

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: April 25, 2024

PREPARED BY: Lucero Leyva, Sr. Project Manager

REQUEST: RATIFY CHANGE ORDER 1 TO CONTRACT C46150 WITH THE VAN DYKE CORPORATION FOR HILARY STORM REPAIRS IN THE AMOUNT NOT TO EXCEED \$609,760

RECOMMENDATION:

1. Ratify Change Order 1 to Contract C46150 with the Van Dyke Corporation for Hillary Storm Repairs in an amount not to exceed \$609,760.
2. Authorize the Director of Finance to set aside a contingency in the amount not to exceed of \$30,488.
3. Authorize the City Manager to Review and Approve written requests for the use of contingency per Section 3.30.170 B of the Palm Desert Municipal Code.
4. Authorize City Manager to execute the change order and any documents necessary to effectuate the actions taken herewith

BACKGROUND/ANALYSIS:

The approved design for the CDR00004 Section 29 Retention Basin Improvements and Expansion Project involves the Section 29 Retention Basin routing water back towards the Mid Valley Channel once it has hit its 100-year capacity. The water then moves down the Mid Valley Channel and into the expanded basins on the City Park site via the implementation of weirs.

On December 14, 2023, City Council awarded the CDR00004 Section 29 Improvement and Expansion Project to The Van Dyke Corporation as the lowest and most responsive bidder. City Staff issued the Notice to Proceed to the contractor on January 29, 2024, which was acknowledged and accepted by the contractor.

The topography completed by The Van Dyke Corporation as part of their pre-construction and mobilization efforts confirmed that the Mid Valley Channel had been heavily impacted by the Hillary Storm Event of August 2023 because it helps to highlight the differences between the proposed improvements and existing conditions (post-Hillary). With the topography, it is clear to see where the Channel lost its shape, depth, and slopes at various pinch points. To ensure that the Mid Valley Channel functions as designed, it needs to be repaired by recompacting and regrading the channel to the specifications of the approved design. After conferring with internal staff, including the City Engineer, staff recommends that the contractor of record for both Project CDR00004 and the repair work in the Mid Valley Channel be the same, The Van Dyke Corporation.

Staff recommends the approval of Change Order 1 to the Van Dyke Corporation in an amount not to exceed of \$609,760 to be funded from the Emergency Fund Account Number 1104159-4219100.

FINANCIAL IMPACT:

Funds are available for this Change Order within the Disaster/Emergency Fund, Account No. 1104159-4219100. The funding breakdown for this project is as follows:

Fund	Account Number	Approved Budget	Additional Budget Request
Drainage Facility	2324370-5000455	\$ 500,000	
BAD No.1 (Sec 29)	2894374-5000455	\$ 3,000,000	
Restricted Capital Funds	4514374-5000455	\$ 1,900,000	
Disaster/Emergency	1104159-4219100		\$ 640,248
Total Combined Budget:			\$ 6,040,248
Contract Award:			\$ 4,630,291
Change Order 1:			\$ 609,760
New TVDC Contract Total:			\$ 5,240,051
TVDC Contingency:			\$ 478,517

*The Van Dyke Corporation (TVDC) is the Contractor for Project CDR00004

ATTACHMENTS:

1. The Van Dyke Corporation – Change Order 1