

ORDINANCE

2021-12-16-0982

APPROVING A CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH SPAWGLASS CIVIL CONSTRUCTION, INC. IN THE AMOUNT OF \$199,742.38 TO SETTLE THE DELAY CLAIMS RELATED TO IMPACTS FROM THE COVID-19 PANDEMIC AND THE INABILITY OF THE FEDERAL AVIATION ADMINISTRATION (FAA) RESIDENT ENGINEER TO TRAVEL TO THE SITE FOR THE AIRFIELD IMPROVEMENTS PACKAGE 6 PROJECT AT THE SAN ANTONIO INTERNATIONAL AIRPORT, WITH FUNDING AVAILABLE FROM AND INCLUDED IN THE FY 2022 - 2027 CAPITAL IMPROVEMENT PROGRAM.

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WHEREAS, on January 30, 2020, City Council authorized a construction contract to SpawGlass for the Airfield Improvements Package 6 project, which includes phases of Taxiway E Reconstruction and Runway 13R Rehabilitation projects, in the amount of \$7,691,662.96; and

WHEREAS, the contractor was impacted a total of 288 days due to unforeseen delays from rephasing due to the COVID-19 pandemic and the lack of FAA Resident Engineer (RE) travel authorization to observe critical path work. Package 6 included work to relocate and improve the FAA's underground communication loop system during 2020 and 2021; and

WHEREAS, as a result of the FAA RE lack of travel authorization to provide their services, this work had to be scheduled and the project rephased to a later date, delaying SpawGlass' schedule; and

WHEREAS, as a result of this delay, SpawGlass incurred additional costs and submitted delay claims; and

WHEREAS, this ordinance authorizes a change order in an amount not to exceed \$199,742.38 to settle the delay claims; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or designee is authorized to execute a change order in the not to exceed amount of \$199,742.38 to the construction contract with SpawGlass Civil Construction, Inc. for the Airfield Improvements Package 6 Project at San Antonio International Airport.

SECTION 2. Payment is authorized to be encumbered and made payable SpawGlass Civil Construction, Inc. in an amount not to exceed \$199,742.38 in support of the Taxiway E Reconstruction Project using Fund 51099000 with the WBS element 33-00194-05-02-01 and GL account 5201140.

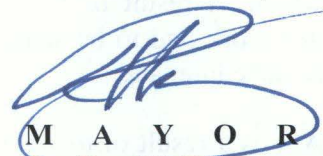
Funding for this project is provided by Capital Improvements S Fund, 2014 Airport Txb Tan Fund, 2021 Airoirt Txb Tan Fund, Terminal Area Taxiway Fund, and Construction Taxiway Pkg 6 Fund and is in the FY2022-FY2027 CIP Budget.

Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

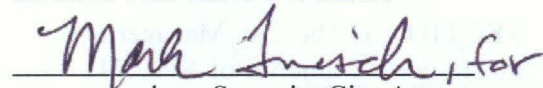
PASSED and APPROVED this 16th day of December 2021.


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, Acting City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting December 16, 2021

28.

2021-12-16-0982

Ordinance approving a change order to the construction contract with SpawGlass Civil Construction, Inc. in the amount of \$199,742.38 related to impacts from the COVID-19 pandemic for the Airfield Improvements Package 6 Project at the San Antonio International Airport. Funding is available from and included in the FY 2022 - 2027 Capital Improvement Program. [Jeff Coyle, Assistant City Manager; Jesus Saenz, Director, Aviation]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage, Perry

MAT
12/16/21
Item No. 28

EXHIBIT 1
SPAWGLASS CHANGE ORDER



CITY OF SAN ANTONIO
AVIATION DEPARTMENT
FIELD ALTERATION/ CHANGE ORDER REQUEST

FA Form - Aviation
Rev. 12/2014

Date Prepared: 11/11/2021 Field Alteration No. 17 Project No. 33-00194 / 33-00316

Project Name: Taxiway RC (Temporary Bypass), Taxiway E Relocation and Partial FAA Loop Cable Relocation (Package 6)

The revision or amendment described below is to the work originally or previously specified in the contract documents. This notification is hereby requested, including all changes in costs and time. (Describe work to be added or deleted, including SAP Material number. Attach a revised plan sheet affected or drawings.)

