



AGENDA ITEM SUMMARY

Agenda Date	02/13/2024
Requested Action	APPROVE RESOLUTION NO. 2024-R11; TO RATIFY THE EXECUTION OF CHANGE ORDER #5 TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND AGAVE DESIGN STUDIO, LLC FOR THE COMPLETION OF THE RIVER ROAD PARK BANK STABILIZATION PROJECT FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$92,000.
Contact Person	Lisette Jimenez, Director of Parks & Recreation
Background Information	<p>The River Road Park Bank Stabilization project construction contract was awarded to Agave Design Studio, LLC on August 8, 2023, for \$2,305,523. Construction began on September 18, 2023, and the expected completion date is the end of March 2024, dependent upon weather conditions and rainfall.</p> <p>During structural construction of the fishing piers, large amounts of sediment resulted from drilling the holes for the metal pier structures. This sediment disturbance within the creek triggered the need for a Texas Parks & Wildlife Department (TPWD) permit. As a result, City staff worked with TPWD staff to develop a habitat restoration plan which includes removal of the disturbed sediment, creation of fish habitat, and planting of native riparian plants along the creek banks. The sediment removal required immediate action because of unknown weather conditions, creek accessibility, sediment conditions, and project schedule impact.</p> <p><u>Cost Breakdown</u></p> <p>The \$2,305,523 contracted project cost included a contingency amount of \$109,786.56 which has been almost fully exhausted by the first four project change orders (\$4,711.56 will remain):</p> <ul style="list-style-type: none">• <u>Change Order #1</u>: \$38,000 for Aerators to improve the water quality and aquatic species habitat in the creek.• <u>Change Order #2</u>: \$2,800 for Rainbird Irrigation Controller which allows this park to operate with the same irrigation system controls as other irrigated City sites.

	<ul style="list-style-type: none"> • <u>Change Order #3</u>: \$10,600 for the addition of concrete curb in place of steel bed edging to reduce maintenance and provide a safer environment for visitors. • <u>Change Order #4</u>: \$53,675 to repair damaged original concrete flatwork, remove hazards in the walkways, and correct ADA conflicts within the project boundaries. <p><u>Council Consideration</u> Since this change order exceeds the contracted project funding and the sediment removal required immediate action, staff requests that the Council ratify the execution of Change Order #5 for the following additional work to the River Road Bank Stabilization project:</p> <table border="1"> <thead> <tr> <th>Change Order #5</th><th>Cost Detail</th></tr> </thead> <tbody> <tr> <td>Removal and hauling of sediment from the project site related to the creation of a habitat restoration plan</td><td>\$86,000</td></tr> <tr> <td>Labor to install aquatic habitat with boulders and woody debris</td><td>\$ 6,000</td></tr> <tr> <td>TOTAL</td><td>\$92,000.00</td></tr> </tbody> </table> <p>Budgeted funds are available within the Capital Projects Fund for the City Manager to manage the contract increase of \$92,000. If a budget amendment becomes necessary, staff will bring that forward to Council later in the fiscal year.</p>	Change Order #5	Cost Detail	Removal and hauling of sediment from the project site related to the creation of a habitat restoration plan	\$86,000	Labor to install aquatic habitat with boulders and woody debris	\$ 6,000	TOTAL	\$92,000.00
Change Order #5	Cost Detail								
Removal and hauling of sediment from the project site related to the creation of a habitat restoration plan	\$86,000								
Labor to install aquatic habitat with boulders and woody debris	\$ 6,000								
TOTAL	\$92,000.00								
Item Justification	<div> <div> <input checked="" type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Mitigate Risk <input type="checkbox"/> Master Plan Recommendation </div> <div> <input checked="" type="checkbox"/> Infrastructure Investment <input type="checkbox"/> Customer Pull <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Other: </div> </div>								
Strategic Alignment	Environmental Responsibility, F2 Investing in and maintaining high-quality infrastructure systems and public assets								
Financial Considerations	Funding is available in our capital projects budget.								

Citizen Input/Board Review	N/A
Legal Review	N/A
Alternative Options	
Supporting Documents	Executed Agave Contract Change Orders #1 - 5