

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

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Meeting Date: February 6, 2007

☒ Consent

☐ Regular

☐ Workshop

☐ Public Hearing

Department: Facilities Development and Operations

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**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: Change Order No. 7 to the contract with West Construction, Inc. (R2005-0235), in the amount of \$8,214.03.

**Summary:** Phil Foster Park is a well established and heavily used park located on the intracoastal waterway at the eastern end of the Blue Heron Boulevard bridge in Riviera Beach. Construction of the improvements were completed in May, 2006, and the park was re-opened to the public. Change Order No. 7 is for changes to the existing lift station electrical service and to relocate transformers required for installation of FPL service to the renovated park. This work was completed prior to approval of this change order by the Board. Change Order No. 7 must be approved by the Board as it exceeds the cumulative limits of the Department Director and the Contract Review Committee (CRC). The SBE goal for this project is 15% . This change order includes 25.6% participation, and when combined with previous work done under this contract, the overall SBE participation is 40.6%. (Capital Improvements Division) District(s) 1,7 (JM)

**Background and Justification:** Improvements to Phil Foster Park included new restrooms, improved boat ramps and boat parking, new fishing platforms and docks, a park security building, a maintenance building, site lighting, landscaping, and irrigation. New upgraded FPL service was required for the site improvements, and FPL changed the voltage delivered to the site due to upgrades in service provider equipment. A new step-up transformer was required for the existing lift station at the site, and FPL required relocation of the transformer pads prior to installation of new equipment.

**Attachments:**

1. Location Map
2. Budget Availability Statement
3. Change Order No. 7

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Recommended by: \_\_\_\_\_

*Army Wolf*  
Department Director

*1/8/07*  
Date

Approved by: \_\_\_\_\_

*Charles*  
County Administrator

*1/9/07*  
Date

## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	<u>\$8,214.03</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Costs	<u>          </u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>          </u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>          </u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match (County)	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
NET FISCAL IMPACT	<u>\$8,214.03</u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
# ADDITIONAL FTE	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
POSITIONS (Cumulative)	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>

Is Item Included in Current Budget? Yes X No       

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

Budget Account No: Fund 3601 Dept 581 Unit P401 Object 6520  
Reporting Category           

## III. REVIEW COMMENTS:

### A. OFMB Fiscal and/or Contract Development and Control Comments:

[Signature] 1-24-07  
OFMB  
1/24/07  
mg  
1/24/07  
pm  
1-28-07

[Signature] 1/26/07  
Contract Administrator  
E. J. Evans 1/26/07

### B. Legal Sufficiency:

[Signature] 1/29/07  
Assistant County Attorney

**This item complies with current  
County policies.**

### C. Other Department Review:

[Signature]  
Department Director

**This summary is not to be used as a basis for payment.**



# FACILITIES DEVELOPMENT & OPERATIONS BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 01/04/07

REQUESTED BY: David Lowe

PHONE: 233-0281

FAX: 233-0270

PROJECT TITLE: Phil Foster Park

PROJECT NO.: 00219

ORIGINAL CONTRACT AMOUNT: \$4,617,482

BCC RESOLUTION#: R-2005-0235

DATE: February 1, 2005

REQUESTED AMOUNT: \$8,214.03

CSA or CHANGE ORDER NUMBER: Change Order No. 7

CONSULTANT/CONTRACTOR: West Construction, Inc.

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

CO #7:

- CCP #41: Install step up transformer at lift station.
- CCP #42: Relocate transformer pads.

CONSTRUCTION

\$8,214.03

PROFESSIONAL SERVICES

STAFF COSTS\*\* (DESIGN / CONST. PHASE)

MISC. (permits, prints, advertising, etc)

TOTAL

\$8,214.03

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

**BUDGET ACCOUNT NUMBER (IF KNOWN)**

FUND: 3601

DEPT: 581

UNIT: P401

OBJ: 6520

FUNDING SOURCE (CHECK ALL THAT APPLY):

☐ AD VALOREM☐ OTHER☐ FEDERAL/DAVIS BACONBAS APPROVED BY: *[Signature]*

DATE: \_\_\_\_\_

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

**FUNDING SOURCE(S)**

- ☐ Bond
- ☒ Impact Fees
- ☐ Park Improvement Fund
- ☐ Ad Valorem
- ☐ Other

**BAS APPROVAL**☒ FULLY FUNDED WITHIN CURRENT BUDGET *[Signature]*☐ FULLY FUNDED PENDING BUDGET TRANSFER \_\_\_\_\_**ATTACHMENT #2**

CHANGE ORDER BRIEF  
PHIL FOSTER PARK  
PROJECT NO.00219  
JANUARY 2, 2007

Prime Contractor ..... West Construction, Inc.

