Submit a written public comment prior to the meeting: Public comments submitted to cityinfo@atwater.org by 2:00 p.m. on the day of the meeting will be distributed to the City Council, and made part of the official minutes but will not be read out loud during the meeting.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Persons requesting accommodation should contact the City in advance of the meeting, and as soon as possible, at (209) 357-6300.

NOTICE OF SPECIAL MEETING
CITY COUNCIL
OF THE CITY OF ATWATER

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Atwater with be held Monday, May 16, 2022 at 4:30 PM or as soon thereafter as may be held. This meeting will be held in the Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater California.

AGENDA

SPECIAL MEETING CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Ambriz ____, Button _____, Cale ____, Raymond ____, Creighton ____

PUBLIC COMMENT: Pursuant to Government Code Section 54954.3, citizens wishing to address the City Council regarding **only the items on the agenda may do so when the item is read for consideration.** You may state your name and address for the record however, it is not required. Please limit comments to three (3) minutes or less. Under the provisions of the California Government Code, the City Council may not discuss of take action on any item that is not on the agenda.

AGREEMENTS:

- Approving Contract Change Orders to the General Construction Contract with Phase 1 Construction for the Fruitland Avenue Reconstruction – Phase 2 Project

  Staff's Recommendation: Motion to approve Contract Change Order No. 2 to the General Construction Contract with Phase 1 Construction for the Fruitland Avenue Reconstruction- Phase 2 Project, City Project No. 16-2-2, in the amount of $37,509.00; and

Motion to approve Contract Change Order No. 3 to the General Construction Contract with Phase 1 Construction for the Fruitland Avenue Reconstruction-Phase 2 Project, City Project No. 16-2-2, in the amount of $250,290.60; and

Motion to authorize and direct the City Manager, or her designee, to execute all documents related to the Contract Change Orders on behalf of the City; or

Motion to approve staff's recommendation as presented.

ADJOURNMENT:

Dated this 13th day of May 2022.

Paul Creighton, Mayor

pc: Mayor and City Council Members
Atwater Signal/Merced Sun Star
Atwater Winton Times

CITY COUNCIL
AGENDA REPORT

CITY COUNCIL

Paul Creighton, Mayor
Danny Ambriz Tyler Button
John Cale Brian Raymond

MEETING DATE: **May 16, 2022**

TO: Mayor and City Council

FROM: Greg Thompson, Public Works/Community Development Director

PREPARED BY: Michael Hayes, Contract City Engineer

SUBJECT: **Approving Contract Change Orders to the General Construction Contract with Phase 1 Construction for the Fruitland Avenue Reconstruction – Phase 2 Project**

RECOMMENDED COUNCIL ACTION:

It is recommended that City Council:

1. Approve Contract Change Order No. 2 to the General Construction Contract with Phase 1 Construction for the Fruitland Avenue Reconstruction- Phase 2 Project, City Project No. 16-2-2, in the amount of $37,509.00; and

2. Approve Contract Change Order No. 3 to the General Construction Contract with Phase 1 Construction for the Fruitland Avenue Reconstruction- Phase 2 Project, City Project No. 16-2-2, in the amount of $250,290.60; and

3. Authorize and direct the City Manager or her designee to execute all documents related to the Contract Change Orders on behalf of the City.

I. BACKGROUND/ANALYSIS:

At their regular scheduled meeting of December 14, 2020, the City Council awarded a General Construction Contract to Phase 1 Construction, of Atwater, in the amount of $982,104.80 for Fruitland Avenue Reconstruction – Phase 2 Project. Work consists of constructing the storm water detention, pump station, and associated piping.

Pursuant to her authority within the Contract, the City Manager authorized Change Order No.1 for $20,550.00 from the authorized contingency (up to $98,210.48, equaling 10% of the awarded contract value) for the installation of 18” and 6” stubs line from the basin into the TCP site. Work also included lowering the 3” storm drain force main and 6” canal

water level balance line crossing Fruitland Avenue to accommodate the design elevations of the TCP raw water, treated water, and backwash effluent lines that were to be constructed in Fruitland Avenue.

Staff requests that Council approve proposed Change Order 2 (Attachment A), which includes additional pavement work that was to be constructed as part of the 1,2,3-TCP Remediation Project (City Project 20-1). Owing to PG&E's delayed removal of an existing utility pole, this work could not be completed during mobilization of the Design-Build Contractor's pavement crews. As a result of this delay, it is now more efficient from both cost and schedule perspectives to remove this work from the 1,2,3-TCP Remediation Project's Scope of Work and assign it to Phase 1 Construction for completion with the remainder of roadway pavement for Fruitland Avenue. Work also includes additional fencing for the storm water detention basin.

