds are available in CPASCPKIM07.

PRIOR COMMISSIONERS COURT ACTION (IF ANY):

Commissioners Court approved the award to Sunlight Enterprises on August 15, 2011. Commissioners Court approved the Fixed Price Construction contract on September 12, 2011.

RECOMMENDATION: The Department recommends approval of this item.

COUNTY ATTORNEY APPROVAL

The attached document has been given legal review by the El Paso County Attorney's Office on behalf of the County of El Paso, its officers, and employees. Said legal review should not be relied upon by any person or entity other than the County of El Paso, its officers, and employees.

COUNTY ATTORNEY: Art Provenghi

LEGAL REVIEW: Approved as to Form as Submitted.

LEGAL REVIEW NOTES:

DATE: July 3, 2012

SUBMITTED BY:

Rosemary V. Neill, Director, Family and Community Services, (915) 834-8201

CHANGE ORDER NO. 001

This is CHANGE ORDER NO. 1 to CONTRACT dated September 12, 2011, for Renovation of the Ascarate Park Pavilion (El Paso County Bid # 11-024), between Sunlight Enterprises Co., Inc. , as Contractor and El Paso County, Texas, as Owner.

Pursuant to Paragraph 15 of the above-referenced Contract, the Contractor is directed to make the following changes in the Work:

The Contract Price, as adjusted through Change Order No. _____,
(if there have been such adjustments), was\$ 484,315.00

The Contract Price is hereby **increased** or decreased, if any,
as a result of this Change Order in the amount of\$ 14,040.00

The Contract Price, taking into account the effect of this
Change Order, if any, shall be and is\$ 498,355.00

The Date of Substantial Completion, taking into account the effect of this Change Order, shall now be August 1, 2012.

Execution of this Change Order by the Contractor shall have the effect set forth in Subparagraph 15(d) of the above-referenced Contract.

OWNER

ARCHITECT

CONTRACTOR

El Paso County
(Name of Owner)

SMS Architects, Inc.
(Name of Architect)

Sunlight Enterprises Co., Inc.
(Name of Contractor)

By: _____
(Signature)

By: _____
(Signature)

By: _____
(Signature)

County Judge
(Title)

President
(Title)

President
(Title)

(Date)

(Date)

(Date)

Fixed Price Construction Contract Between Owner and Contractor
Change Order No. 1

<u>Base Bid</u>	\$483,850.00	
Purlins 2 @ \$232.50	\$ 465.00	The contract capped the purlins to \$11,625
Contract Total	\$484,315.00	
<u>Change Order Itemized</u>		
Chain link fence credit	(\$560.00)	
New chain link fence gate	\$1,161.00	
Serving counter/cabinet	\$1,814.40	
Platform with VCT flooring	\$1,576.80	
Domestic water line credit	(\$5,266.25)	
Restocking fee	\$389.00	
New domestic water line	\$3,183.30	
Concrete repair	\$11,757.20	\$12.35/SF for 952 SF for repairs of contract
Domestic water line credit	(\$3,183.30)	
New 1 1/2" domestic water line	\$2,605.50	
Ramp for platform	\$562.35	
Total Change Orders	\$14,040.00	
Contract Total	\$484,315.00	
Change Order Total	\$14,040.00	
Total Contract with Change Order	\$498,355.00	

From: Art Provenghi
Sent: Tuesday, July 03, 2012 9:53 AM
To: Rosemary Neill
Cc: Alicia Vera; Josefina Vasquez
Subject: K2012-0298-Change Order #001-Ascarate Pavilion-Sunlight Enterprises Co. Inc.
Attachments: 2012-0298 Sunlight- Change Order No 1.pdf

EL PASO COUNTY LEGAL REVIEW FORM

2012-0298

Contract Description: Public Works Department-Change Order # 001-Ascarate Park Pavilion Renovation-Sunlight Enterprises Co., Inc.

COUNTY ATTORNEY ACTION**

****Requested Amendments/Clarifications:** Please list any questions or comments you have regarding the terms of the contract, as well as any specific provisions to which you object, or which you want to have changed.

Approved as to Form as Submitted
 Approved as to Form with Amendments/Modifications/Reservations Noted Below*
 Not Approved

*1)

This document has been given legal review by the El Paso County Attorney's Office on behalf of the County of El Paso, its officers, and employees. Said legal review should not be relied upon by any person or entity other than the County of El Paso, its officers, and employees.

Art Provenghi
Assistant County Attorney
Date: July 3, 2012

[Art Provenghi](#)

Assistant County Attorney
El Paso County Attorney's Office
(915) 546-2081/Ext. 4118

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