Change Order No. .... 7

Change Order Amount..... \$8,214.03

Changed Contract Time ..... 0 calendar days

Description of CCP's:

1. CCP #41: Install step up transformer at lift station ..... \$2,720.34
2. CCP #42: Relocate transformer pads ..... \$5,493.69

Explanation and Reason-for-Change Code:

1. CCP #41: D Due to voltage delivered to site by FPL it was necessary to add a step up transformer to existing lift station.
2. CCP #42 R FPL engineers required relocation of transformer pads prior to installation of new service transformers.

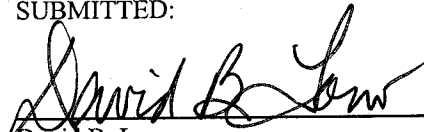
Reason-for-change codes

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: \$0

SUBMITTED:

 3 Jan 07  
David B. Lowe Date  
Project Manager, Capital Improvements Division

ATTACHMENT #3

**CHANGE ORDER HISTORY**  
**PHIL FOSTER PARK**  
**PROJECT NO. 00219**

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	CCP #7 - Replacement of water sports floating dock.	02/07/06			\$172,003.00			0	Owner Initiated
2	CCP #21 - SFWMD fine for violation of terms and conditions of permit.	02/01/06		(\$25,205.00)			0		
3	CCP #1, 3, 4R, 6, 8R, 12, 13, 15, 16, 17R	10/23/06	\$46,981.83						CCP #1, 16, 17R - E/O  CCP #3,6 - Differing Site Conditions  CCP #8R,12,13, 15 - Owner Initiated
4	CCP #2, 9, 11R, 14R, 18R, 19R, 20, 21R.	10/23/06	\$49,090.66						CCP #2, 9, 20 - E/O  CCP #11R, 14R, 18R, 19R, 21 - Owner Initiated
5	CCP #22R, 23, 24, 26, 27, 28R, 29R, 30R, 34, 37R.	10/25/06		\$45,509.03					CCP #22R, 24, 28R, 29R - E/O CCP #23, 30R - Differing Site Conditions CCP #26 & 34 - Owner Initiated CCP #27 - Other CCP #37R - Request by FPL

CHANGE ORDER HISTORY PHIL FOSTER PARK PROJECT NO. 00219									
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
6	CCP #10R, 35R, 36R	Pending		\$54,582.00			0		E/O
7	CCP #41 & 42	Pending			\$8,214.03			0	CCP #41 - Differing Site Conditions CCP #42 - Request by FPL
			TOTAL \$ BY DIR	TOTAL \$ BY CRC	TOTAL \$ BY BCC	TOTAL DAYS BY DIR	TOTAL DAYS BY CRC	TOTAL DAYS BY BCC	
			\$96,072.49	\$100,091.03	\$180,217.03	0	0	0	
			DIR + CRC DOLLARS TO DATE			DIR+ CRC TOTAL DAYS TO DATE			
			\$196,163.52			0			

## PALM BEACH COUNTY

## CHANGE ORDER

ISSUED TO: West Construction, Inc.  
318 S. Dixie Highway #4-5  
Lake Worth, FL 33460

CHANGE ORDER NO.: 7

REFERENCE CCP NO.: 41 &amp; 42

PROJECT: Phil Foster Park

RESOLUTION NO.: R-2005-0235

PROJECT NO. 00219

DISTRICT NO.: 1, 7

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:

- |    |          |  |            |
|----|----------|--|------------|
| 1. | CCP #41: | Install step up transformer at lift station. | \$2,720.34 |
| 2. | CCP #42: | Relocate transformer pads.                   | \$5,493.69 |

## CONTRACT PRICE

Original Contract Price: \$ 4,617,482.00  
C.O.# 1 through 6 \$ 342,961.52  
This C.O. # 7: \$ 8,214.03  
ADJUSTED Contract Price: \$ 4,968,657.55

## COMPLETION DATE

Contract Completion Date will be unchanged  
by 0 calendar days.