Staff requests that Council approve Change Order 3 (Attachment B), which includes additional pavement and drainage improvements that would have been a portion of Fruitland Avenue Reconstruction – Phase 3 Project, but the construction of which will deliver a more complete section of roadway. This proposed construction will reduce construction impacts from future Phase 3 construction to some residents adjacent to Phase 2 construction who have been inconvenienced by delayed completion of Phase 2. This proposed work will construct curb, gutter, pavement, storm drain piping and inlets, and place conduits for future street lighting so that pavement removal for constructing the lights as part of Phase 3 will not require removal of relatively new pavements.

II. FISCAL IMPACTS:

Sufficient funding is budgeted in the following accounts for the identified amounts:

$23,079.00 – 1,2,3-TCP Fund, Capital Improvements Projects, TCP Remediation Project, 6007-1080-H010

$250,290.60 – SB1-Road Maintenance and Rehab Fund, Capital Improvement Projects, Fruitland Ave Rd Improvements, 1018-1080-M007

$14,430.00 – Sewer Fund Enterprise Fund, Capital Improvement Projects, Fruitland Ave Rd Improvements 6010-1080-M007

Item has been reviewed by the Finance Department.

III. LEGAL REVIEW:

This item has been reviewed by the City Attorney's Office.

IV. EXISTING POLICY:

This item is consistent with goal numbers one (1) and two (2) of the City's 2020-2025 Strategic Plan: to ensure the City's continued financial stability and to improve public safety, respectively.

V. PUBLIC PARTICIPATION:

The public will have an opportunity to provide comments on this item prior to City Council action.

VI. ENVIRONMENTAL REVIEW:

This item is Categorically Exempt (CE) pursuant to the California Environmental Quality Act (CEQA) guidelines, Section 15301, “Existing Facilities” Class 1(c): Operation, repair, maintenance, or minor alterations to existing highways and streets, sidewalks, gutters, bicycle, and pedestrian trails.

VII. STEPS FOLLOWING APPROVAL:

Upon City Council's approval, the Department will coordinate with the City Manager to execute and process the two change orders in accordance with the existing General Construction Contract and City policies.

Submitted by: _____
Greg Thompson, Public Works/Community Development Director

Approved by: Lori Waterman _____
Lori Waterman, City Manager

Attachments:

1. Change Order No.2
2. Change Order No.3

ATTACHMENT A

CONTRACT CHANGE ORDER NO. ___2___

PROJECT Fruitland Avenue Reconstruction Phase 2 **SHEET** 1 **OF** 1

PROJECT NO. 16-2-2 **BID CALL NO.** 703-20

TO: Phase 1 Construction Inc.

You are hereby directed to make the herein described changes from the plans and specifications or do the following described work not included in the plans and specifications on this contract.

NOTE: This change order is not effective until approved by the City Manager

Description of work to be done, estimate of quantities, and prices to be paid. Segregate between additional work at contract price, agreed price and force account. Unless otherwise stated, rates for rental of equipment cover only such time as equipment is actually used and no allowance will be made for idle time. Change requested by: Jim Vang, Civil Engineering Assistant

ADDITIONAL WORK PERFORMED:

Additonal Paving included

Item No.	Description	Unit of Measure	Quantity	Rate	Amount
25	Roadway Subgrade Preparation	LS	1.00	$4,779.00	$4,779.00
28	Class II Aggregate Base	CY	80.00	$60.00	$4,800.00
29	Hot Mix Asphalt	TON	75.00	$180.00	$13,500.00
					$23,079.00

Additonal paving: pavement was removed at contractor preference

Item No.	Description	Unit of Measure	Quantity
25	Roadway Subgrade Preparation	LS	1.00
28	Class II Aggregate Base	CY	122.00
29	Hot Mix Asphalt	TON	114.00

Item No.	Description	Unit of Measure	Quantity	Rate	Amount
	Basin Fencing	LF	370.00	$39.00	$14,430.00

Total Increase for CCO NO.2 $37,509.00

Original Contract	$982,104.80
Contract Change Order No. 1	$20,550.00
Contract Change Order No. 2	$37,509.00
Estimated Revised Contract Amount	$1,040,163.80

By reason of this order the time of completion will be adjusted as follows: additional work days +5wd

Submitted by: Michael Hayes, City Engineer Date: 05/12/2022

Approval Recommended Greg Thompson, Public Works/Community Development Director Date:

Approved: City Manager Lori Waterman, City Manager Date:

We, the undersigned contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above.

