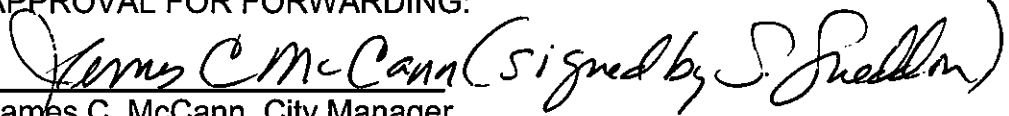


City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: James M. Smith, Senior Civil Engineer
VIA: Dan Takasugi, Public Works Director/City Engineer
DATE: June 17, 2008
SUBJECT: Construction Status Report for the Calistoga Community Pool Facility Project

APPROVAL FOR FORWARDING:


James C. McCann, City Manager

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2 **ISSUE:** After passing the halfway point in the construction of the Calistoga
3 Community Pool Facility project, staff is providing a construction status report on the
4 project.

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6 **RECOMMENDATION:** Receive report and provide comment if desired.
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8 **BACKGROUND:** On September 18, 2007, the City Council awarded a construction
9 contract to Page Construction Company of Novato in the amount of \$3,681,000,
10 which was about \$620,000 below the architect's estimate. Due to the favorable
11 prices received at bid time, the amount of the contract award includes each of the
12 three bid alternate items, namely:
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- 14 AA-1: Providing safety/area lighting at and around the swimming pool deck.
- 15 AA-2: Completing the construction of the parking area.
- 16 AA-3: Replacing Cedar siding with a clear acrylic sound barrier panels at
- 17 portions of the sound wall on the west side of the pool site.
- 18

19 City staff issued the contractor's Notice to Proceed on November 8, 2007. Given
20 that the contract is to be completed within 300 calendar days from the start of work
21 (and the contractor was allowed 10 days to start the work), the required contract
22 completion date is September 12, 2008.
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26 The construction contract contains special provisions with regard to possible time
27 extensions due to inclement weather over the winter/spring period just completed.
28 Staff has assessed the actual weather conditions that occurred, most notably the
29 rainfall amounts, and based on that assessment, determined that no contract time
30 extensions are warranted under the terms of the contract.

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32 **DISCUSSION:**

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34 **Overall**

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36 Overall, the positive aspects of the project include very high quality work, a good
37 safety record, and few change orders or anticipated claims. On the negative side,
38 the project schedule appears to be impacted by several factors, as described below,
39 and the currently anticipated date of completion is the end of October,
40 approximately six to seven weeks later than required by the terms of the
41 construction contract.

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43 Major elements of the project completed to date include:

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- Excavation, piping, and shotcrete installation at the Recreation Pool.
- Excavation of the Swimming (Lap) Pool.
- Underground piping, foundations, and a good portion of the framing on the Pool House building.
- A portion of the installation of underground/site utilities.

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50 **Contract Change Orders**

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To date, there is one change order that has been executed. Change Order No. 1 includes several minor additions to the scope of the work, which were added at the direction of the Napa County Dept. of Environmental Management (DEM) as conditions of approval for the construction permit issued by that entity. DEM did not provide details of these required project elements (emergency shut-off switch, added pool delineation tiles, skimmer loop lines, etc.) in time to include the elements in the original contract drawings. As such, these required elements have been added to the contract by change order, in the amount of \$12,100.

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There are three additional changes to the contract scope presently contemplated. The first of these involves the relocation of the existing restroom building and ancillary site work. Earlier this year, the City Council chose to revise the Logvy Park master site plan, and refined the location of the proposed Veteran's Memorial, which required the restroom building to move to another location than planned. This affected some of the site work of the Pool project, which will be addressed in a contract change order. The anticipated change order will include all necessary

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68 changes to the grading, drainage, concrete, electrical, irrigation, and related
69 elements of the work that is along the eastern boundary of the Pool project. This
70 change order has not yet been negotiated with the contractor, but is anticipated to
71 be valued in the \$12,000 to \$24,000 range.

72
73 The next anticipated change order is related to increasing the attractiveness and
74 utility of the bathrooms/changing rooms in the Pool building. The Pool contract
75 includes limited tile work in the bathroom areas, and the surrounding wall areas
76 include marine-grade plywood panels coated with a conventional painting system.
77 These systems were primarily selected based on their economy. Now, based on
78 staff's recognition of low overall change orders on the project to date and after
79 further review of the maintainability of these areas, staff has requested a change
80 order proposal from the contractor to increase the area of tile coverage and upgrade
81 the coating system in the remainder of these areas to a durable, high-quality epoxy
82 coating system. These two upgrades are expected to improve both the appearance
83 and maintainability of these areas, for an estimated change order amount of
84 approximately \$12,000 to \$20,000.