Contract Notice To Proceed Date: February 14, 2005Contract Substantial Completion Date: April 15, 2006ADJUSTED Substantial Completion Date: April 15, 2006

## 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:

West Construction, Inc.

Contractor

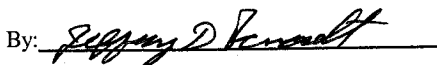
By: Title: PM Date: 1/08/07

## DESIGN PROFESSIONAL

The above changes are recommended for approval by the Owner:

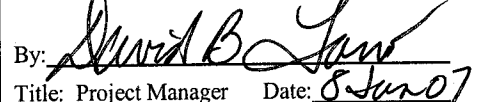
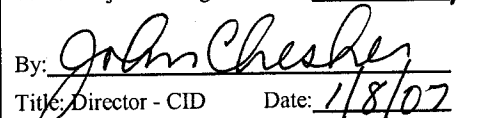
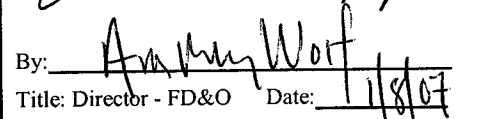
LBFH, Inc.

Design Professional

By: Title: Vice-President Date: 1-8-07

## PALM BEACH COUNTY

Recommended By:

By:   
Title: Project Manager Date: 8-Jun-07By:   
Title: Director - CID Date: 1/8/07By:   
Title: Director - FD&O Date: 1/8/07By: \_\_\_\_\_  
Legal Sufficiency - CAO Date: \_\_\_\_\_

Approved By:

By: \_\_\_\_\_  
Addie L. Greene  
Title: Chairperson, BCC Date: \_\_\_\_\_

## PALM BEACH COUNTY

## FIELD BULLETIN (FB)

TO: West Construction, Inc.  
319-A Wickline Blvd.  
Lantana, FL 33462

ATTENTION: Robert Binford

REFERENCE: Step Up Transformer for Lift Station

FB NUMBER: Forty-One (41)

DATE: 12-26-06

PROJECT NAME: Phil Foster Park

PROJECT NUMBER: 00219

CONTRACT NUMBER: R2005-0235

THIS BULLETIN IS NOT A CHANGE IN THE ABOVE CONTRACT NOR AN AUTHORIZATION TO THE CONTRACTOR TO PERFORM WORK, OTHER THAN CONTRACT WORK, OR TO STOP OR SUSPEND WORK UNLESS SPECIFICALLY AUTHORIZED BY THIS BULLETIN. However, it covers certain PROPOSED MODIFICATIONS to the work covered by said contract.

CAUSE: Owner requested for lift station operation.

DESCRIPTION: Install step up transformer at lift station.

NOTE: The Contractor shall submit, within 21 days of receipt of this Bulletin, a CONSTRUCTION CHANGE PROPOSAL # 41 in detailed form, for the above referenced project.

ORIGINATOR:

LBFH, Inc.  
FIRM

Jeffrey D. Renault  
SIGNATURE

December 26, 2006.  
DATE

REMARKS:

DISTRIBUTION: Owner's Project Manager  
Owner's Field Representative  
Engineer's Field Representative

Jeffrey D. Renault, P. E.  
DESIGN PROFESSIONAL

December 26, 2006  
DATE

PALM BEACH COUNTY
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## CONSTRUCTION CHANGE PROPOSAL (CCP)

TO:	Palm Beach County C.I.D. 3200 Belvedere Road, Bldg. 1169 West Palm Beach, FL 33406	CCP NUMBER:	<u>41</u>
		DATE:	<i>July 31, 2006</i>

ATTN:	<i>Mr. David Lowe</i>	<b>233-0045</b>	PROJECT NAME:	<u>PHIL FOSTER PARK</u>
	<i>Mr. Jeff Renault</i>	<b>689-8531</b>	PROJECT NUMBER:	<u>00219</u>

REFERENCE: *Step-Up Transformer at Lift Station* CONTRACT NUMBER: \_\_\_\_\_

We propose to accomplish the MODIFICATIONS identified in FIELD BULLETIN FB # **Verbal Instruction** and as described herein. Except as modified below, the original contract and all prior amendments shall remain in full force and effect.

