



## Legislation Text

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Staff Report for a City of San Leandro City Council Resolution to Increase the Contract Change Order Cap Authorization by \$55,868 from 15% at \$136,843 to 21% at \$192,711 for the Original Construction Contract Amount of \$912,289 with McNely Construction; to Authorize a Contract Change Order in the amount of \$48,629.09 for the Boys and Girls Club Pool Resurfacing Project, Project No. 2018.3400; and to Authorize the Transfer of \$51,767 to the Boys and Girls Club for Improvements to the Shared Locker Rooms

### **SUMMARY AND RECOMMENDATIONS**

The Boys and Girls Club Pool Resurfacing Project was awarded on April 6, 2020, and the construction work is underway. The requested authorization will allow payment for extra work performed by the contractor due to unexpected conditions encountered during construction, as well as for the construction of improvements to shared spaces added onto the scope of the project during the construction phase.

Staff recommends the following actions:

- Authorize an \$55,868 increase to the Contract Change Order (CCO) cap from 15% at \$136,843 to 21% at \$192,711 to the original contract amount of \$912,289 with McNely Construction for the subject project;
- Approve Contract Change Order 4 in the amount of \$48,629.09 (5.3% of the original contract amount) for replacement of the Bond Beam around the pool; and
- Authorize the transfer of \$51,767 in unused General Fund funding from the Pedestrian Crossings 17-18 Project, Project No. 2018.5610 to the Boys and Girls Club for upgrades to the tile in the shared locker rooms.

### **BACKGROUND**

On April 6, 2020, the City Council awarded a construction contract to McNely Construction for \$912,289 for the subject project and authorized the City Manager to approve individual contract change orders up to 5% and cumulative contract change orders up to 15% of the total contract amount. The construction contract includes the repair and replacement of plumbing, deck drains, tile, coping, and the resurfacing of the pool. The project also includes relocation of the mechanical equipment in the pump room to allow for a secure and safe space for chemical storage that will have access restricted to pool staff only and eliminate the mechanical room space being shared with the Boys and Girls Club for storage of their supplies.

The project will also install ultra-violet (UV) filtration to reduce the amount of chemicals required to treat the pool water and to decrease the smell of chlorine that is common with indoor pools. To address the Americans with Disabilities Act (ADA) needs of the pool facility, this contract will also replace the entire pool deck slab to provide appropriate surface slopes for everyone's safety.

Construction was approximately 40% complete as of mid-December 2020. There have been several extra work items related to unforeseen deterioration.

When the pool deck was demolished, it was apparent that the sanitary sewer line that is used to drain the pool and that also collects water from the pool deck deteriorated such that there were holes in the pipe. Change Order 1 was for the replacement of the sanitary sewer main from the mechanical room, all around the pool deck, and to the point of connection on the Club side of the building.

It was also discovered that the electrical conductors to the underwater pool lighting were directly buried in the pool deck and were corroded from contact with the soil. It was also noted that the underwater pool lights were mismatched and old and there was some corrosion to the niches around the lights. Change Order 2 addressed replacing the conductors, niches, and lights.

After removal of the existing coping, tile and plaster from the pool it was found that the bond beam at the top of the pool wall had deteriorated, was not structurally sound and was separating from the concrete block pool structure below it. The City authorized removal of the bond beam to allow inspection of the pool wall. This work was completed as Change Order 3.

The cost for replacing the bond beam around the entire pool was received. As the cost exceeds the 5% individual change order authority, City Council approval is requested. A summary of costs is included in the Change Order Summary in the Fiscal Impacts section of this report.

Concurrent with this project, the San Leandro Boys and Girls Club (Club) is also performing a renovation of its facility. The renovation work includes locker rooms that are used by both Club and pool patrons. The Recreation and Human Services department requested that improvements to the flooring in these rooms be added to the project to improve safety when wet by pool users.

