



Agenda Item Report

Legislative Board: City Council
Date: February 17, 2026
Contact: Austin Messerli
Agenda Item ID / Number: 2026-135- / H.4

ITEM TITLE: Approval of the D&S Concrete Contractors, LLC, Construction Change Order #1 in the amount of \$116,250.00 (#2025-613) for Middle Creek Rehabilitation Project (Capital Improvements Program Manager Austin Messerli, P.E.)

1. EXECUTIVE SUMMARY

Due to projected costs and budgets, and given that construction has recently kicked off, our project team discussed modifications to the pavement section of the Middle Creek Rehabilitation Project (M17). The current pavement section consists of 3 inches of asphalt on 9 inches of flexible base, geogrid, and compacted subgrade. These proposed adjustments increase the excavation depth by 0.5 inches and add 0.5 inches of asphalt to allow for two lifts, 1.5 inches on top of 2.0 inches. This additional lift enables the Contractor to place a base lift, so the public can drive on the asphalt rather than the flexible base and finish the project with a final, seamless top lift of asphalt. The proposed \$116,250.00 is below the 25% required by state law. The change is for a contract increase and does not extend the contract.

2. BACKGROUND/HISTORY

The Middle Creek Rehabilitation Project (M17) has been studied and subsequently designed for since before the passage of the 2021 Bond program. The City's design team led by Lochner, designed a reconstruction of the pavement in Middle Creek Drive and Wild Wind Cove, leaving curbs in place except in specific locations, adding perforated drainage pipe, sump pump stub outs at three property lines and connecting private sump pumps, reconstruction of sidewalks and driveways when affected, crosswalk striping, red fire lane painting, and related items. The proposed design and summary of the latest public engagement efforts were presented to Council on August 5th, 2025.

The Team then prepared the project for bid, with advertisements starting September 17th and running through October 16th. The City solicited a request for proposals that focused on the proposer's cost proposal, Relevant Experience and References, and the use of HUB/DBE in the proposer's evaluation. The City received three (3) submissions at the Bid Opening on October 16th. The three proposals were from Aaron Concrete Contractors LLC, Patin Construction, and D&S Concrete Contractors LLC.

D&S Concrete Contractors LLC was awarded the Middle Creek Rehabilitation Project (M17) at the December 2nd (2025) City Council, with construction NTP for January 26th, 2026.

Due to projected costs and budgets, City Staff and the design team discussed adding a lift of asphalt to help transition and improve the driving surface between construction phases, before the final lift of asphalt. City staff coordinated across the Team and developed a cost for the additional excavation and asphalt, while reducing the final asphalt lift.

3. ANALYSIS

Prior to construction commencing, City Staff and the design team discussed the opportunity to

Prior to construction commencing, City staff and the design team discussed the opportunity to increase the asphalt to add a base lift, allowing the public to drive on it between construction phases. The base asphalt lift provides a more drivable surface than an aggregate base, while also enabling a smooth, final surface at project completion.

4. FINANCIAL IMPACT

Change Order #1 for the Middle Creek Rehabilitation Project (M17) for \$116,250.00, ~4.9% of the contract value, is within the 25% change order maximum allowed.

5. STRATEGIC PLAN/GOALS

IMPROVED MOBILITY

6. STRATEGIC PLAN OBJECTIVES

2.4 Upgrade the quality of City streets

7. PROS AND CONS

Pros: Higher quality and more transferable driving surface during construction phasing before the final asphalt lift.

Cons: There are additional costs due to increased work and materials.

8. ALTERNATIVES

If the Change Order is not approved, construction of the project will proceed as originally planned, and during shifts, there will be periods where the public will drive on an aggregate base before the asphalt is placed.

9. REQUESTED ACTION / SUGGESTED MOTION / RECOMMENDATION

Approve Change Order #1 to D&S Concrete Contractors, LLC for \$116,250.00 as part of the Middle Creek Rehabilitation Project (M17).

Attachments:

[25-270_MiddleCreekRehabilitation_CO_1-Partial.pdf](#)