DESCRIPTION: RECEIVED

<b>Murray Logan</b>	<b>CAPITAL IMPROVEMENTS DIV.</b>	<b>\$2,540.00</b>
<b>West Construction 5% Overhead</b>		<b>\$127.00</b>
<b>Subtotal Subcontractor/West</b>		<b>\$2,667.00</b>

AUG 11 2006

FILE: 00219 F.7  
CC: \_\_\_\_\_

	2% Ins. & Bond	\$53.34
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	<b>Total</b>
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PROPOSED CONTRACT PRICE CHANGE (increases)	\$2,720.34
(decreases)	
(unchanged)	

PROPOSED CONTRACT TIME CHANGE (increases)	TBD
(unchanged)	

PROPOSED NEW SUBSTANTIAL COMPLETION	TBD
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DISTRIBUTION: Matt West  
PBC CID

FROM: WEST CONSTRUCTION  
CONTRACTOR

C/O file  
Ruth - C/O tracking  
Murray Logan Invoice

SIGNED: \_\_\_\_\_  
DATE: \_\_\_\_\_

Encl :

# Murray Logan Construction, Inc.

313 65<sup>th</sup> Trail North  
West Palm Beach, FL 33413  
Phone (561) 686-3948 Fax (561) 686-7465

CCP  
#41

## CHANGE ORDER PROPOSAL

Project: Phil Foster Park

Date: May 10, 2006

To: West Construction  
318 South Dixie Hwy, Suite 4-5  
Lake Worth, FL 33460

Change Order Proposal: Five  
(revised)

Attn: Mathew West

Supply and install a 208/230 volt 3 phase step up transformer: \$2,540.00

Sincerely,

Kurt Kapsos  
Project Manager

## PALM BEACH COUNTY

## FIELD BULLETIN (FB)

TO: West Construction, Inc.  
319-A Wickline Blvd.  
Lantana, FL 33462

ATTENTION: Robert Binford

REFERENCE: Relocate FPL Transformers

FB NUMBER: Forty-Two (42)

DATE: 12-26-06

PROJECT NAME: Phil Foster Park

PROJECT NUMBER: 00219

CONTRACT NUMBER: R2005-0235

THIS BULLETIN IS NOT A CHANGE IN THE ABOVE CONTRACT NOR AN AUTHORIZATION TO THE CONTRACTOR TO PERFORM WORK, OTHER THAN CONTRACT WORK, OR TO STOP OR SUSPEND WORK UNLESS SPECIFICALLY AUTHORIZED BY THIS BULLETIN. However, it covers certain PROPOSED MODIFICATIONS to the work covered by said contract.

CAUSE: Owner requested.

DESCRIPTION: Relocate FPL transformers.

NOTE: The Contractor shall submit, within 21 days of receipt of this Bulletin, a CONSTRUCTION CHANGE PROPOSAL # 42, in detailed form, for the above referenced project.

ORIGINATOR:

LBFH, Inc.  
FIRM

  
SIGNATURE

December 26, 2006.  
DATE

REMARKS:

DISTRIBUTION: Owner's Project Manager  
Owner's Field Representative  
Engineer's Field Representative

Jeffrey D. Renault, P. E.  
DESIGN PROFESSIONAL

December 26, 2006  
DATE

## PALM BEACH COUNTY

## CONSTRUCTION CHANGE PROPOSAL (CCP)

TO: Palm Beach County C.I.D.  
3200 Belvedere Road, Bldg. 1169  
West Palm Beach, FL 33406

CCP NUMBER: 42

DATE: September 11, 2006

ATTN: Mr. David Lowe 233-0045  
Mr. Jeff Renault 689-8531

PROJECT NAME: PHIL FOSTER PARK

PROJECT NUMBER: 00219

REFERENCE: Relocate Transformers per FPL Req. CONTRACT NUMBER:

We propose to accomplish the MODIFICATIONS identified in FIELD BULLETIN FB # Verbal Instruction  
and as described herein. Except as modified below, the original contract and all prior amendments shall  
remain in full force and effect.

