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| ITEM #: | 22       |
| DATE:   | 07-28-26 |
| DEPT:   | P&R      |

## COUNCIL ACTION FORM

**SUBJECT:**  
**CHANGE ORDER #6 WITH ALL STAR CONCRETE FOR THE FITCH FAMILY  
INDOOR AQUATIC CENTER**

### BACKGROUND:

On January 23, 2024, the City Council approved the award of contracts for construction of the Fitch Family Indoor Aquatic Center. Since the City elected to use a Construction Manager (CM) approach for this project, 14 different bid packages were issued for prospective bidders. As a reminder, this approach is different from bidding under the General Contractor (GC) method, where one bid package would have been distributed and each bidder would be responsible for the various subcontractors. Thus, with 14 bid packages, the City entered into a contract with each of the fourteen successful bidders.

**Bid Package: 03-1, Building Concrete Work:** The low bidder, All Star Concrete LLC, Johnston, Iowa was awarded the Base Bid plus Alternate #1, in the amount of \$671,500. Alternate #1 included the addition of two multipurpose rooms, a walking area, and two gender neutral restrooms.

Change orders #1-5 were previously approved and reported on the bimonthly change order report and are summarized below:

| Change Order                                      | Reason                                                | Cost            |
|---------------------------------------------------|-------------------------------------------------------|-----------------|
| #1                                                | Precast Embeds Install                                | \$10,010        |
| #2                                                | Thickened Slab at 110                                 | \$ 7,029        |
| #3                                                | Class C Grind Polished Concrete                       | \$22,000        |
| #4                                                | Mechanical Equipment Relocates                        | \$ 7,855        |
| #5                                                | Storefront Repairs & Miscellaneous Hardware Restrooms | \$(2,780)       |
| <b>Total of Previously Approved Change Orders</b> |                                                       | <b>\$44,114</b> |

During a concrete pour performed by All Star, concrete splatters occurred on some precast panels. It was necessary for the splatters to be removed and then the precast panels repainted in order to be presentable to the public. The painting contractor has been paid for its work.

**Staff is seeking approval of Change Order #6 to credit the City for the cost of the paint**

touch ups in the amount of (\$2,058). This cost is inclusive of the labor, equipment, and materials needed to complete paint touch ups, which were completed by the painting contractor. Per City policy, once the cumulative change order total exceeds \$50,000, City Council must approve the change.

Below is a summary of Bid Package 03-1, Building Concrete Work:

|                                   |                  |
|-----------------------------------|------------------|
| Original Contract Amount          | \$671,500        |
| Prior Approved Change Orders #1-5 | \$ 44,114        |
| Change Order #6 Request           | \$ (2,058)       |
| <b>New Contract Amount</b>        | <b>\$713,556</b> |

**ALTERNATIVES:**

1. Approve change order #6 to All Star Concrete LLC, Johnston, IA, Bid Package, 03-1 Building Concrete Work for Paint Touch ups after the removal of concrete splatters on the precast panels for the Fitch Family Indoor Aquatic Center in the amount of (\$2,058).
2. Reject the change.

**CITY MANAGER'S RECOMMENDED ACTION:**

**This change provides a credit to the City for paint touch ups required because concrete splatters needed to be removed on the precast panels at Fitch Family Indoor Aquatic Center. Since the concrete splatters were a result of All Star's work, it is appropriate they pay for the paint touch ups.** Therefore, it is the City Manager's recommendation that the City Council adopt Alternate No. 1 as stated above.