



## MEMORANDUM

**To:** Mayor and City Council

**From:** Brad Reid, Director of Parks and Recreation

**Date:** May 14, 2013

**Reference:** Consider approval of Change Order #1 to MEGA Contractors, Inc., in the amount of \$99,711.87, for the addition of soil remediation at The Square at Old Town Coppell construction, and authorizing the City Manager to sign the necessary documents

**2030:** Sense of Community Strategy: Goal 2, Successful Community Events and Festivals  
Special Place to Live Strategy: Goal 3, Revitalizing Neighborhoods  
Community Wellness and Enrichment Strategy: Goal 1, Community Gathering Places  
Community Wellness and Enrichment Strategy: Goal 3, Expand Cultural Arts Amenities and Opportunities  
Business Prosperity Strategy: Goal 3, Old Coppell as a Small Town Village

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### Introduction:

The contractor for the improvements within the Square at Old Town Coppell has been halted in their efforts to move forward by a discovered discrepancy in the plans and specifications for the project. The soil conditioning portion of the plans offered more than one solution as to how the contractor should proceed with preparing the soil for the structural elements included in the square. The contractor proceeded without any soil modification, which was contrary to how the project engineer thought it should be done. The contractor was asked to stop the work until clarity could be reached on the issue. The engineer requested that the soil be removed and replaced with select fill per an earlier Geotech Report. The contractor argued that the plans did not properly specify this course of action.

Indeed, the referenced Geotech Report was not issued with the bid documents and thus the contractors were not given proper direction as to soil conditioning for the project before the bids were taken.

After they were told to halt work, Mega Contractors was asked to provide a cost to follow the Geotech Report and remove existing soil and replace with select fill. After much discussion with the contractor, an agreeable Change Order has been submitted for this work. This change to the contract will allow the removal of approximately 17,000 s.f. of soil, to a depth of 5 to 6 feet, and

then refilling with select material as specified in the referenced Geotech Report. The areas to receive this treatment are those under the pavilion, the restroom/storage building, the playground and the interactive water feature. This work will ensure a safety factor for the structural integrity of the valuable amenities to be included in this Square. This is an expense that should have been expected during the project and should have been awarded at the outset if the contractors had been given all the necessary information during the bidding process.

**Analysis:**

Mega received several bids from subcontractors for this work. The amount included in this Change Order Number One is the lowest, most responsible bid. Mega has worked on previous projects with the proposed dirt contractor and anticipates the work will resume posthaste once this issue is resolved.

**Legal Review:**

Agenda item did not require legal review

**Fiscal Impact:**

The fiscal impact of this Agenda item is \$99,711.87

**Recommendation:**

The Parks and Recreation Department recommends approval of this Change Order.