



**CITY OF WAUKESHA**

**Administration**

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<b>Committee:</b> Board of Public Works	<b>Date:</b> 2/3/2022
<b>Common Council Item Number:</b> ID #22-3524	<b>Date:</b> 2/17/2022
<b>Submitted By:</b> Alex Damien, Interim Director of Public Works	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator KL
<b>Finance Department Review:</b> Denise Vandebush-Kohlmann, Interim Finance Director DVK	<b>City Attorney's Office Review:</b> Brian Running, City Attorney BR
<b>Subject:</b> Review and act on Contract Change Order No. 1 with Payne and Dolan, Inc., for the Buchner Park Tennis Courts and Retaining Wall Reconstruction project.	

<b>Details:</b> This Contract Change Order explains additional work to be completed by Payne and Dolan, Inc.:	
<p>During the contract work on this project, additional work was completed when an existing concrete pavement was discovered beneath the asphalt in the northern bank of courts. The project plans planned for the re-use of the pulverized existing asphalt material as base course for the new court pavement. The discovery of the concrete material did not allow for the pulverizing of the existing asphalt, and the concrete required removal as it was in conflict with the elevation of the new tennis court pavement. Additional work was required to remove the existing concrete, and additional new base aggregate material was required to compensate for the loss of re-usable material within the site. In addition to the concrete pavement removal, poor subgrade soil conditions were encountered over a wider area than anticipated in the project plans. Additional undercutting/removal of poor subgrade soil was completed, and primarily in the northern section of the courts.</p>	
<u>Additional Removal/Aggregate Items:</u>	
1. <u>Extra No. 1 Concrete Pavement Base Removal</u>	
Description: Removal of existing concrete found below the existing HMA tennis court pavement	
1,168 SY @ \$17.00/SY .....	<u>\$ 19,856.00</u>
2. <u>Increase of quantity for Bid Item #9 1 1/4" Crushed Stone Roadway Base</u>	
Description: Additional base course material required to accommodate the loss of re-use material on site.	
762.5 TON @ \$19.86/TON .....	<u>\$ 15,143.25</u>
3. <u>Increase of quantity for Bid Item #10 (EBS) Crushed Aggregate Base Course 1 1/4"</u>	
Description: Additional undercutting required due to poor subgrade soil.	
311.62 TON @ \$75.00/TON .....	<u>\$ 23,371.50</u>
Subtotal .....	<u>\$ 58,370.75</u>



Additional fencing work was also completed at the request of Parks, Recreation & Forestry to construct a wider entrance gate for maintenance vehicles, as well as the re-installation of the bang board that was in place under the old courts. It was also discovered that the existing tennis court lighting conduit was in very close proximity to the proposed western fence line of the pickleball courts. The close proximity did not allow for the driving of fence posts in the area due to the high risk of damaging the existing lighting system. Fence posts along the west side of the pickleball courts required hand digging and placing with a poured concrete footing to prevent damage.

**Additional Fencing Items:**

1. Extra No. 2 12' Wide x 10' High Gate  
 Description: Wider gate for maintenance vehicle access  
 Lump Sum ..... **\$ 2,800.00**
  2. Extra No. 3 Bang Board Reinstallation  
 Description: Re-installation of the existing bang board including additional fencing support posts.  
 Lump Sum ..... **\$ 7,950.00**
  3. Extra No. 4 Hand Dug Fence Post Holes  
 Description: Installation of fence posts via hand digging and installing a concrete footing to make sure damage was not done to the existing lighting system.  
 37 EACH \$ \$550.00/EACH ..... **\$ 20,350.00**
- Subtotal ..... **\$ 31,100.00**

During the contract work on the project, various unit bid items totaled less than the overall anticipated contract quantity resulting in project costs savings:

1. Credit for reduced quantities completed (Various Items) ..... **(-\$ 66,409.12)**

Total Amount of this Change Order ..... **\$ 23,061.63**

**Contract Completion Date Extension:**

With the contractual requirement to begin project work no earlier than August 1, 2021, the scope of the project work created paving of the new tennis court asphalt on October 4, 2021. In order to place the acrylic sport coating for the new courts, the asphalt pavement must oxidize for 21-28 days prior to coating due to surface oils in the new asphalt. For this project, the new court pavement would have been ready for coloring on October 25, 2021. The acrylic coating requires temperatures 50 degrees or higher for a 24-hour period after application which would not have occurred after October 25, 2021.

In order to complete the acrylic coating when temps are at their required range, the contract completion date is proposed to be extended to June 3, 2022.

**Options & Alternatives:**

There were no other feasible alternatives. The work was time sensitive and must be completed with this contract.

**Financial Remarks:**

Original Contract: \$444,940.46 (PO #210376)  
 Contract prior to this Change Order: \$444,940.46

Account 5550-68290 for Tennis Court Reconstruction .....\$ 23,061.63

Contract Change Order No. 1: \$ 23,061.63

Total Contract Amount after Change Order No. 1 = \$468,002.99

**Executive Recommendation:**

Recommend approval of Contract Change Order No. 1 with Payne and Dolan, Inc., for the Buchner Park Tennis Courts and Retaining Wall Reconstruction project.