



TOWN OF JACKSON

TOWN COUNCIL

AGENDA DOCUMENTATION

PREPARATION DATE: September 15, 2016
MEETING DATE: August 1st, 2016

SUBMITTING DEPARTMENT: Public Works
DEPARTMENT DIRECTOR: Larry Pardee
PRESENTER: Bob McLaurin, Larry Pardee,

SUBJECT: CMAR Temporary Public Access Road Contract Approval – Upper Budge Drive to Highway-22.

STATEMENT/PURPOSE

The purpose of this item is for Town Council to accept and approval CMAR Early Work Amendment #1 for the West Broadway Landslide CMAR Contact to build and install a temporary public access road from upper Budge Drive to Highway-22.

BACKGROUND/ALTERNATIVES

The Town Council granted for staff to prepare and send out an advertisement for Request for Qualifications for a Construction Manager at Risk CMAR firm. On Monday August 1st Town Council approved Westwood Curtis as the CMAR firm to help the Town of Jackson mitigate the West Broadway Landslide.

The project team has prepared a scope of work for Westwood Curtis our CMAR firm to build our temporary public access road from upper Budge Drive to Highway – 22, please see attached copy of the temp public access road alignment. The temp public access road construction will begin as soon as all easements agreements are signed and the early work contract is signed. The temp public access road construction will take five to six weeks of construction time to complete.

ALIGNMENT WITH COUNCIL'S STRATEGIC INTENT

The Town of Jackson Exists to provide municipal services necessary to support the residential, business, environmental, and historical interests that define our community. Our services enhance the quality of life for those who live here and enhance the experience for our guests.

ATTACHMENTS

Please see attached copies of the 1) CMAR Early Work Amendment #1, & 2) Temp Public Access Road Alignment.

FISCAL IMPACT

The fiscal impacts for CMAR Early Work Amendment #1 is \$342,959.00.

STAFF IMPACT

Town staff a few hours per week.

LEGAL REVIEW

Town Attorney has previously reviewed the CMAR contract agreement and approved.

RECOMMENDATION

Staff recommends Town Council approve CMAR Early Work Amendment #1 with Westwood Curtis in the amount of \$342,959.00.

SUGGESTED MOTION

I move to approve CMAR Early Work Amendment #1 with Westwood Curtis in the amount of \$342,959.00 for the construction of the temp public access road.

Synopsis for PowerPoint (120 words max):

Purpose:

The purpose of this item is for Town Council to accept and approval early work amendment #1 to the West Broadway Landslide CMAR Contact to build and install a temporary public access road from upper Budge Drive to Highway-22.

Background:

The project team has prepared a scope of work for Westwood Curtis our CMAR firm to build our temporary public access road for upper Budge Drive to Highway – 22

Fiscal Impact:

The fiscal impacts for CMAR Early Work Amendment #1 is \$342,959.00.

EARLY WORK AMENDMENT NO. 1 TO
WEST BROADWAY LANDSLIDE CMAR CONTRACT FOR
THE BUDGE DRIVE TEMPORARY ACCESS ROAD

THIS AMENDMENT IS BETWEEN:

OWNER: Town of Jackson, Wyoming

And

CONSTRUCTION MANAGER AT RISK ("the CMAR"): Westwood Curtis Construction, Inc.

The Project is: The Budge Drive Temporary Access Road for the West Broadway
Landslide Mitigation Project

Date of Original CMAR Contract: August 10, 2016

Date of this Amendment: September 19, 2016

The Owner and the CMAR hereby amend the Contract as set forth below. Capitalized terms used but not defined herein shall have the meanings given in the Contract Documents. Except as amended hereby, the CMAR Contract remains in full force and effect.

1. **GMP** - The parties agree that the GMP for the Temporary Budge Drive Access Road is \$ 342,959⁰⁰, consisting of the Cost of the Work (stated as a dollar lump sum amount), costs for applicable bonds and insurance, and the CMAR Fee (stated as a fixed dollar lump sum amount), as follows:

Cost of Work (COW):	\$ <u>306,810⁰⁰</u>
CMAR Fee (9.24% of COW):	\$ <u>28,349⁰⁰</u>
Bonds and Insurance	\$ <u>7,800⁰⁰</u>
GMP (Budge Drive Temporary Access Road):	\$ <u>342,959⁰⁰</u>

For purposes of determining the GMP, the Cost of the Work includes the costs incurred by the CMAR in the construction of the Project.

