



MEMORANDUM

Date: June 8, 2023

To: Honorable Mayor and Commissioners

Via: Albert P. Childress
City Manager *APC*

From: Kelly Crowe, P.E.
Utilities Director

Subject: **Approval of a Change Order #3 with Charley Toppino and Sons, Inc. to Balance Final Quantities and Close the Construction Contract for the Flagler Pedestrian Improvements Project**

Introduction

Approve Change Order #3 in the amount of \$11,596.50 to Charley Toppino and Sons, Inc. to balance the final quantities and adjust the final contract cost, increasing the total contract price of the Flagler Pedestrian Improvements to \$559,841.33

Background

Charley Toppino and Sons, Inc. (CTS) were determined to be the lowest responsible bidder to ITB 22-006, Flagler Pedestrian Improvements in the original contract amount of \$527,490.68. The City Commission awarded contract to CTS per Resolution 22-088.

The Flagler Pedestrian Improvements project consists of the following:

- New pedestrian signals at Flagler Avenue and Kennedy Drive
- New pedestrian signals at Flagler Avenue and 1st/Bertha Street
- Modified configuration of the left turn pocket at Flagler Avenue onto Kennedy Drive
- Upgraded curb ramps at both intersections
- Upgraded pavement markings and crosswalks through intersections
- Installation of loop detection at Flagler Avenue and 1st/Bertha Street

During construction, two (2) change orders were approved that brought the contract price up to \$548,244.83 which is less than a 5% increase. A summary of the Change Orders is as follows:

Change Order #1: \$3,511.41; Utility investigation prior to the relocation of the pedestrian pole at 1st and Flagler at the request of the owner of 1901 Flagler.

Change Order #2, \$17,242.74; Relocation of the pedestrian pole at 1901 Flagler, additional sidewalk replacement adjacent to Fire Station #3

Change Order #3, \$11,596.50; Balances final costs. The increase is attributed to additional cost of Maintenance of Traffic (MOT) device deployment due to project duration, additional length of directional bore required per field conditions. Replacement of various sections of sidewalk adjacent to the project.

The overall cost increase from the original contract price is 6.1% which requires City Commission approval per Section 2-845 (a) of the Code of Ordinances.

Procurement

The contractor was competitively procured through ITB 22-006 and awarded a contract by the City Commission.

The cost of the balancing change order in the amount of \$11,596.50 will be transferred from the Transportation Alternative Fund reserve account 111-4901-549-9803 to be paid from Account 111-4903-549-6300, Project #TA49032101. Upon approval, Purchase Order #96357 will be modified and the final invoice will be paid and the project will be closed out.

Recommendation

Staff recommends approving Change Order #3 in the amount of \$11,596.50 to Charley Toppino and Sons, Inc. bringing the contract total for the Flagler Pedestrian Improvements Project (ITB 22-006) to \$559,841.33. Authorize City Manager execute Change Order #3 and approve any necessary budget transfers.