Signature: Contractor:

Date: Name and Title

If the Contractor does not sign acceptance of this order, his attention is directed to the requirements of the specifications as to proceeding with the ordered work and filing a written protest within the time therein specified.

ATTACHMENT B

CONTRACT CHANGE ORDER NO. 3

PROJECT Fruitland Avenue Reconstruction Phase 2 **SHEET** 1 **OF** 5

PROJECT NO. 16-2-2 **BID CALL NO.** 703-20

TO: Phase 1 Construction Inc.

You are hereby directed to make the herein described changes from the plans and specifications or do the following described work not included in the plans and specifications on this contract.

NOTE: This change order is not effective until approved by the City Manager

Description of work to be done, estimate of quantities, and prices to be paid. Segregate between additional work at contract price, agreed price and force account. Unless otherwise stated, rates for rental of equipment cover only such time as equipment is actually used and no allowance will be made for idle time. Change requested by: Jim Vang, Civil Engineering Assistant

ADDITIONAL WORK PERFORMED:

See Page 2 "City of Atwater Fruitland Avenue Reconstruction Phase II Change Order 3 Quantities Sheet" for itemized additional work.

See revised improvement plan sheets 23, 24, and 26 attached and made a part of this Contract Change Order No. 3.

Original Contract	$982,104.80	
Contract Change Order No. 1	$20,550.00	
Contract Change Order No. 2	$37,509.00	(proposed)
Contract Change Order No. 3	$250,290.60	(this change order)
Estimated Revised Contract Amount	$1,290,454.40	(assumes Council approval of CCO NO.2)

By reason of this order the time of completion will be adjusted as follows: additional work days +20wd

Submitted by: Michael Hayes, City Engineer Date: 05/12/2022

Approval Recommended Greg Thompson, Public Works/Community Development Director Date:

Approved: City Manager Lori Waterman, City Manager Date:

We, the undersigned contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above.

Signature: Contractor:

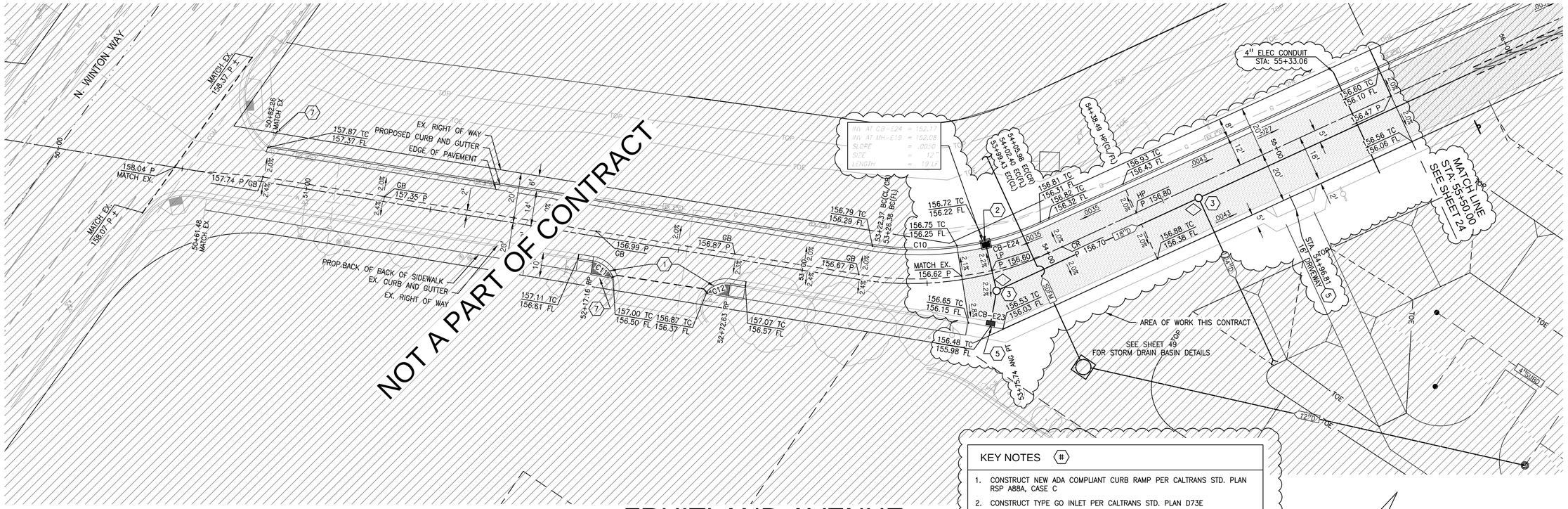
Date: Name and Title

If the Contractor does not sign acceptance of this order, his attention is directed to the requirements of the specifications as to proceeding with the ordered work and filing a written protest within the time therein specified.