85
86 The last change order that is currently foreseen is for the installation of donor-
87 provided paver bricks at the entryway to the Pool facility. The installation of these
88 bricks will be in lieu of the decomposed granite provided for in the construction
89 contract documents. This will constitute a contract change order in the estimated
90 amount of \$6,000 to \$10,000.

91
92 In addition to the above, Page Construction has informally indicated that there may
93 be two or three small issues that have arisen thus far, for which they (or one of
94 Page's subcontractors) could request additional compensation. While the City has
95 not formally received any such request or made any determination of the merit of
96 any request, staff estimates that the likely cost of such items would be less than
97 \$5,000.

98
99 The summary of executed and foreseeable change orders, using the final value (or
100 mid-point of the initially estimated value), is:

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102	1.	Pool facility additions (req'd by Napa County DEM)	\$12,100
103	2.	Revise site plans and toilet building relocation	\$18,000
104	3.	Increase tile area and upgrade painting system	\$16,000
105	4.	Install donor-provided paving bricks at entry	\$ 8,000
106	5.	Other minor items (no entitlement yet established)	<u>\$ 2,500</u>
107		Total	\$56,600
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109 Given that the total value of the construction contract is \$3,681,000, the value of the
110 change orders listed above is approximately 1.5% of the total. At the present time,
111 staff does not anticipate that any of the change orders identified above will have an
112 impact on (cause a delay to) the project schedule, with the exception of Change
113 Order No. 2, which could require a small time extension.
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115 **Schedule**
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117 Currently, staff estimates that the construction schedule is approximately six to
118 seven weeks behind schedule, and that the Pool contract will be completed at the
119 end of October 2008. The reasons for the delays are detailed below.
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121 **Slow Start:** The contractor was relatively slow in fully mobilizing to the field, and
122 critical project documents, such as subcontracts and key submittals, were not
123 executed or submitted by the contractor as early as planned. The estimated delay
124 from this slow start is on the order of a few weeks.
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126 **Dewatering:** Groundwater levels at the Pool site are quite shallow (about ten feet
127 below the ground surface), which was indicated in the contract documents.
128 However, the contractor has not yet been able to implement an effective dewatering
129 system to allow work on the Swimming Pool to proceed as scheduled. The
130 contractor is required to provide continuous dewatering of the site, per an approved
131 plan, and it is solely the contractor's responsibility to perform this work. This aspect
132 of the project has been a challenge for the contractor, and the inability to fully
133 dewater the large pool area has contributed to overall project delays on the order of
134 several weeks.
135

136 **Subcontractor Substitution:** One of the subcontractors initially chosen by Page
137 Construction did not perform as Page had expected, leading Page to request that
138 this subcontractor be replaced. This requested replacement was processed under
139 the pertinent provisions of the State Public Contract Code, as required by law. This
140 subcontractor substitution caused a delay in the project schedule of several weeks.
141

142 **Administrative Items:** In the implementation of a complex project such as the Pool
143 facility, a considerable amount of project documentation (Requests for Information,
144 Submittals, Schedules, etc.) is required. Staff has reviewed our role and
145 performance on such matters to date, and while it is possible that the actions (or
146 inaction) of the City or its consultants contributed in small part to limited project
147 delays, such a finding is far from certain. The contractor-caused delays described
148 above have generally controlled the 'critical path' of the project schedule.
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150 Overall, City and Construction Management staff has worked continuously to
151 facilitate the contractor's operations. Although it is not required in the contract
152 documents, staff has asked for recovery schedules or work plans to bring the
153 schedule back into line. To date, though the contractor has taken some steps to
154 minimize further delays, the contractor has not provided such a recovery plan to get
155 back to the original schedule. The opportunities to correct or improve the overall
156 project schedule diminish as the project moves farther towards completion.

157
158 In the event that the project is not completed on time, and to the extent the delays
159 are the responsibility of the contractor, the City will be able to assess liquidated
160 damages in the amount of \$1500 per calendar day for each day of unexcused late
161 completion.

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163 As further progress is made by our contractor over the next several weeks, staff will
164 assess likely completion dates to determine the extent of available use of the Pool
165 facility this season. As we monitor this progress, we will present further updates to
166 the Council.

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168 **FISCAL IMPACT:** The City Council adopted an updated budget for the Community
169 Pool project on September 18, 2007, as part of the award of the construction
170 contract. The budget includes an allocation of contingency funds in the amount of
171 \$694,000. The contract change orders identified and described above only account
172 for a small portion (around 8%) of the contingency funds, and therefore the project
173 still has sufficient contingency funds to address potential change orders that could
174 occur in the latter stages of the project. The contingency funds may also be used
175 for additional project elements that are not included as part of this contract, as
176 subsequently determined by the Council.