

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: October 3, 2006

Consent     Regular  
 Ordinance    Public Hearing

Department: Facilities Development & Operations

**I. EXECUTIVE BRIEF**

Motion and Title: **Staff recommends motion to approve:** Change Order No. 2 to Amendment No. 5 with The Weitz Company (R2005-2235) for the Hagen Ranch Road Library in the deduct amount of \$121,164.

Summary: This change order is the result of decreases in the cost of clearing, rough grading and landscape work on the Phase I construction work. This deduct to the contract is to return unused contingency to the County. The SBE goal for this contract is 15%. There is 0% SBE participation in the change order and in the original Amendment. **(Capital Improvements Division) District 5 (JM)**

**Background and Justification:** Construction Manager at Risk (CM) is a project delivery method in which the CM provides design phase assistance in evaluating costs, schedule and implications of alternate designs, system and material, and serves as General Contractor issuing the subcontracts for construction. The Weitz Company has provided pre-construction services, and completed the Phase I clearing, rough grading and landscape berm for the Hagen Ranch Road Library as contracted by Amendment No. 2 to this CM contract (original contract R2003-1542). SBE participation goals for this project will be met under Phase 2.

**Attachments:**

1. Location map
2. Budget Availability Statement
3. Change Order No. 2

Recommended by:



*Amy Wolf*  
Department Director

*9/21/06*  
Date

Approved by:



County Administrator

*9/25/06*  
Date

**I. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	<121,164>	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
<b>NET FISCAL IMPACT</b>	<b>&lt;121,164&gt;</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes  X  No    

Library Account

Budget Account No:

Fund  3021  Agency  321  Org  L057  Object  6502  Amount \_\_\_\_\_  
Reporting Category \_\_\_\_\_

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

C. Departmental Fiscal Review:  Lavinia D. Gardner   
Lavinia D. Gardner, Chief Financial Officer

**III. REVIEW COMMENTS:**

**A. OFMB Budget and/or Contract Development & Control Comments:**

[Signature ] 9/20/06   
OFMB/Budget  
 [Signature ] 9/19/06   
 [Signature ] 9/19/06   
 [Signature ] 9/15/06

[Signature ] 9/22/06   
Contract Development and Control  
E. Jones 9/22/06

**B. Legal Sufficiency:**

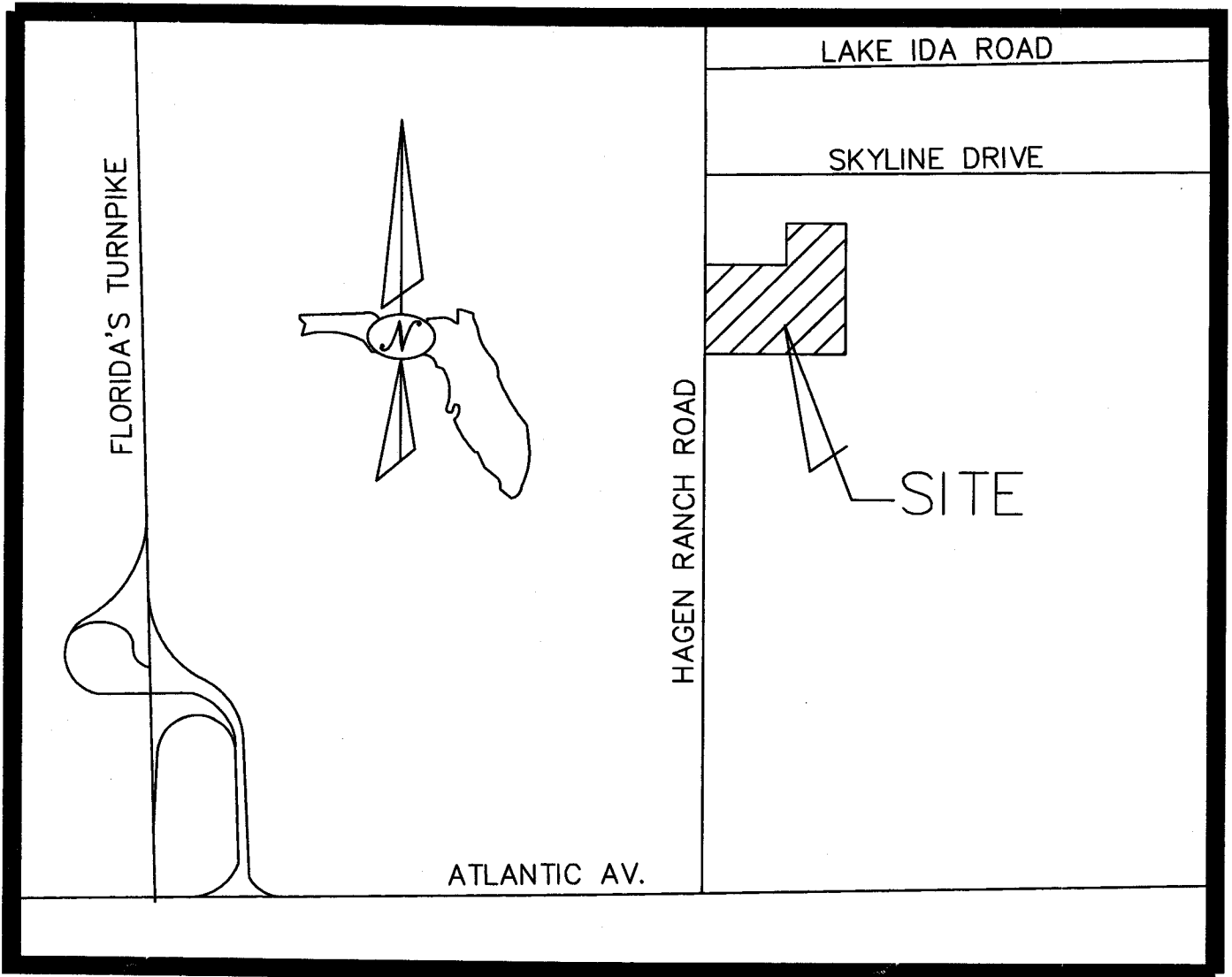
This item complies with current  
County policies.