City of Atwater
Fruitland Avenue Reconstruction Phase II
Change Order 3 Quantities Sheet

		Unit	Quantity	Unit Cost	Total Cost	Comments
CURRENT BID ITEMS						
2	EXISTING ASPHALT PAVEMENT REMOVAL	SF	3,307	$2.80	$9259.60	Increase in quantity in excess of 25%
25	ROADWAY SUBGRADE PREPARATION	LS	1	$11,380.00	$11,380.00	Increase in quantity in excess of 25%
26	6" VERTICAL CURB AND GUTTER	LF	950	$65.00	$61,750.00	Increase in quantity in excess of 25%
27	CONCRETE SIDEWALK	SF	150	$8.00	$1,200	
28	CLASS II AGGREGATE BASE	CY	226	$92.00	$20,792.00	Increase in quantity in excess of 25%
29	HOT MIX ASPHALT	TON	212	$198.00	$41,976.00	Increase in quantity in excess of 25%
30	12" STORM DRAIN PIPE	LF	36 59	$58.00	$2,088 $3422.00	
33	CATCH BASIN	EA	4	$8325.00	$33,300.00	Increase in quantity in excess of 25%
NEW BID ITEMS						
37	FIRE HYDRANT RELOCATION	EA	1	$2150.00	$2150.00	
38	21" STORM DRAIN PIPE	LF	131	$340.00	$44,540.00	
39	CONCRETE DRIVEWAY	EA	1	$3220.00	$3220.00	
40	DRIVEWAY CURB CUT (LABOR ONLY)	EA	1	$800.00	$800.00	
41	DRIVEWAY CONCRETE CONFORM	SF	233	$9.00	$2097.00	
42	STREET LIGHT CONDUIT (4")	LF	132	$27.00	$3564.00	
43	STRIPING AND SIGNAGE	LS	1	$10,090.00	$10,090.00	
44	ADJUST EX. MANHOLE CONCRETE COLLAR	LS	1	$750.00	$750.00	

CHANGE ORDER SUB-TOTAL	$250,290.60



FRUITLAND AVENUE

STA: 50+00.00 TO 55+00.00

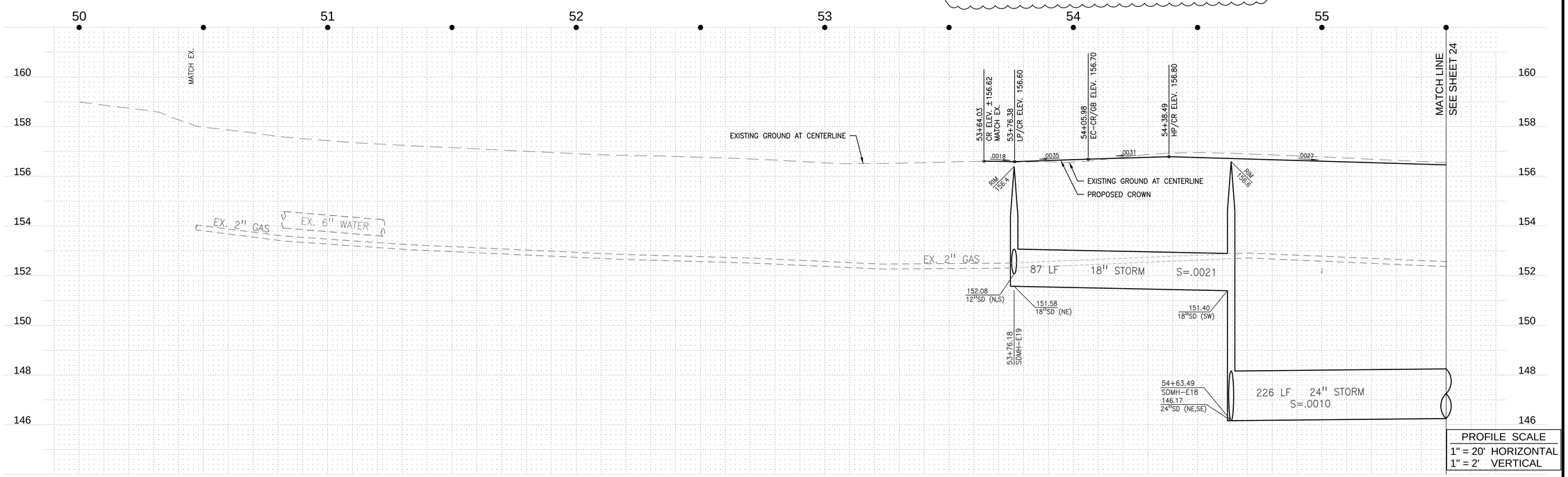
FLOWLINE CURVE TABLE			
CURVE	DELTA	ARC LENGTH	RADIUS
C10	21°55'34"	44.39	116.00
C11	63°13'36"	10.87	9.85
C12	57°15'20"	10.27	10.27

