

Staff Summary Report



Council Meeting Date: 06/11/2009

Agenda Item Number: _____

SUBJECT: Request approval of Amendments to the Job Order Contracts with C & W Sons Enterprises, Inc., ACR Contracting, Inc. and BCS Enterprises, Inc., for demolition of commercial and residential property.

DOCUMENT NAME: 20090611PWTG01 CONSTRUCTION-ENGINEERING ADMINISTRATION (0803)

COMMENTS: These amendments will increase the maximum allowable dollar amount for individual Job Orders from \$8,000 to \$1,000,000, consistent with Arizona Revised Statutes.

PREPARED BY: Theresa Galindo, Acting Engineering Contracts Administrator (x8518)

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

LEGAL REVIEW BY: Judi Morgan, Assistant City Attorney (x8227)

DEPARTMENT REVIEW BY: Glenn Kephart, Public Works Manager

FISCAL NOTE: N/A

RECOMMENDATION: Approve Amendments to the Job Order Contracts.

ADDITIONAL INFO: N/A

CITY OF TEMPE, ARIZONA
PUBLIC WORKS DEPARTMENT
DIVISION OF ENGINEERING

AMENDMENT NO. 1

JOB ORDER CONTRACT
FOR
DEMOLITION OF COMMERCIAL AND
RESIDENTIAL PROPERTY
PROJECT NO. 6704081
CONTRACT C2008-03

This Amendment No. 1 made and entered into on the 11th day of June, 2009, by and between the City of Tempe, an Arizona municipal corporation (“City”), and C & W Sons Enterprises, Inc., an Arizona corporation (“JOC”), amends the original Contract made and entered into by and between the same parties on January 10, 2008 (C2008-03) (“Contract”).

W H E R E A S:

- A. The parties hereto entered into that Contract for General Construction Services, and executed an Addendum No. 1 to that Contract on January 22, 2009; and,
- B. The parties desire to further define their respective rights and obligations with respect to the Job Order Price; and,
- C. The parties intend that the following Section 1 Job Order Price, shall be integrated into the Contract in place of the former similarly identified section.

Now therefore, in consideration of the mutual promises and covenants as more particularly set forth below, the parties do hereby amend the Contract as follows:

1. Job Order Price. Each Job Order under this Contract shall not exceed One Million Dollars (\$1,000,000) in construction costs, in the City’s discretion. In no event will any Job Order exceed One Million Dollars (\$1,000,000).

2. All other provisions of the original Contract where not inconsistent with this Amendment shall remain binding on the parties hereto and in full force and effect.

[SIGNATURE PAGE TO FOLLOW]

DATED this _____ day of _____, 2009.

CITY OF TEMPE, ARIZONA

By: _____
Mayor

By: _____
Public Works Manager

ATTEST:

Recommended By:

City Clerk

Deputy PW Manager/City Engineer

APPROVED AS TO FORM:

City Attorney

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

JOB ORDER CONTRACTOR
C & W Sons Enterprises, Inc.

Name

Title

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

Certified to be a true and exact copy.

Karen M. Fillmore
Records Specialist

CITY OF TEMPE, ARIZONA
PUBLIC WORKS DEPARTMENT
DIVISION OF ENGINEERING

AMENDMENT NO. 1

JOB ORDER CONTRACT
FOR
DEMOLITION OF COMMERCIAL AND
RESIDENTIAL PROPERTY
PROJECT NO. 6704081
CONTRACT C2008-19

This Amendment No. 1 made and entered into on the 11th day of June, 2009, by and between the City of Tempe, an Arizona municipal corporation (“City”), and BCS Enterprises, Inc., an Arizona corporation (“JOC”), amends the original Contract made and entered into by and between the same parties on January 10, 2008 (C2008-19) (“Contract”).

W H E R E A S:

- A. The parties hereto entered into that Contract for General Construction Services, and executed an Addendum No. 1 to that Contract on January 22, 2009; and,
- B. The parties desire to further define their respective rights and obligations with respect to the Job Order Price; and,
- C. The parties intend that the following Section 1 Job Order Price, shall be integrated into the Contract in place of the former similarly identified section.

Now therefore, in consideration of the mutual promises and covenants as more particularly set forth below, the parties do hereby amend the Contract as follows:

- 1. Job Order Price. Each Job Order under this Contract shall not exceed One Million Dollars (\$1,000,000) in construction costs, in the City’s discretion. In no event will any Job Order exceed One Million Dollars (\$1,000,000).

2. All other provisions of the original Contract where not inconsistent with this Amendment shall remain binding on the parties hereto and in full force and effect.

[SIGNATURE PAGE TO FOLLOW]

DATED this _____ day of _____, 2009.

CITY OF TEMPE, ARIZONA

By: _____
Mayor

By: _____
Public Works Manager

Recommended By:

ATTEST:

City Clerk

Deputy PW Manager/City Engineer

APPROVED AS TO FORM:

City Attorney

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

JOB ORDER CONTRACTOR
BCS Enterprises, Inc.

Name

Title

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

Certified to be a true and exact copy.

Karen M. Fillmore
Records Specialist

CITY OF TEMPE, ARIZONA
PUBLIC WORKS DEPARTMENT
DIVISION OF ENGINEERING

AMENDMENT NO. 1

JOB ORDER CONTRACT
FOR
DEMOLITION OF COMMERCIAL AND
RESIDENTIAL PROPERTY
PROJECT NO. 6704081
CONTRACT C2008-18

This Amendment No. 2 made and entered into on the 11th day of June, 2009, by and between the City of Tempe, an Arizona municipal corporation (“City”), and ACR Contracting, Inc., an Arizona corporation (“JOC”), amends the original Contract made and entered into by and between the same parties on January 10, 2008 (C2008-18) (“Contract”).

W H E R E A S:

- A. The parties hereto entered into that Contract for General Construction Services, and executed an Addendum No. 1 to that Contract on January 22, 2009; and,
- B. The parties desire to further define their respective rights and obligations with respect to the Job Order Price; and,
- C. The parties intend that the following Section 1 Job Order Price, shall be integrated into the Contract in place of the former similarly identified section.

Now therefore, in consideration of the mutual promises and covenants as more particularly set forth below, the parties do hereby amend the Contract as follows:

1. Job Order Price. Each Job Order under this Contract shall not exceed One Million Dollars (\$1,000,000) in construction costs, in the City’s discretion. In no event will any Job Order exceed One Million Dollars (\$1,000,000).

2. All other provisions of the original Contract where not inconsistent with this Amendment shall remain binding on the parties hereto and in full force and effect.

[SIGNATURE PAGE TO FOLLOW]

DATED this _____ day of _____, 2009.

CITY OF TEMPE, ARIZONA

By: _____
Mayor

By: _____
Public Works Manager

ATTEST:

Recommended By:

City Clerk

Deputy PW Manager/City Engineer

APPROVED AS TO FORM:

City Attorney

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

JOB ORDER CONTRACTOR
ACR Contracting, Inc.

Name

Title

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

Certified to be a true and exact copy.

Karen M. Fillmore
Records Specialist