

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
DECEMBER 20, 2022 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
CHANGE ORDER NO. 1 CENTRAL PARK ACCESS ROAD – PARK VIEW	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared to execute Change Order No. 1 with Mackie Construction to provide for additional items of work that result in a deduct of \$52,308.40, and a contract price not to exceed \$1,038,166.03 and to adjust the substantial competition date to April 1, 2023, and the final completion date to May 1, 2023.

**FISCAL IMPACT**

The FY23/FY24 Biennial Budget provides funding for this project.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A contract with Mackie Construction was approved on June 15, 2022 to add the Central Park Access to Park View Boulevard for the fire lane on the north end of La Vista City Centre. The added items to Change Order No. 1 account for unsuitable soils encountered under the box culvert, which required over excavation and placement of rock a geogrid material and for some conduits and electrical boxes for the lighting of the trees near the Park View Boulevard entrance to Central Park.

The deletions are a result of eliminating a portion of the temporary lighting and OPPD installations of temporary lighting, thereby reducing the costs for temporary lighting, and eliminating the need to stockpile/surplus temporary lighting fixtures. Due to the lead times associated with the box culvert fabrication, the project timeline also needs to be shifted to the substantial completion date of April 1, 2023, with a final completion date of May 1, 2023. The roadway paving is 100% completed, therefore access to the fire lane can be made, meaning any remaining work should not impact the other project timelines within the vicinity.

Change Order No. 1 decreases the contract not to exceed amount by 4.8% or \$52,308.40 for a revised total of \$1,038,166.03.

Change Order No. 1 is attached for further review.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH MACKIE CONSTRUCTION TO PROVIDE FOR ADDITIONAL ITEMS OF WORK THAT RESULT IN A DEDUCT OF \$52,308.40, AND A CONTRACT PRICE NOT TO EXCEED \$1,038,166.03.

WHEREAS, the City has determined it is necessary to make additions of work to the contract; and

WHEREAS, the FY23/FY24 Biennial Budget provides funding for this project.

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for Change Order No. 1 to the contract with Mackie Construction to provide for additional items of work that result in a deduct of \$52,308.40, and a contract price not to exceed \$1,038,166.03.

PASSED AND APPROVED THIS 20TH DAY OF DECEMBER 2022.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, MMC  
City Clerk

Change Order No. 1

DATE: December 14, 2022

PROJECT: Central Park Access Road – Park View

TD2 File NO.: 171-422.34

OWNER: City of La Vista, Nebraska  
8116 Park View Blvd.  
La Vista, NE 68128

CONTRACTOR: Mackie Construction  
14565 Portal Cir. Suite 117  
La Vista, NE 68138

CONTRACT DATE: June 15, 2022

**DESCRIPTION OF CHANGES:**

CO-1.0 The Contract, dated June 15, 2022, states, "Contractor agrees to commence work within 10 days after receiving written notification from the Engineer to proceed, and to complete all work by December 1, 2022. As time is of the essence, for each calendar day that any work shall remain uncompleted after December 1, 2022, the Contractor shall pay to the Owner the sum of \$500.00 per day". The previous statement shall be modified to read, "Contractor agrees to commence work within 10 days after receiving written notification from the Engineer to proceed, and to reach substantial completion by April 1, 2023. Substantial completion shall be defined as when the work is sufficiently complete in accordance with the Contract Documents where the Owner can occupy or utilize the culvert and site paving for its intended purposes. The Contractor agrees to complete all work by May 1, 2023. As time is of the essence, for each calendar day that any work shall remain uncompleted after May 1, 2023, the Contractor shall pay to the Owner the sum of \$500.00 per day".

**ADDITIONS:**

Item	Description	Quantity	Unit	Unit Price	Amount	
CO-1.1.	Milbank 100A Commercial Power Pedestal, In Place	1	LS	\$ 7,600.00	/	LS \$ 7,600.00
CO-1.2	Furnish & Install 1-1.2 Inch HDPE Conduit, In Place	760	L.F.	\$ 18.00	/	L.F. \$ 13,680.00
CO-1.3	#3 AWG THHN Copper Conductor (OPPD Primary)	300	L.F.	\$ 5.16	/	L.F. \$ 1,548.00
CO-1.4	Furnish & Install Fiberglass Pull Box, Type PB-6, Access Gate Controls	1	EA.	\$ 1,815.00	/	EA. \$ 1,815.00
CO-1.5	#12 AWG THHN Copper Conductor (Access Gate Controls)	480	L.F.	\$ 1.79	/	L.F. \$ 859.20
CO-1.6	#6 AWG THHN Copper Conductor (Holiday Lighting Circuit)	1,500	L.F.	\$ 4.58	/	L.F. \$ 6,870.00
CO-1.7	Receptacle Post, Containing One (1) GFCI Duplex Receptacle with In-Use Cover and Mounted in a Gard-N-Post	2	EA.	\$ 950.00	/	EA. \$ 1,900.00
CO-1.8	Soil Stabilization at Box Culvert	1	LS	\$ 8,058.09	/	LS \$ 8,058.09