### **Analysis**

The Boys and Girls Club Pool is an existing facility with a number of hidden conditions that were not able to be identified in the design phase of this project. As mentioned above, several items had reached the end of their useful lives and needed to be replaced. The costs for these items and corresponding extra work identified to date represent almost 17% of the original contract. Authorizing an increase in the change order cap from 15% (\$136,843) to 21% (\$192,711), an increase of \$55,868 will address the deficiencies described above.

Authorization of Change Order 4 for replacement of the pool bond beam in the amount of \$48,629.09 (5.3%), which is over the 5% (\$45,614) individual CCO cap authorized at the time of award, will ensure the long-term viability of the pool. The cost for replacement is fair given the amount of rebar and concrete work required to insure a strong and lasting attachment to the pool structure and pool deck.

### **Additional Funding**

Additional funding is being requested by the Boys and Girls Club to offset the costs of purchasing and installing wet-use compliant tiles, and for improving drainage in the locker rooms. The work will ensure the safety of patrons and reduce the risk of accidents due to wet floors. The Club requested the City's help in paying for this change and, if approved by City Council, the City will issue the Boys and Girls Club a check for \$51,767 to help cover the cost of the extra work. The funds requested for transfer will come from the unused contingency on the Pedestrian Crossing 2017-18 project, which is

completed.

### **Current Agency Policies**

- Maintain and enhance San Leandro's infrastructure

### **Previous Actions**

- On April 6, 2020, by Resolution No. 2020-030, the City Council awarded a construction contract to McNely Construction for \$912,289 and appropriated \$975,000 of General Funds.

### **Applicable General Plan Policies**

- Goal OSC-1: Maintain and improve San Leandro's parks and recreational facilities.
- Policy OSC-1.4: Priority on Renovation

### **Permits and/or Variances Granted**

- Alameda County Health Department approval was obtained for this project.
- A City of San Leandro building permit was obtained for this project.

### **Environmental Review**

This project is categorically exempt per California Environmental Quality Act (CEQA) Section 15301 (c) of the CEQA guidelines. The Notice of Exemption was filed with the Alameda County Recorder's Office on June 1, 2018.

### **Summary of Public Outreach Efforts**

- This project was advertised in the East Bay Express on February 7, 2020 as well as in three other newspapers with circulations that reflect the diversity of San Leandro.
- Staff notified contractors interested in working with the City via email and sent plans to local plan rooms.

### **Fiscal Impacts**

The estimated total project costs, including design, construction, construction management, contingency, and fund transfer to the Club are as follows:

Design and Bid	\$130,000
Construction Contract	\$912,289
Construction Management & Inspection	\$90,000
<u>Contract Change Orders</u>	<u>\$192,711</u>
Total	\$1,325,000

Change Order Summary

Change Order limit authorized at contract award was 15% (\$136,843).

<u>CCO No.</u>	<u>Description</u>	<u>Amount</u>	<u>%</u>
1	Added scope to replace Sanitary Sewer Main	\$33,813.45	3.7%
2	Removal and Replacement of Pool Lighting	\$29,333.00	3.2%
3	Demolition and Removal of Bond Beam	\$41,943.40	4.6%
4	Replacement of Bond Beam (to be authorized as part of this action)	\$48,629.09	5.3%
<b>Total Change Orders to Date</b>		<b>\$153,718.94</b>	<b>16.8%</b>

**Budget Authority**

The project is funded as follows:

<u>Account No.</u>	<u>Source</u>	<u>Reso/Budget Year</u>	<u>Amount</u>
210-62-125	General Fund	FY 17-18	\$350,000
210-62-125	General Fund	Reso 2020-030	<u>\$975,000</u>
Total Current Appropriation			\$1,325,000

Fund Transfer to the Boys and Girls Club for tile work in support of the major renovations from the Pedestrian Crossing Project 2017-18 (210-36-380) requested by this action:

<u>Transfer From Source</u>	<u>Amount</u>
210-36-380 General Fund	-51,767

<u>Transfer To</u>	<u>Amount</u>
210-62-125 General Fund	\$51,767

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