



**BOARD OF SUPERVISORS AGENDA ITEM REPORT  
CONTRACTS / AWARDS / GRANTS**

Award  Contract  Grant

Requested Board Meeting Date: 11/21/17

\* = Mandatory, information must be provided

or Procurement Director Award

**\*Contractor/Vendor Name/Grantor (DBA):**

Action Direct LLC, dba Redpoint Contracting

**\*Project Title/Description:**

Sabino Creek Pump Station Project No. 3SCP06

**\*Purpose:**

Amendment: Contract No. CT-WW-16-326, Amendment No. Four (4). This amendment extends the term of the contract to 12/31/17. Administering Department: Regional Wastewater Reclamation.

This amendment provides additional time for contract close-out tasks.

**\*Procurement Method:**

Pursuant to invitation For Bid No. 193780, on 06/07/16, the Board of Supervisors awarded a contract for this project in the amount of \$1,342,990.00 for a contract term of 06/07/16 to 06/06/17. Previous Amendment No. One (1) was approved by the Procurement Director to extend the contract to 08/05/17. Previous Amendment No. Two (2) was approved by the Board of Supervisors to increase the construction completion time from 240 calendar days to 300 calendar days and extended the contract to 10/05/17. Previous Amendment No. Three (3) was approved by the Procurement Director to extend the contract to 10/31/17.

Attachments: Amendment No. Four (4), Retroactive Action Request Memo.

**\*Program Goals/Predicted Outcomes:**

The Sabino Creek pump station will allow for continued service and eliminate the Sabino Creek gravity line crossing. The project will decrease the potential for sanitary sewer overflows in the region by eliminating the potential failure of the gravity line crossing.

**\*Public Benefit:**

The Sabino Creek pump station will allow for continued sewer service for the public. The project will minimize the public exposure by eliminating the gravity flow line crossing and the potential for failure of the gravity line crossing.

**\*Metrics Available to Measure Performance:**

During construction, monthly project coordination meetings will be held to review the contractor's progress schedule and invoicing status to measure the contractor's performance. The overall project performance will be measured in the elimination of the potential failure of the Sabino Creek gravity line crossing.

**\*Retroactive:**

Yes. Permanent power to the project site was delayed significantly by Tucson Electric Power and numerous other delays were caused by the Contractor. Extension of the contract will permit completion of project "punch list" items, permit receipt of the required spare parts, and allow for final cleanup of the project site. Despite the delays, the project will be completed per the specified design within the original contract award amount and under budget.

To: COB- 11-8-17  
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**Contract / Award Information**

Document Type: \_\_\_\_\_ Department Code: \_\_\_\_\_ Contract Number (i.e., 15-123): \_\_\_\_\_

Effective Date: \_\_\_\_\_ Termination Date: \_\_\_\_\_ Prior Contract Number (Synergen/CMS): \_\_\_\_\_

Expense Amount: \$\* \_\_\_\_\_  Revenue Amount: \$ \_\_\_\_\_

**\*Funding Source(s) required:**

Funding from General Fund?  Yes  No If Yes \$ \_\_\_\_\_ % \_\_\_\_\_

Contract is fully or partially funded with Federal Funds?  Yes  No

**\*Is the Contract to a vendor or subrecipient?**

Were insurance or indemnity clauses modified?  Yes  No

If Yes, attach Risk's approval

Vendor is using a Social Security Number?  Yes  No

If Yes, attach the required form per Administrative Procedure 22-73.

**Amendment / Revised Award Information**

Document Type: CT Department Code: WW Contract Number (i.e., 15-123): 16-328

Amendment No.: Four (4) AMS Version No.: 12

Effective Date: 11/1/2017 New Termination Date: 12/31/2017

Prior Contract No. (Synergen/CMS): \_\_\_\_\_

Expense or  Revenue  Increase  Decrease Amount This Amendment: \$ 0.00

Is there revenue included?  Yes  No If Yes \$ \_\_\_\_\_

**\*Funding Source(s) required:** Regional Wastewater Reclamation Department Obligations

Funding from General Fund?  Yes  No If Yes \$ \_\_\_\_\_ % \_\_\_\_\_

**Grant/Amendment Information** (for grants acceptance and awards)  Award  Amendment

Document Type: \_\_\_\_\_ Department Code: \_\_\_\_\_ Grant Number (i.e., 15-123): \_\_\_\_\_