**DELETIONS:**

Item	Description	Quantity	Unit	Unit Price		Amount
CO-1.9	Delete 1-1/2" PVC Conduit, Contract Item 53	160.00	L.F.	\$ 24.34	/ L.F.	\$ (3,894.40)
CO-1.10	Delete Fiberglass Pull Box, Type PB-6, Contract Item 54	1.00	EA.	\$ 2,129.00	/ EA.	\$ (2,129.00)
CO-1.11	Delete Grounding Rod, Copper Clad, Contract Item 55	9.00	EA.	\$ 480.93	/ EA.	\$ (4,328.37)
CO-1.12	Delete Roadway Area Luminaire, LED Fixture, Contract Item 56	8.00	EA.	\$ 1,420.51	/ EA.	\$ (11,364.08)
CO-1.13	Delete Light Poles, Class V-30 ft Treated Poles, Contract Item 57	8.00	EA.	\$ 3,454.32	/ EA.	\$ (27,634.56)
CO-1.14	Delete Circuit Breakers, Bolt-on, 10k A I.C., 2 Pole, Contract Item 58	2.00	EA.	\$ 304.98	/ EA.	\$ (609.96)
CO-1.15	Delete Excavate Utility Trench, Common Earth, Contract Item 59	1300.00	L.F.	\$ 14.67	/ L.F.	\$ (19,071.00)
CO-1.16	Delete Wire, Copper, Solid, 600 volt, #12, Contract Item 60	0.60	C.L.F.	\$ 213.10	/ C.L.F.	\$ (127.86)
CO-1.17	Delete PVC Conduit, Schedule 40, 3/4" Dia., Contract Item 61	200.00	L.F.	\$ 22.44	/ L.F.	\$ (4,488.00)
CO-1.18	Delete Wire, Copper, Solid, 600 volt, #10, Contract Item 62	1.10	C.L.F.	\$ 675.65	/ C.L.F.	\$ (743.22)
CO-1.19	Delete PVC Conduit, Schedule 40, 1-1/2" Dia., Contract Item 63	40.00	L.F.	\$ 44.87	/ L.F.	\$ (1,794.80)
CO-1.20	Delete Wire, Copper, Solid, 600 volt, #6, Contract Item 64	0.04	C.L.F.	\$ 8,991.05	/ C.L.F.	\$ (359.64)
CO-1.21	Delete Load Centers- Meter Combo, 1 Phase, 3 Wire, Contract Item 65	1.00	EA.	\$ 13,606.80	/ EA.	\$ (13,606.80)
CO-1.22	Delete HDPE Conduit, DR 13.5, 1-1/2", Contract Item 66	100.00	L.F.	\$ 44.87	/ L.F.	\$ (4,487.00)

TOTAL ADDITIONS =	\$42,330.29
TOTAL DEDUCTIONS =	(\$ 94,638.69)
NET CHANGE IN CONTRACT PRICE =	(\$ 52,308.40)
ORIGINAL CONTRACT PRICE =	\$ 1,090,474.43
REVISED CONTRACT PRICE =	\$ 1,038,166.03

Reasons for Changes:

The Contract has been modified to include the language and date for substantial completion. Due to the original December 1, 2022 project completion deadline, landscaping and seeding cannot reasonably be expected to grow. The Contractor shall agree to reach substantial completion by April 1, 2023 and to complete all work by May 1, 2023. Substantial completion shall be defined as when the work is sufficiently complete in accordance with the Contract Documents where the Owner can occupy or utilize the culvert and site paving for its intended purposes. The quantities for temporary lighting have been removed from the Contract as OPPD is to provide the temporary lighting for the project.



Bradley Huyck, P.E.  
THOMPSON, DREESSEN & DORNER, INC.

The undersigned parties to the above-referenced contract hereby agree to the changes as set forth above.

THE CITY OF LA VISTA, NEBRASKA

MACKIE CONSTRUCTION

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MAYOR

BY

TITLE

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CLERK

Attest