2. **Basis of GMP** - The GMP is based on the GMP Supporting Documents attached as Attachments A-G including the assumptions, exclusions, bid items, estimated quantities and unit prices, and alternates designated therein.

3. **Plans and Specifications** - The Plans and Specifications for the Project are as listed in the GMP Supporting Documents. The CMAR shall perform Construction Phase Services in accordance with the Plans and Specifications and the other Contract Documents.

4. **Contract Completion Date** - Notwithstanding any provision in the GMP Supporting Documents to the contrary, the required date for completion of Early Work Amendment is:

- *November 4, 2016*

5. **Bonds** - The CMAR shall obtain new Payment and Performance Bonds, or increase the amount of the Performance and Payment Bonds previously provided in connection with this CMAR Contract, as required by Section 00130 of the **CMAR General Provisions**, so that each new bond, or with respect to increases in existing bonds, the sum of the amount of each existing bond and the increase in the amount of each such existing bond, shall equal or exceed the GMP, prior to supplying any labor or materials for prosecution of the Work under this GMP Amendment.

6. **Tax Compliance Certification** -The individual signing on behalf of the CMAR hereby certifies and swears under penalty of perjury that s/he is authorized to act on behalf of the CMAR, s/he has authority and knowledge regarding the CMAR's payment of taxes, and to the best of her/his knowledge, the CMAR is not in violation of any Wyoming tax laws.

THIS AMENDMENT is executed in three (3) original copies of which one (1) is to be delivered to the CMAR, one (1) to the Owner and the other to the Engineer.

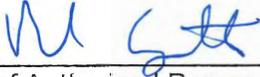
CMAR:

Westwood Curtis Construction, Inc.

Address: P.O. Box 904
Jackson, WY 83001

CMAR's Federal Tax I.D. #: 204027747

Construction Contractor's Wyoming Certificate of Residency Status No.: 0539



Signature of Authorized Representative of CMAR

Title VICE PRESIDENT

Date 09/13/16

OWNER:

Town of Jackson, Wyoming

Signature of Agency's Authorized Representative

Title _____

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

Town Attorney

Date _____

- Attachment A EJCDC C-700 (Rev.1) Standard General Conditions of the Construction Contract (2013 Edition), pages 1 through 65.
- Attachment B Supplementary Conditions of the Standard General Conditions, pages 1 through 6.
- Attachment C Plans for the Temporary Access Road, upon which the Early Work Amendment GMP is based, Drawing pages __ through __, Specifications
- Attachment D Specifications for the Temporary Access Road, upon which the Early Work Amendment GMP is based, Drawing pages __ through __,
- Attachment E Bid Schedule, pages ____ through ____, dated _____.
- Attachment F Completion schedule, pages ____ through ____, dated _____.
- Attachment G Assumptions and clarifications made in preparing the Guaranteed Maximum Price, pages __ through ____, dated _____.

ADDENDUM NO. 1 TO
EARLY WORK AMENDMENT NO. 1 TO
WEST BROADWAY LANDSLIDE CMAR CONTRACT FOR
THE TEMPORARY BUDGE DRIVE ACCESS ROAD

This ADDENDUM shall be acknowledged both in the space provided on this ADDENDUM and on the CMAR Cost of Work Bid Schedule (Attachment E). Failure of any Proposer to properly acknowledge receipt of this Addendum both on this ADDENDUM and on the CMAR Cost of Work Bid Schedule may result in REJECTION OF THE PROPOSAL. This Addendum shall be attached to the Contract Documents and shall form a part thereof.

The following changes, additions and/or deletions shall be made in the Project Manual.