Effective Date: \_\_\_\_\_ Termination Date: \_\_\_\_\_ Amendment Number: \_\_\_\_\_

Match Amount: \$ \_\_\_\_\_  Revenue Amount: \$ \_\_\_\_\_

**\*All Funding Source(s) required:**

\*Match funding from General Fund?  Yes  No If Yes \$ \_\_\_\_\_ % \_\_\_\_\_

\*Match funding from other sources?  Yes  No If Yes \$ \_\_\_\_\_ % \_\_\_\_\_

**\*Funding Source:** \_\_\_\_\_

**\*If Federal funds are received, is funding coming directly from the Federal government or passed through other organization(s)?**

Contact: Keith E. Rogers Keith E. Rogers 11-7-17

Department: Procurement 11/7/17 Telephone: 724-3542

Department Director Signature/Date: \_\_\_\_\_ 11/21/17

Deputy County Administrator Signature/Date: \_\_\_\_\_ 11/8/17

County Administrator Signature/Date: \_\_\_\_\_ 11/8/17

(Required for Board Agenda/Addendum Items)



## PIMA COUNTY

WASTEWATER RECLAMATION  
201 NORTH STONE AVENUE  
TUCSON, ARIZONA 85701-1207

**JACKSON JENKINS**  
DIRECTOR

PH: (520) 724-3400  
FAX: (520) 724-9635

November 6, 2017

**TO:** Jackson Jenkins, Director - RWRD  
**FROM:** Jaime Rivera, P.E., Deputy Director - Conveyance  
**SUBJECT:** **3SCP06, Time Extension Change Order Justification**

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The contract was awarded by Procurement on 7<sup>th</sup> June 2016, with an original contract duration of 365 days, which was considered by both the Owner and the Contractor to be an appropriate duration to complete the project. The Contractor presented RWRD with a project schedule showing completion on May 2017, well within the original contract allocated time.

RWRD worked to establish a good relationship with the Contractor to facilitate the completion of the project. County support to the Contractor's project manager, his assistant, and their superintendent was provided to insure a good start. One of RWRD's most experienced construction inspectors was assigned, and priority was given to the project.

Various measures were taken to allow the Contractor flexibility and better control of the project.

1. The issuance of the NTP in October allowed the Contractor to turn in all the required submittals for approval before the project start.
2. Weekly construction progress meetings were held on site, and a look-ahead schedule was required from the Contractor to help track their performance, and schedule.
3. Testing of the Pump Station controls and pumps was conducted using the onsite generator instead of using permanent power to expedite the final testing of the station.
4. It was agreed upon with Contractor to delete coordination and installation of permanent power to the site from their scope of work.

In spite of these measures, the Contractor was not able to maintain acceptable project progress. Throughout the project several things affected the Contractor's performance:

1. Subcontractors did not provide dates or stick to schedules and the general contractor did not hold them to agreed upon dates.
2. Contractor lacked knowledge of Department's standards and project specifications and the Contractor exhibited lack of professionalism which caused substandard performance and required work to be performed several times before it was acceptable. Examples included: Installation of gravity sewer pipe (alignment and elevations), assembly of manifold piping, backfill compaction, coating of manholes, and installation of electrical controls.
3. Contractor failed to coordinate with TEP to provide permanent power to the site.
4. Reluctance of the Contractor to remediate sub-standard work in a timely manner.
5. Constant replacement of personnel managing the project. Five changes of project managers and superintendents, different foremen, and lack of resources assigned to the project, made for very slow project progress:
  - a. Michael Flaherty Project Manager
  - b. Joe Hintz Replaced Michael Flaherty as Project Manager
  - c. Jeremy Sechrist Project Superintendent
  - d. Jeremy Cherubini Replaced Jeremy Sechrist as Project Superintendent
  - e. Franky Reyna Replaced Jeremy Cherubini as Project Superintendent

All of the above changes were performed without coordinating with RWRD's project inspector or project manager.