[Signature ] 9/25/06   
Assistant County Attorney

**C. Other Department Review:**

[Signature ]   
John J. Callahan III, Library Director

This summary is not to be use as a basis payment.



LOCATION MAP

N.T.S.

**ATTACHMENT #1**



### FACILITIES DEVELOPMENT & OPERATIONS BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 07/24/06 REQUESTED BY: Bill DeBeck PHONE: 233-0263  
PROJECT TITLE: Hagen Ranch Road Branch Library FAX: 233-0270  
PROJECT NO.: 03213

ORIGINAL CONTRACT AMOUNT: BCC RESOLUTION#: \_\_\_\_\_  
REQUESTED AMOUNT: <\$121,164> DATE: \_\_\_\_\_

CSA or CHANGE ORDER Change Order No. 2

CONSULTANT/CONTRACTOR: The Weltz Company

PROVIDE A BRIEF STATEMENT OF THE SCOPE OF SERVICES TO BE PROVIDED BY THE CONSULTANT/CONTRACTOR

Deduct change order for all funds left in contingency.

CONSTRUCTION	<\$121,164.00>
PROFESSIONAL SERVICES	_____
STAFF COSTS** (DESIGN / CONST. PHASE)	_____
MISC. (permits, prints, advertising, etc)	_____
TOTAL	<\$121,164.00>

\*\* By signing this BAS your department agrees to these staff costs and your account will be charged upon receipt of this BAS by PD&O. Unless there is a change in the scope of work, no additional staff charges will be billed.

BUDGET ACCOUNT NUMBER (IF KNOWN)

FUND: 3021 AGENCY: 321 ORG: L057 OBJ: 6502 SUBOBJ: \_\_\_\_\_ RCAT: \_\_\_\_\_

BAS APPROVED BY: Luisina D. Gerber DATE: 7/31/2006

ENCUMBRANCE NUMBER: \_\_\_\_\_

**CHANGE ORDER BRIEF**  
**HAGEN RANCH ROAD BRANCH LIBRARY**  
**Project No.03213**  
**Date: July 31, 2006**

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Prime Contractor ..... The Weitz Company

Change Order No. .... 2

Change Order Amount .....<\$121,164.00>

Changed Contract Time ..... 0 calendar days

Description of CCP's:

1. CUD #1: Deductive change order for return of unused contingency to Palm Beach County.....<\$121,164.00>

Explanation and Reason-for-Change Code:

1. To allow close-out of Phase I contract.

Reason-for-change codes

D = Differing Site Conditions

E = Errors/Omissions in Design

O = Owner-Initiated

Q = Quantity Adjustments

R = Request by another Agency/Outside Party

X = Other (Specify: )

Z = Zoning/Code/Ordinance Change

Estimated premium value of errors/omissions for this change order: \$000

SUBMITTED:

 8/1/06  
Bill DeBeck Date

Project Manager, Capital Improvements Division

**ATTACHMENT #3**

**CHANGE ORDER HISTORY  
HAGEN RANCH ROAD LIBRARY  
PROJECT NO. 03213**

CO #	DESCRIPTION	DATE APPROVED	AMOUNT APPROVED BY DIR	AMOUNT APPROVED BY CRC	AMOUNT APPROVED BY BCC	DAYS APPROVED BY DIR	DAYS APPROVED BY CRC	DAYS APPROVED BY BCC	CODE
1	Construct and install 2 additional site information signs.	03/10/06	\$1,600.00			0			Owner-Initiated
2	Deductive change order for unused contingency	Pending			<\$121,164.00>				
			<b>TOTAL \$ BY DIR</b>	<b>TOTAL \$ BY CRC</b>	<b>TOTAL \$ BY BCC</b>	<b>TOTAL DAYS BY DIR</b>	<b>TOTAL DAYS BY CRC</b>	<b>TOTAL DAYS BY BCC</b>	
			\$1,600.00		\$121,164.00	0	0	0	
			<b>DIR + CRC DOLLARS TO DATE</b>	<b>DIR + CRC TOTAL DAYS TO DATE</b>					
			<\$119,564.00>						0

PALM BEACH COUNTY

CHANGE ORDER

ISSUED TO: The Weitz Company  
1720 Centrepark Drive East  
West Palm Beach, Florida 33401

CHANGE ORDER NO.: 2  
REFERENCE CCP NO.: CUD No. 1  
RESOLUTION NO.: R2003-1542  
DISTRICT NO.: 5

PROJECT: Hagen Ranch Branch Library  
PROJECT NO. 03213

The completion date, contract price, and all terms, covenants, and conditions of the above referenced contract, except as duly modified by this and previous Change Orders, if any, shall remain in full force and effect.

DESCRIPTION OF CHANGE:

Deductive change, return unused contingency to the County .....<\$121,164.00>

CONTRACT PRICE

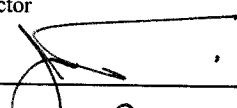
Amendment No. 5: \$ 400,700.00  
C.O.# 1 through 1 : \$ 1,600.00  
This C.O. # 2 : \$ <121,164.00 >  
ADJUSTED Contract Price: \$ 281,136.00

COMPLETION DATE

Contract Completion Date will be (increased)  
(decreased) by 0 calendar days.  
Contract Notice To Proceed Date: December 15, 2005  
Contract Substantial Completion Date: February 4, 2006  
ADJUSTED Substantial Completion Date: N/A

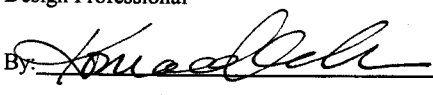
CONTRACTOR

Execution of this change order acknowledges final settlement of, and releases, all claims for costs and time associated, directly or indirectly, with the above stated modification(s), including all claims for cumulative delays or disruptions resulting from, caused by, or incident to such modification(s), and including any claim that the above stated modification(s) constitutes, in whole or part, a cardinal change to the contract.  
The above changes are accepted:

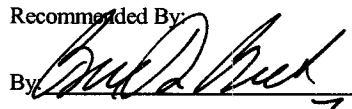
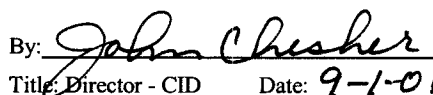
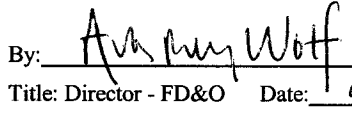
The Weitz Company  
Contractor  
By:   
Title: VP. Date: 7/17/06

DESIGN PROFESSIONAL

The above changes are recommended for approval by the Owner:

PGAL, Inc.  
Design Professional  
By:   
Title: SR. Assoc. Date: 7.19.06

PALM BEACH COUNTY

Recommended By:  
By:   
Title: Project Manager Date: 7-17-06  
By:   
Title: Director - CID Date: 9-1-06  
By:   
Title: Director - FD&O Date: 9/1/06  
By: \_\_\_\_\_  
Legal Sufficiency - CAO Date: \_\_\_\_\_  
Approved By:  
By: \_\_\_\_\_  
Tony Masilotti  
Title: Chairman, BCC Date: \_\_\_\_\_

**PALM BEACH COUNTY  
FACILITIES DEVELOPMENT & OPERATIONS DEPARTMENT  
CONTINGENCY USE DIRECTIVE**

**AUTHORIZATION TO ADJUST THE CONTRACTOR'S  
CONTINGENCY WITHIN THE GUARANTEED MAXIMUM PRICE (GMP)**

Project No: 03213  
Project Name: Hagen Ranch Branch Library CUD NO. 1

The following is a description of items to adjust the Contractor's Contingency within the Guaranteed Maximum Price (GMP). This action does not change the GMP amount or the contract time:

Item	RFI #	Description of Adjustments to the Contingency	Value
1	N/A	Deductive change to Phase I line items to actual contract amount.	<\$110,049.00>

Total all items for this CUD                      <\$110,049.00>

Original Contingency Amount	\$11,115.00
Previous CUD's (CUD X - X)	0.00
Balance before this CUD	\$11,115.00
THIS CUD	\$110,049.00
Balance After THIS CUD	\$121,164.00

CONSTRUCTION MANAGER:

The Weitz Company

ARCHITECT:

PGAL , Inc.