This change order includes the settlement of Delay Claim 01 in Phase 4 (Taxiway Echo) between SpawGlass Civil Construction, Inc. and the City of San Antonio for the Package 6 Project. This change order resolves the Claim for the adjustments in contract value and duration as follows:

- \$166,466.42 for Sixty Five (65) Compensatory Calendar Days Beginning February 6, 2021 and ending April 11, 2021, for a per diem basis of \$2,561.02.
- Two Hundred Twenty Three (223) Non-Compensatory Calendar Days Beginning April 12, 2021 and ending November 20, 2021, while Package 6 and Package 7 are constructed concurrently.
- \$33,275.96 for additional required field supervision during the time Package 6 and Package 7 are constructed concurrently.

Justification for Proposed Alteration (Describe in detail why this work is to be added or deleted. Use attachments if necessary.):

The contractor was impacted a total of two hundred eighty eight (288) days in Phase 4 due to unforeseen delays from rephasing due to the COVID-19 pandemic and the lack of FAA Resident Engineer travel authorization to observe critical path work. As a result of this delay, the Contractor incurred additional costs which may be reimbursed by the City.

Per section VIII.2.2 of the City's General Conditions, the Contractor "shall be compensated for its Project facilities and field management expenses on a per diem basis...for the particular Project delayed and for the period of critical path delay attributable to a City-caused event." SpawGlass has provided detailed invoices for each expense claimed during the claimed period of 65 compensatory days. The total amount of these invoices justifiable for reimbursement totals \$166,466.42. The invoices are attached herein.

The Contractor also requested 223 non-compensatory days as part of this Claim per the agreement to offset expenses with work being performed in a separate contract on the airfield.

The Contractor claimed additional compensation for a site superintendent due to the delay while both Package 6 and Package 7 airfield projects are performed concurrently. Given that the original schedule for each project showed nonconcurrent performance, the Contractor planned for a single site superintendent to oversee both projects. Due to this delay, the requirement for each project to have a designated site superintendent led to the additional field supervision expenses of \$33,275.96.

The costs claimed by the contractor have been reviewed for accuracy and eligibility per the requirements in section VIII.2.2 of the General Conditions, and have been determined to be fair and reasonable.

Field Alteration will result in change to Contract Cost as: ☒ Increase ☐ Decrease \$ 199,742.38

Field Alteration will result in change to Contract Days as: ☒ Increase ☐ Decrease

(To be negotiated by the Contractor and the City.) ☐ Working Days ☒ Calendar Days # Days 288

REQUESTED BY: Josh Wise Digitally signed by Josh Wise DN: C=US, E=josh.wise@spawglass.com, O=SpawGlass Contractors, CN=Josh Wise Date: 2021.11.12 07:21:58-06'00'	RECOMMENDED BY: Scott Bondy, Project Engineer Kimley-Horn & Associates, Inc. 11/12/2021
Josh Wise, Operations Manager Spawglass Civil Construction, Inc. Date	Scott Bondy, Project Engineer Kimley-Horn & Associates, Inc. Date

AVIATION DEPARTMENT APPROVALS

RECOMMENDED BY: Candcyce Selby, Senior Airport Engineer City of San Antonio Aviation Department Date	APPROVED BY: Debbie Drew, Manager, Planning & Administration City of San Antonio Aviation Department Date
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		This Field Alteration Amount:		\$ 199,742.38	
		Total Original Contract:		\$ 7,691,662.96	
Approved Change Order	GRANT FUNDED		GRANT FUNDED		
WBS Element:	33-00194-05-02-01	33-00194-05-02-01	33-00316-05-02-01	33-00316-05-02-03	
Approved Amount:	\$564,159.08	\$ 135,813.61	\$ 682,526.10	\$ 37,414.83	\$1,419,913.62
Previous Field Alterations:	-\$45,326.15	\$ 105,050.19	\$ -76,624.26	\$ 6,543.12	-\$10,357.10
This Field Alteration:	\$199,742.38	\$ 0.00	\$ 0.00	\$ 0.00	\$199,742.38
Field Alterations to date:	\$154,416.23	\$ 105,050.19	\$ -76,624.26	\$ 6,543.12	\$189,385.28
Balance:	\$409,742.85	\$ 30,763.42	\$ 759,150.36	\$ 30,871.71	\$1,230,528.34
		Field Alterations to date:		\$ 189,385.28	
		REVISED CONTRACT VALUE:		\$ 7,881,048.24	
		Percent of Original Contract:		2.46%	