KEY NOTES (#)

1. CONSTRUCT NEW ADA COMPLIANT CURB RAMP PER CALTRANS STD. PLAN RSP A88A, CASE C
2. CONSTRUCT TYPE GO INLET PER CALTRANS STD. PLAN D73E
3. CONSTRUCT NEW MANHOLE.
4. PROPOSED CONCRETE DRIVEWAY PER CITY OF ATWATER STD. PLANS D-2 AND D-2, PROVIDE TRANSITION PAVING TO MEET AND MATCH EXISTING DRIVEWAY AS SHOWN.
5. EXISTING GO INLET TO REMAIN

PAVEOUT WITH 3" HMA ON 6.5" AB ON NATIVE MATERIAL COMPACTED TO 95% R.D. ADJUST ALL EX. UTILITY STRUCTURE RIMS WITHIN PAVED AREA. COSTS FOR ADJUSTMENT OF RIMS TO GRADE IS TO BE INCLUDED IN UNIT COST OF HMA PAVEMENT.

SCALE: 0 20 40



PROFILE SCALE
1" = 20' HORIZONTAL
1" = 2' VERTICAL

WALT CONSULTING ENGINEERS
430 10th Street
Modesto, CA 95354
Tel: 209.568.4477
Fax: 209.568.4478

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No.	MM.YY	Description	By	Appd.
1				
2				
3				
4				
5				
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7				
8				
9				
10				

Revision

Client/Project
CITY OF ATWATER
FRUITLAND AVENUE
ROAD RECONSTRUCTION PROJECT
ATWATER, CALIFORNIA

Title
PLAN AND PROFILE
STA: 50+00.00 TO 55+50.00

Engineer's Seal
REGISTERED PROFESSIONAL ENGINEER
ROBERT FRANCIS CHRISTENSEN
C63087
EXP. 06-30-18
CIVIL
STATE OF CALIFORNIA

Engineer's Signature:
Signature Date:

811
Know what's below.
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Project Engineer: ROBERT CHRISTENSEN			
Project Number: 1093-0100			
File Name: exb_23-PNP.dwg			
MJR/RFC	RFC	RFC	05.19.17
Dwn.	Chkd.	Dsgn.	MM.DD.YY

