

**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- |
| NET FISCAL IMPACT | <121,164> | -0- | -0- | -0- | -0- |
| # 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:

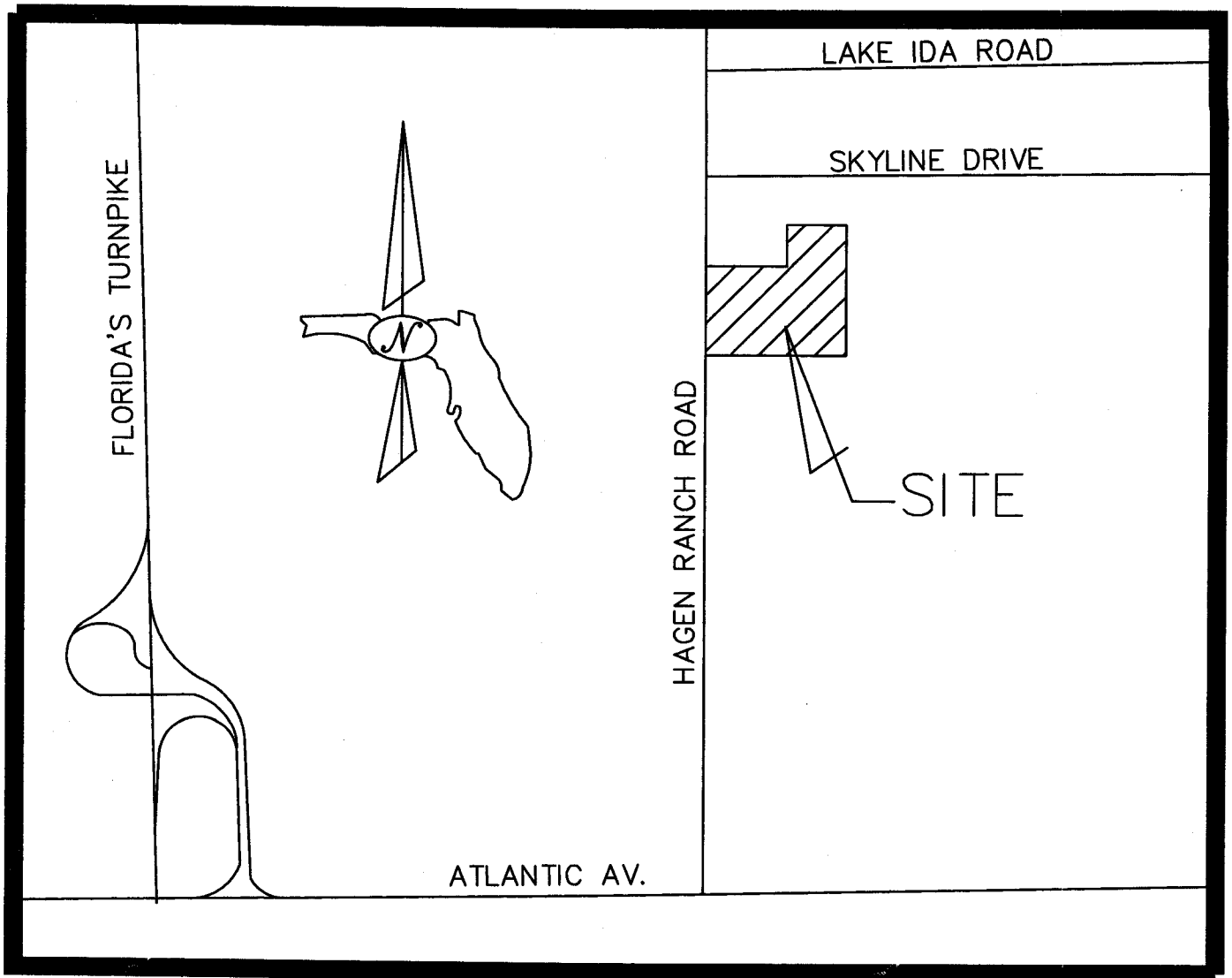
This item complies with current
County policies.

[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

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

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> | | | | |
| | | | TOTAL \$ BY DIR | TOTAL \$ BY CRC | TOTAL \$ BY BCC | TOTAL DAYS BY DIR | TOTAL DAYS BY CRC | TOTAL DAYS BY BCC | |
| | | | \$1,600.00 | | \$121,164.00 | 0 | 0 | 0 | |
| | | | DIR + CRC DOLLARS TO DATE | | | DIR+ CRC TOTAL DAYS TO DATE | | | |
| | | | <\$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

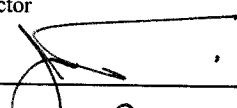
Amendment No. 5: \$ 400,700.00
C.O.# 1 through 1 : \$ 1,600.00
This C.O. # 2 : \$ <121,164.00 >
ADJUSTED Contract Price: \$ 281,136.00

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

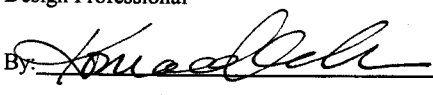
CONTRACTOR

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:

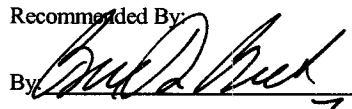
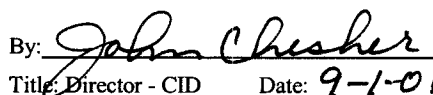
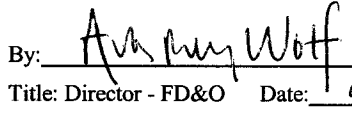
The Weitz Company
Contractor
By: 
Title: VP. Date: 7/17/06

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 29th 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