Vendor #: 1049338 Original Ordinance #: 2020-01-30-0049 This FA Ordinance #:

Purchase Requisition #: 1000157921 Contract #: 4600019066 Purchase Order #: 4500429065

CONTRACT SUMMARY

Funding	92-19		95-19 / 97-20		Total
	Taxiway E	NON AIP	Taxiway RC	NON AIP	
Original Contract Value	33-00194-05-02-01	33-00194-05-02-02	33-00316-05-02-01	33-00316-05-02-03	
	\$ 4,189,477.24	\$ 143,232.39	\$ 3,209,302.29	\$ 149,651.04	\$ 7,691,662.96
Field Alteration	1	\$ -	\$ -	\$ -	\$ -
Field Alteration	2	\$ (70,844.39)	\$ -	\$ (66,832.60)	\$ (137,676.99)
Field Alteration	3	\$ -	\$ -	\$ -	\$ -
Field Alteration	4	\$ -	\$ -	\$ -	\$ -
Field Alteration	5	\$ -	\$ -	\$ (52,170.03)	\$ (52,170.03)
Field Alteration	6	\$ -	\$ -	\$ 6,543.12	\$ 6,543.12
Field Alteration	7	\$ -	\$ -	\$ 23,158.54	\$ 23,158.54
Field Alteration	8	\$ -	\$ -	\$ 2,310.00	\$ 2,310.00
Field Alteration	9	\$ 11,043.44	\$ -	\$ -	\$ 11,043.44
Field Alteration	10	\$ -	\$ -	\$ -	\$ -
Field Alteration	11	\$ 30,869.30	\$ -	\$ -	\$ 30,869.30
Field Alteration	12	\$ (31,713.30)	\$ 105,050.19	\$ -	\$ 73,336.89
Field Alteration	13	\$ -	\$ -	\$ 16,909.83	\$ 16,909.83
Field Alteration	14	\$ 15,318.80	\$ -	\$ -	\$ 15,318.80
Field Alteration	15	\$ -	\$ -	\$ -	\$ -
Field Alteration	16	\$ -	\$ -	\$ -	\$ -
Field Alteration	17	\$ 199,742.38	\$ -	\$ -	\$ 199,742.38
Revised Contract Value	\$ 4,343,893.47	\$ 248,282.58	\$ 3,132,678.03	\$ 156,194.16	\$ 7,575,740.34

Approved Contingency					
WBS Element	33-00194-05-03-01	NON AIP 33-00194-05-03-03	33-00316-05-03-01	NON AIP 33-00316-05-03-03	
Original Approved Contingency:	\$ 564,159.08	\$ 35,813.61	\$ 682,526.10	\$ 37,414.83	\$ 1,319,913.62
Additional Contingency:	\$ -	\$ 100,000.00	\$ -	\$ -	\$ 100,000.00
Revised Approved Contingency	\$ 564,159.08	\$ 135,813.61	\$ 682,526.10	\$ 37,414.83	\$ 1,419,913.62
Previous Field Alterations using Contingency:	\$ (45,326.15)	\$ 105,050.19	\$ (76,624.26)	\$ 6,543.12	\$ (10,357.10)
This Field Alteration:	\$ 199,742.38	\$ -	\$ -	\$ -	\$ 199,742.38
Field Alterations to date using Contingency:	\$ 154,416.23	\$ 105,050.19	\$ (76,624.26)	\$ 6,543.12	\$ 189,385.28
Balance:	\$ 409,742.85	\$ 30,763.42	\$ 759,150.36	\$ 30,871.71	\$ 1,230,528.34