- 1) In the CMAR Early Work Amendment No. 1 to the West Broadway Landslide CMAR Contract Attachment C **REPLACE** Drawings 7 and 8 with the enclosed revised **Drawing Nos. 7 and 8 dated 9/9/16**. And **ADD the enclosed drawing 1a "Radar Sign Installation Detail"**.
- 2) In the CMAR Early Work Amendment No. 1 to the West Broadway Landslide CMAR Contract **REPLACE** Attachment E with the enclosed **ATTACHMENT E Addendum No. 1**. Change is to estimated quantities for Item Nos. 6, 7, 8, 17

Sincerely,



Robert R. Norton, PE & LS

Project Manager



CMAR ACKNOWLEDGEMENT

September 12, 2016

DATE

ATTACHMENT E Addendum No. 1

**TO THE EARLY WORK AMENDMENT NO. 1 TO THE
WEST BROADWAY LANDSLIDE CMAR CONTRACT**

CMAR's REPRESENTATIONS

In submitting this Cost of Work Bid, CMAR represents that:

CMAR has examined and carefully studied the Bidding Documents, other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

<u>Addendum No.</u>	<u>Addendum Date</u>
<u>No. 1</u>	<u>September 9, 2016</u>

CMAR has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

CMAR is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

CMAR has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site (except Underground Facilities) that have been identified in SC-4.02 as containing reliable "technical data," and (2) reports and drawings of Hazardous Environmental Conditions, if any, at the Site that have been identified in SC-4.06 as containing reliable "technical data."

CMAR has considered the information known to CMAR; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by CMAR, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) CMAR's safety precautions and programs.

Based on the information and observations referred to in Paragraph 3.01.E above, CMAR does not consider that further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.

CMAR is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

CMAR has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that CMAR has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to CMAR.

The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

The following bid schedule shall be used to determine the Cost of Work for the Early Work Package. In accordance with the CMAR Contract Article 6, the Cost of Work, plus the CMAR Fee (calculated as % of Cost of Work-becomes fixed dollar lump sum), plus the Bonds and Insurance (Actual, reimbursable costs) equals the Guranteed Maximum Price (GMP).

BID SCHEDULE FOR TEMPORARY ACCESS ROAD

No	Item Description	Unit Type	Units	Unit Cost	Sub-total
1	Mobilization	LS	1	\$5,500.00	\$ 5,500.00
2	Traffic Control	LS	1	\$2,600.00	\$ 2,600.00
3	Clearing/Grubbing	SY	1400	\$17.00	\$ 23,800.00
4	Excavation	CY	575	\$39.00	\$ 22,425.00
5	Pit Run Fill	CY	630	\$38.00	\$ 23,940.00
6	Concrete Gravity Blocks	EA	348	\$325.00	\$ 113,100.00
7	Concrete Gravity Blocks - Cap Units	EA	75	\$235.00	\$ 17,625.00
8	Geotextile Fabric - 5xt	SY	400	\$12.00	\$ 4,800.00
9	Jersey Barriers - 10ft Length	EA	42	\$800.00	\$ 33,600.00
10	6" Gravel Base Course	TN	320	\$38.50	\$ 12,320.00
11	2" Asplalt Surface J. Burkes Driveway	TN	40	\$162.00	\$ 6,480.00
12	Mag Chloride Dust Guard	SY	900	\$3.50	\$ 3,150.00
13	3" Asphalt Surface Course - Wilcox	TN	40	\$158.00	\$ 6,320.00
14	Radar Speed Indicator/Sign	LS	1	\$8,250.00	\$ 8,250.00
15	Temporary Signage	LS	2	\$600.00	\$ 1,200.00
16	Reclamation Remove Road Base	CY	125	\$34.00	\$ 4,250.00
17	Reclamation Remove Concrete Blocks	EA	29	\$150.00	\$ 4,350.00
18	Earthwork Remove Pit Run Rock	CY	40	\$50.00	\$ 2,000.00
19	Replace Soil and Topsoil	CY	110	\$50.00	\$ 5,500.00
20	Seeding and Landscaping	SY	1400	\$4.00	\$ 5,600.00
	Total Cost of Work				\$ 306,810.00

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DRAWING NO
EXHIBIT
JOB NO
14-175-01

JOB TITLE
TOWN OF JACKSON
WEST BROADWAY SLIDE MITIGATION

DRAWING TITLE
TEMPORARY ACCESS ROAD
SITE PLAN

NELSON ENGINEERING
P.O. BOX 1599, JACKSON WYOMING (307) 733-2087

DATE	SURVEYED	ENGINEERED	DRAWN	CHECKED	APPROVED
4/28/2016	LR	AL	SK	RN	

REV.