Jackson Jenkins, Director

**SUBJECT: 3SCP06, Time Extension Change Order Justification**

November 6, 2017

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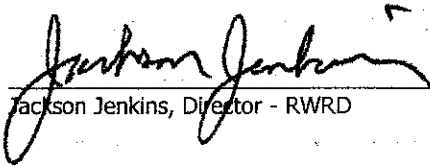
County requested updates of the Contractor proposed schedule to evaluate the likelihood of a timely completion before the contract completion date but the updates were not received in time to evaluate the Contractor's claim of additional efforts prior to the contract expiration date of October 31, 2017.

The Contractor was allowed to continue construction to avoid any undue delays to the project and to avoid construction during the peak guest season of the Canyon Ranch Resort.

The contractor is in the process of completing the final punch list items and final site cleanup to allow for the project completion. A contract extension of 60 days is being requested to ensure all the project activities are completed as required by the contract documents. Despite the difficulties with the Contractor, the project will be completed as designed and under budget.

Your approval to proceed with the time extension for 60 days to allow for the completion of the Sabino Creek LS project will be greatly appreciated.

**APPROVED:**



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Jackson Jenkins, Director - RWRD

November 6, 2017

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Date

c: David Badger, Program Coordinator - Conveyance  
Adam Bliven, Program Manager - Conveyance  
Jaime Rivera, Deputy Director - Conveyance  
Keith Rogers, Commodity Contracts Officer

<b>PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT</b>	
<b>PROJECT:</b>	<b>SABINO CREEK PUMP STATION PROJECT NO. 3SCP06</b>
<b>CONTRACTOR:</b>	Action Direct LLC, dba Redpoint Contracting 39506 N Daisy Mountain Dr, Ste #122 Phoenix, AZ 85086-6079
<b>CONTRACT NO.:</b>	CT-WW-16-326
<b>AMENDMENT NO.:</b>	Four (4)
<b>FUNDING:</b>	Regional Wastewater Reclamation Department Obligations

**CONTRACT**

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**NO.** CT-WW-16-326

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**AMENDMENT NO.** 04

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This number must appear on all invoices, correspondence and documents pertaining to this contract.

<b>CONTRACT TERM:</b> 06/07/16 - 06/06/17	<b>ORIGINAL CONTRACT AMOUNT:</b>	\$	1,342,990.00
<b>TERMINATION PRIOR AMENDMENT:</b> 10/31/17	<b>PRIOR CHANGE ORDERS:</b>	\$	-
<b>TERMINATION THIS AMENDMENT:</b> 12/31/17	<b>AMOUNT THIS CHANGE ORDER:</b>	\$	-
	<b>REVISED CONTRACT AMOUNT:</b>	\$	1,342,990.00

**CONTRACT AMENDMENT**

**WHEREAS**, COUNTY and CONTRACTOR have entered into the Contract referenced above dated June 7, 2016 for the SABINO CREEK PUMP STATION PROJECT NO. 3SCP06; and

**WHEREAS**, COUNTY and CONTRACTOR require additional time to complete contract close-out tasks; and

**WHEREAS**, due to unanticipated delays, the Contract was inadvertently allowed to expire, and the Parties continued to perform as though the Contract was in full force and effect; and

**WHEREAS**, the Contract Termination Date shall be changed to December 31, 2017; and

**WHEREAS**, the parties agree to amend the contract accordingly.

**NOW, THEREFORE**, it is agreed as follows:

**CHANGE:** ARTICLE 1 – TERM AND EXTENSION/RENEWAL/CHANGES, first paragraph, as amended in Contract Amendment No. Three (3) -

From:

“This Contract, as approved by the Board of Supervisors commences on June 7, 2016, and terminates on October 31, 2017, unless sooner terminated or further extended pursuant to the provisions of this contract.”

To:

“This Contract, as approved by the Board of Supervisors commences on June 7, 2016, and terminates on December 31, 2017, unless sooner terminated or further extended pursuant to the provisions of this contract.”

B

This Amendment shall be effective on November 1, 2017.

All other provisions of the Contract, not specifically changed by this amendment, shall remain in effect and be binding upon the parties.

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IN WITNESS WHEREOF, the parties have affixed their signatures to this amendment on the dates written below.

PIMA COUNTY

\_\_\_\_\_  
Chair, Board of Supervisors

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy County Attorney  
**TOBIN ROSEN**

\_\_\_\_\_  
Printed Name

Date: 11/7/17

CONTRACTOR:

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Scott Mitchell / Member  
Name and Title (Please Print)

Date: 11/7/17