

Staff Summary Report



Council Meeting Date: 08/14/08

Agenda Item Number: 45

SUBJECT: Request approval of amendment number one to a job order contract with 3D/International, Inc. for renovations to Fire Station No. 4 and addition to the Fire Training Center.

DOCUMENT NAME: 20080814PWWS04 FIRE STATIONS - MAINTENANCE/IMPROVEMENTS (1001-08) PROJECT NO. 5602531

SUPPORTING DOCS: No.

COMMENTS: The amount of the job order contract is increased from \$697,017 to \$781,739.

PREPARED BY: Wendy Springborn-Pitman, Engineering Services Administrator (x8250)

REVIEWED BY: Andy Goh, Deputy PW Manager/City Engineer (x8896)

APPROVED BY: Glenn Kephart, Public Works Manager (x8205)

LEGAL REVIEW BY: Teresa Voss, Assistant City Attorney (x8814)

FISCAL NOTE: Sufficient funds are available in Capital Improvement Fund No. 5602531.

RECOMMENDATION: Approve amendment no. one to job order contract (C2005-81Y) for renovations to Fire Station No. 4.

ADDITIONAL INFO: This amendment, in the amount of \$84,722, is needed to bring Fire Station No. 4 into compliance with the current building codes. In February 2008, Council approved the underlying job order contract (C2005-81Y) through the then-existing job order agreement with 3D/International, Inc. for renovations to Fire Station No. 4 and construction of an addition to the Tempe Joint Fire Training Center. Work on these projects revealed that further work was needed to bring certain conditions into compliance with the current building code. This includes installing additional electrical and lighting changes, an ADA compliant ramp for an exit door, ADA compliant cabinets and countertop, upgrades to the dispatch and communications system, replacing three electrical panels and a clean/prep apparatus bay ceiling, and relocating the apparatus bay filter fans.

The current contract amount is \$697,017. This amendment will increase the job order contract price by \$84,722 for a total job order contract price of \$781,739.

Staff negotiated the amount of the additional renovations with 3D/International, Inc. and considers it reasonable for the scope of work.

CITY OF TEMPE, ARIZONA
PUBLIC WORKS DEPARTMENT
DIVISION OF ENGINEERING

JOB ORDER CONTRACT NO. C2005-81
FOR
JOB ORDER NO. TWENTY FIVE

TEMPE FIRE STATION NO. 4 RENOVATION AND
ADDITION AT TEMPE JOINT FIRE TRAINING CENTER

PROJECT NO. 5602531

AMENDMENT NO. ONE

This Amendment is made and entered into on the 14th day of August, 2008, by and between the CITY OF TEMPE, an Arizona municipal corporation ("CITY"), and 3D/ INTERNATIONAL, INC., an Arizona corporation ("JOC CONTRACTOR"), and amends the Job Order Contract (C2005-81Y) between the parties dated February 7th, 2008.

The parties agree as follows:

1. If any of the following terms and conditions conflict with any of the terms and conditions of the Contract, then, notwithstanding any term in the Contract, the following terms and conditions govern and control the rights and obligations of the parties.

2. The master JOC Contract (C2005-81) is made part of the Contract (C2005-81Y) as set forth in Article III of the Contract.

3. Pursuant to Section 5 (VIII) and Section 3(II) of the master JOC Contract, which sets forth provisions for the adjustment of the Contract Price and job order price, the job order price of the Contract is changed as follows:

- **The job order price is increased from \$659,863 to \$781,739.**

4. Pursuant to Section 5 (III) and (VII) of the JOC Contract and Articles I and IV of the Contract (C2005-81Y), Exhibit A (the scope of work) and Article IV (start of work) of the Contract are amended also as follows:

- **To also include the items set forth in Contract Change Order No. 2 to Project No. 5602531 dated June 18, 2008.**

- **The work shall be completed by July 31, 2008.**

5. All other provisions of the Contract where not inconsistent with this Amendment shall remain binding on the parties.

6. This Contract Amendment is not effective until fully executed by the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment this _____ day of _____, 2008.

CITY OF TEMPE, ARIZONA

By: _____
Mayor

By: _____
Public Works Manager

Recommended By:

Deputy PW Manager/City Engineer

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

The CONTRACTOR warrants that the person who is signing this Agreement on behalf of the CONTRACTOR is authorized to do so and to execute all other documents necessary to carry out the terms of this Amendment.

CONTRACTOR
3D/ International, Inc.

By: _____
Name

Its: _____
Title

Federal I.D. No. /Social Security No.

Certified to be a true and exact copy.

Karen M. Fillmore
Records Specialist