OWNER:

Palm Beach County  
Capital Improvements Division/FD&O  
3200 Belvedere Road, Bldg. 1169  
West Palm Beach, FL 33406

By: [Signature]  
Date: 7-17-06

By: [Signature]  
Date: 7.19.06

By: [Signature]  
Project Manager

Date: 7-17-06

By: [Signature]  
Dir.-Capital Improvements Division

Date: 8-17-06

By: [Signature]  
Dir.-FD&O

Date: 8/17/06

**SCHEDULE 3  
SBE-M/WBE ACTIVITY FORM**

SBE-M/WBE ACTIVITY FOR MONTH ENDING 6-30-06 PROJECT # 03213  
 PROJECT NAME WEST ATLANTIC LIBRARY (SITE CLEARING AND BERM)  
 PRIME CONTRACTOR NAME THE WEITZ COMPANY  
 PROJECT SUPERVISOR Jon Tori

SBE-M/WBE SUBCONTRACTING INFORMATION					SBE-M/WBE Category (check all applicable)						
Name of SBE-M/WBE Subcontractor	SBE-M/WBE Subcontract Amount	Amount drawn for SBE-M/WBE Subcontractor	Amount Paid to Date	Actual Starting Date	Minority Business	Small Business	Black	Hispanic	Caucasian	Women	Other (Please Specify)
<u>None</u>					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					

I hereby certify that the above information is true to the best of my knowledge  
 Return to: [Signature] SVP  
 (Signature and Title)

Office of Small Business Assistance  
 50 S. Military Trail, Suite 209  
 West Palm Beach, FL 33415

Additional Sheets May Be Used As Necessary

**NOTE:** Firms may be certified as an SBE and/or an M/WBE. If firms are certified as both an SBE and M/WBE, please indicate the dollar amount in each section. The dollar amount will not be counted twice.

Schedule 3 SBA.wpd

SCHEDULE 4  
SBE-M/WBE PAYMENT CERTIFICATION

This is to certify that N/A - NONE received  
(Monthly) or (Final) payment of \$ — on —  
from THE WEITZ COMPANY for labor and/or materials used on PROJECT NO. —  
(Prime Contractor)

PROJECT NAME WEST ATLANTIC LIBRARY (SITE CLEARING; BRN)

PRIME CONTRACTOR: THE WEITZ COMPANY

SBE OR M/WBE SUBCONTRACTOR: NONE USED.  
(Company Name)

BY: [Signature]  
(Signature of Prime Contractor)

BY: —  
(Signature of Subcontractor)

Jonathan S.V.P.  
(Print Name & Title of Person Executing on behalf of Contractor)

—  
(Print Name & Title of Person Executing on behalf of Subcontractor)

STATE OF FLORIDA  
COUNTY OF Palm Beach

Sworn to and subscribed before me this 29<sup>th</sup> day of June, 20 06



Marie L. Salt  
Notary Public, State of Florida

MARIE L. SALT  
Print, Type or Stamp Commissioned Name of Notary

Personally Known  OR  
Produced Identification  Type of Identification Produced —

DUE: To be submitted with Pay Request, immediately following any payment to the SBE-M/WBE from the prime Contractor.

**WEITZ****BUILD IN GOOD COMPANY.**

1200 CENTRE PARK DRIVE, EAST, WEST PALM BEACH, FL 33401 PH 561 686 5511 FX 561 606 7253 WWW.WEITZ.COM

August 15, 2006

Mr. William Debeck  
 Capital Improvements Division  
 Facilities Development and Operations Dept.  
 3200 Belvedere Rd., Building 1169  
 West Palm Beach, FL 33406

RE: Palm Beach West Atlantic Library Hagen Ranch (Landscape Berm)  
 Change Order #2 (Line item breakdown)  
 Job #03213

Dear Bill:

The following is a breakdown of the \$121,164 dollar credit Change Order #2 for the above referenced project.

01B	General Conditions	<94>
02B	Berm and Buffer	<96,166>
02D	Silt Fence	<173>
02D	Survey	<360>
02Q	Fencing	<2,164>
02S	Landscape	<1,521>
02S	Irrigation	<225>
17D	Performance Bond	<440>
17B	Escalation	<8,251>
17A	Contractor Contingency (CUD)	<11,115>
	C.O. #1	<655>
	Total	\$121,164 Credit

If you have any questions, do not hesitate to call me.

Sincerely,



Jon Tori  
 Sr. Vice President