Sheet No.
23 of 62 sheets

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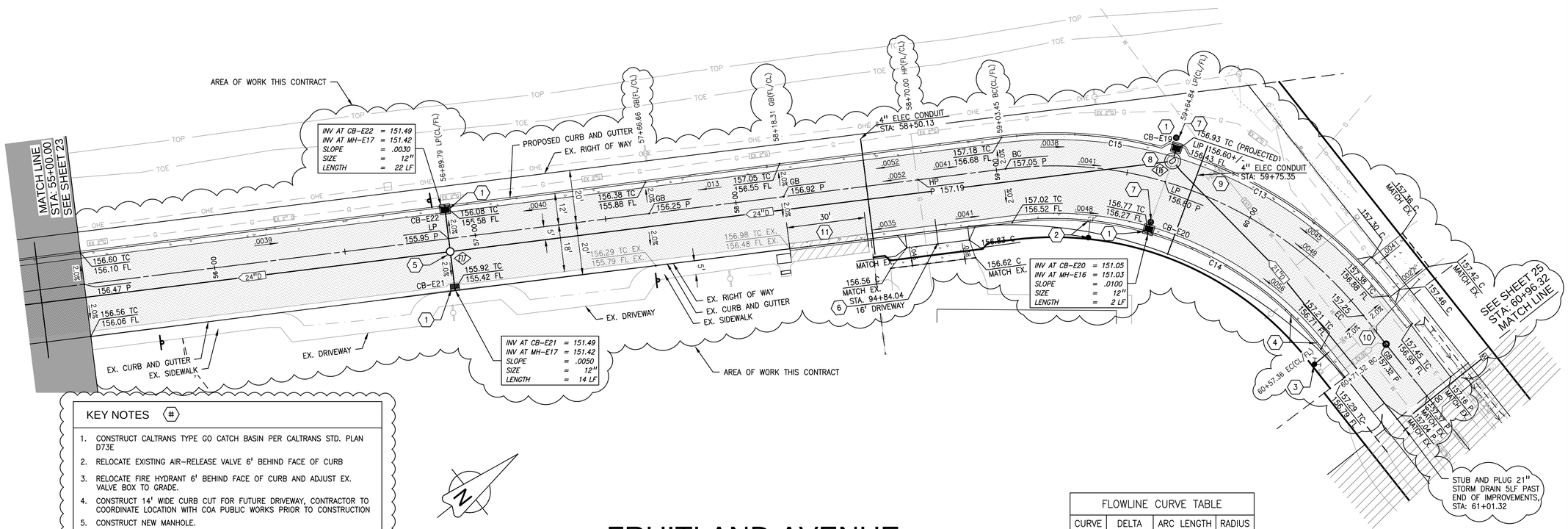


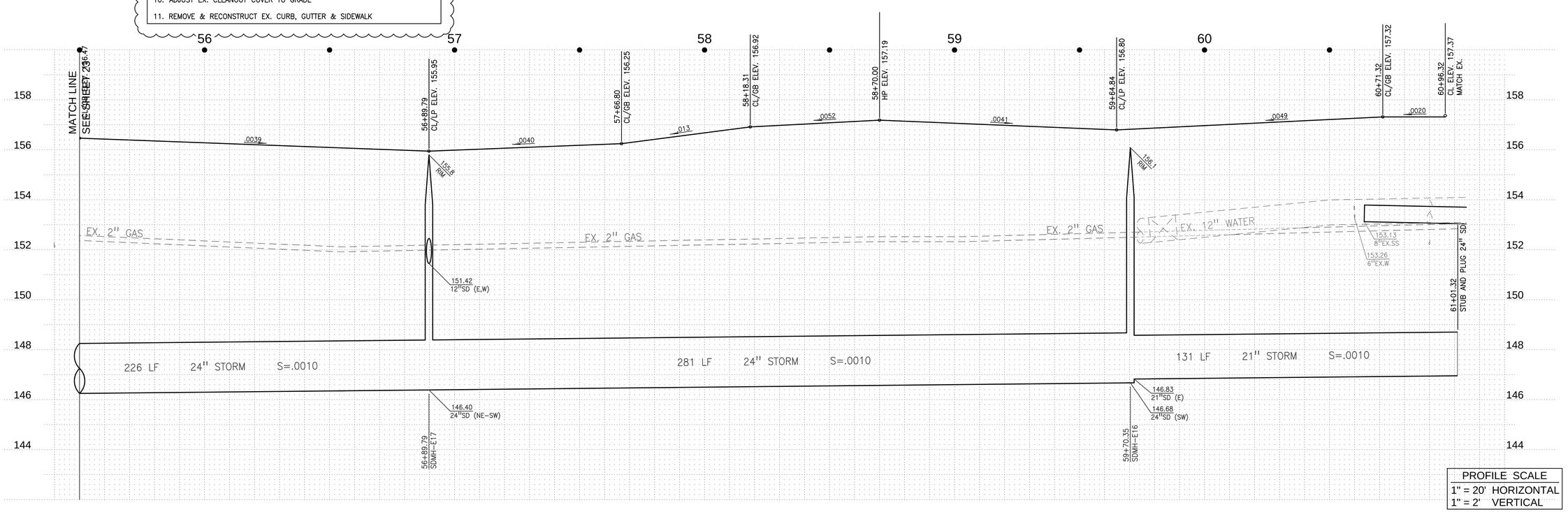
KEY NOTES (#)

