



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Procurement

DCM: David Gaines

DATE: June 28, 2022

SUBJECT

Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 1 to the contract between the City of Denton and The O'Haver Company, Ltd. dba O'Haver Contractors, for the additional work and extension of days necessary to complete the Fire Station 3 construction project for the City of Denton; providing for the expenditure of funds therefor; and providing an effective date (RFP 6899 – Change Order No. 1 in the not-to-exceed amount of \$168,802.55, for a total contract award aggregated to \$6,466,802.55).

INFORMATION/BACKGROUND

The reconstruction of Fire Station 2, Fire Station 3, and Fire Station 4 were approved as part of the 2014 Bond Election. The Fire Department worked with the Citizens' Bond Committee to incorporate elements of a Fire Department Facilities Study completed in January 2013 that planned for Station 4 to be constructed to accommodate an Engine and a Medic Unit.

The 2013 Facilities Study scoped a larger facility for the reconstruction of Fire Station 3. The facility was scoped to house the existing Engine Company, Medic Unit, and Aircraft Fire Rescue Truck, in addition to a future aerial Ladder Truck, and a second Battalion Chief. This scope was included in presentations to the Citizens Bond Committee and subsequently to City Council. The proposed accommodation of an additional Ladder Truck was part of the Facilities Study as it addresses an operational deficiency in the Fire Department's capacity as validated by the Insurance Services Office (ISO) report. The design for the larger footprint was incorporated into the Fire Department's 2014 Bond Proposal since Fire Station 3 is expected to be operational for more than fifty years and has the flexibility to adequately serve reasonable expansion projections.

On May 11, 2022, The City and O'Haver Company, Ltd. Db a O'Haver Contractors appeared before a mediator in an effort to resolve claims/denied change order requests.

Mediation items totaling \$192,443.00 include:

- Additional work completed outside of the original contract scope necessary for project completion
- Extension of the completion date

The contract had \$23,640.45 remaining in betterment to be used toward this amount resulting in the change order amount of \$168,802.55

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 9, 2019, City Council approved a contract with O'Haver Company, Ltd. dba O'Haver Contractors in the not-to-exceed amount of \$6,298,000 (Ordinance 19-678).

RECOMMENDATION

Award Change Order No. 1 with The O'Haver Company, Ltd. dba O'Haver Contractors, for the additional work and extension of days necessary to complete the Fire Station 3 construction project for the City of Denton, in a not-to-exceed amount of \$168,802.55, for a total amended contract amount of \$6,466,802.55.

PRINCIPAL PLACE OF BUSINESS

The O'Haver Company, Ltd. dba O'Haver Contractors
San Antonio, TX

ESTIMATED SCHEDULE OF PROJECT

This project is complete. Upon City Council approval of this change order, the remaining payment will be issued to the vendor and retention will be released.

FISCAL INFORMATION

This project will be funded from the Capital Improvement Project Fire Station 3 Rebuild account 100194469. Purchase Order #189458 will be revised to include the first change order amount of \$168,802.55. The total amount of this contract is \$6,466,802.55.

EXHIBITS

Exhibit 1: Agenda Information Sheet
Exhibit 2: Original Ordinance and Contract
Exhibit 3: Ordinance and Change Order 1

Respectfully submitted:
Lori Hewell, 940-349-7100
Purchasing Manager

For information concerning this acquisition, contact: Scott Gray, 940-349-7744.

Legal point of contact: Marcella Lunn at 940-349-8333.