1. CONSTRUCT CALTRANS TYPE GO CATCH BASIN PER CALTRANS STD. PLAN D73E
2. RELOCATE EXISTING AIR-RELEASE VALVE 6' BEHIND FACE OF CURB
3. RELOCATE FIRE HYDRANT 6' BEHIND FACE OF CURB AND ADJUST EX. VALVE BOX TO GRADE.
4. CONSTRUCT 14' WIDE CURB CUT FOR FUTURE DRIVEWAY, CONTRACTOR TO COORDINATE LOCATION WITH COA PUBLIC WORKS PRIOR TO CONSTRUCTION
5. CONSTRUCT NEW MANHOLE.
6. PROPOSED CONCRETE DRIVEWAY PER CITY OF ATWATER STD. PLANS D-2 AND D-2, PROVIDE TRANSITION PAVING TO MEET AND MATCH EXISTING DRIVEWAY AS SHOWN.
7. REMOVE EXISTING PIPE INLET AND CONNECT TO EX. 12" STORM DRAIN
8. REMOVE EX. CONCRETE COLLAR AT MANHOLE. RECONSTRUCT EX. CONCRETE COLLAR SO AS TO EVENLY TRANSITION AND BLEND WITH PROPOSED ADJACENT GUTTER PAN.
9. ADJUST EX. WATER VALVE COVERS TO GRADE.
10. ADJUST EX. CLEANOUT COVER TO GRADE
11. REMOVE & RECONSTRUCT EX. CURB, GUTTER & SIDEWALK

SCALE: 0 20 40

FRUITLAND AVENUE
STA: 55+50.00 TO 60+92.32

FLOWLINE CURVE TABLE			
CURVE	DELTA	ARC LENGTH	RADIUS
C13	33°12'04"	93.87	162.00
C14	58°47'19"	133.39	130.00
C15	21°44'22"	61.47	162.00



PROFILE SCALE
1" = 20' HORIZONTAL
1" = 2' VERTICAL

CONSULTING ENGINEERS
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Modesto, CA 95354
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Fax: 209.568.4478

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No.	Date	Revision	By	Appd.
1	04.22	ADDED SD LATERALS & CATCH BASIN	RFC	

Client/Project
CITY OF ATWATER
FRUITLAND AVENUE
ROAD RECONSTRUCTION PROJECT
ATWATER, CALIFORNIA

Title
PLAN AND PROFILE
STA: 50+50.00 TO 60+92.32

Engineer's Seal
REGISTERED PROFESSIONAL ENGINEER
ROBERT FRANCIS CHRISTENSEN
C63087
EXP. 06-30-18
CIVIL
STATE OF CALIFORNIA

Engineer's Signature:
Signature Date:

811
Know what's below.
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Project Engineer: ROBERT CHRISTENSEN
Project Number: 1093-0100
File Name: exb_24-PNP.dwg

MJR/RFC	RFC	RFC	05.19.17
Dwn.	Chkd.	Dsgn.	MM.DD.YY

Sheet No.
24 of 62 sheets

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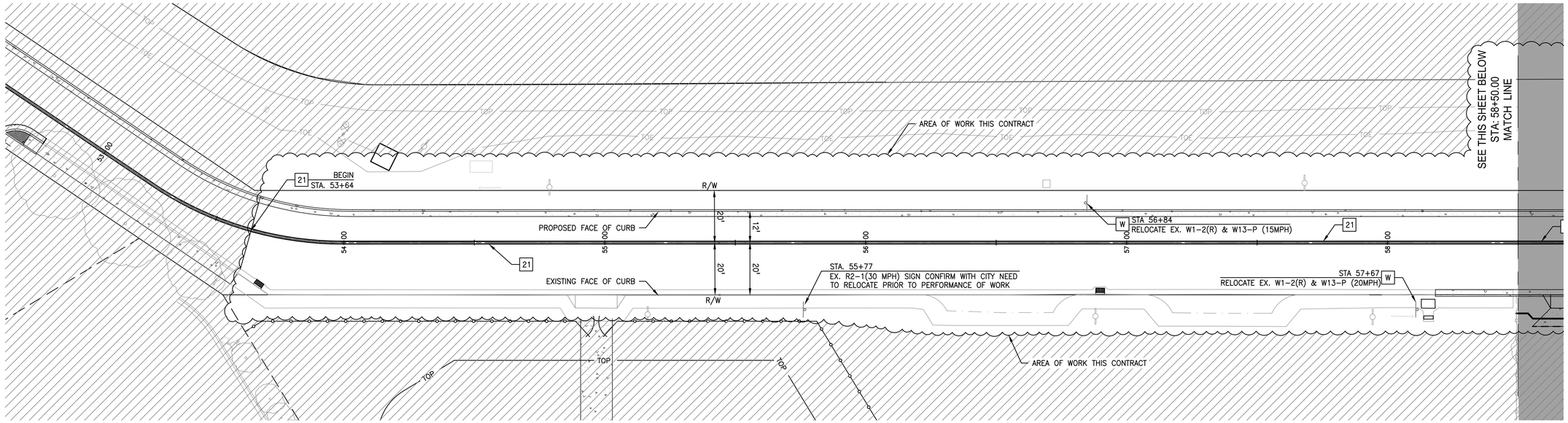
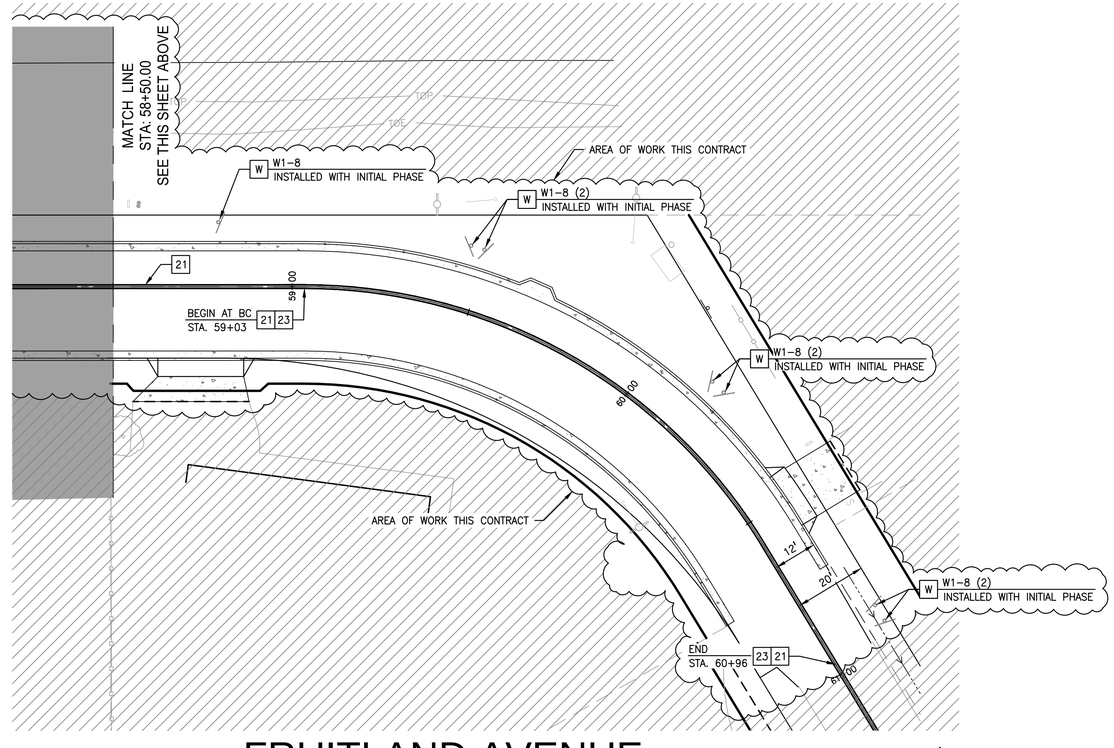


FRUITLAND AVENUE

SCALE: 0 20 40



FRUITLAND AVENUE

SCALE: 0 20 40

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No.	MM.YY	Description	By	Appd.

Revision

Client/Project
CITY OF ATWATER
FRUITLAND AVENUE
ROAD RECONSTRUCTION PROJECT
ATWATER, CALIFORNIA

Title
STRIPING & SIGNAGE PLAN

Engineer's Seal

REGISTERED PROFESSIONAL ENGINEER
ROBERT FRANCIS CHRISTENSEN
C63087
EXP. 06-30-18
CIVIL
STATE OF CALIFORNIA

Engineer's Signature:
Signature Date:

811
Know what's below.
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Project Engineer:	ROBERT CHRISTENSEN
Project Number:	1093-0100
File Name:	exb_26_stripe.dwg
MJR/RFC RFC RFC	05.19.17
Dwn. Chkd. Dsgn.	MM.DD.YY

Sheet No.
26 of 62 sheets

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