## DESCRIPTION:

Relocate Transformers per FPL Req.

21st Century Electric RFCO No. 36

\$3,574.26

West Construction 5% Overhead

\$178.71

Subtotal Subcontractor/West

\$3,752.97

West Working Foreman @ \$55.00 per hour X 4 hours

\$220.00

West Laborers to excavate and backfill:

2 men, 3 days, (2X8X3) X \$25.00 per hour

\$1,200.00

West Construction Inc. 15% on Direct work

\$213.00

Subtotal West Direct Work

\$1,633.00

2% Ins. &  
Bond

\$107.72

RECEIVED  
CAPITAL IMPROVEMENTS DIV.

OCT 02 2006

Total

FILE: 00219 F.7

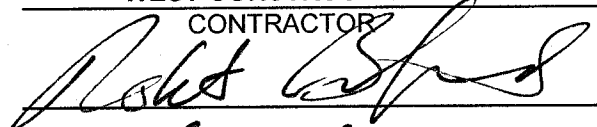
CC: PROPOSED CONTRACT PRICE CHANGE (increases) \$5,493.69  
(decreases)  
(unchanged)

PROPOSED CONTRACT TIME CHANGE (increases) TBD  
(unchanged)

PROPOSED NEW SUBSTANTIAL COMPLETION TBD

DISTRIBUTION: Matt West  
PBC CID  
LBFH  
C/O file  
Ruth - C/O tracking  
Encl.: 21st Century Electric RFCO No. 36

FROM: WEST CONSTRUCTION  
CONTRACTORSIGNED:  
DATE:

  
09.11.06

# 21<sup>st</sup>

century  
electric

1530 NW 26th Avenue  
Pompano Beach, FL 33069  
Telephone (954) 974-5412

August 16, 2006

Bob Binford  
West Construction, Inc.  
318 South Dixie Highway, Suite 4-5  
Lake Worth, FL 33460

Project: Phil Foster Park  
RFCO #36

Dear Bob,

This RFCO is for the relocation of the FPL transformers. Please note all material and man hours represent two days of work.

Material Installed:

20' - 5" PVC	3 - 5" PVC 90
11 - 5" PVC couplings	1 - 4" PVC 90
3 - PVC couplings	10' - 4" PVC 90
1 - 1 1/2 PVC 90	2 - 1 1/2 PVC couplings
4 - 2" PVC couplings	10' - 1 1/2 PVC
12 - 2" PVC couplings	40' - 2" PVC
2 - quarts PVC glue	

Total Material:	\$ 517.58
Tax:	\$ 36.24
Labor: 3 men @ 16 hours	\$2,004.00
Field Supervisor:	\$ 520.00
Fuel Surcharge:	\$ 171.51
10%:	\$ 324.93

The total cost for this RFCO is \$3,574.26

Sincerely,

21st Century Electric



Michael Yeary  
President  
MY/ts

File: 21<sup>st</sup> Century Elec.

A Division Of 21st Century Electrical Contractors, Inc.  
Electrical Contractor • Security Contractor • Energy Management Specialists

FAKE  
9/1/06

SCHEDULE 1

LIST OF PROPOSED SBE-M/WBE SUBCONTRACTORS  
CHANGE ORDER WORK

PROJECT NAME: Phil Foster Park PROJECT NO. 00219  
NAME OF GENERAL CONTRACTOR: West Construction, Inc. CONTACT PERSON: Matt West PHONE NO: 561 588-2027  
CCP #: 41 & 42 (Change Order #7)

PLEASE IDENTIFY ALL APPLICABLE CATEGORIES OF SUBCONTRACTORS

Name, Address and Phone Number	(Check one or both Categories)		Subcontract Amount				
	Minority Business	Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)
1. West Construction, Inc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ _____	\$ _____	\$ 2,099.77	\$ _____	\$ _____
2.	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
3.	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
4.	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
5.	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
(Please use additional sheets if necessary)	Total		\$ _____	\$ _____	\$ 2,099.77	\$ _____	\$ _____

Change Order Price \$8,214.03 Total Value of SBE Participation \$ 2,099.77 M/WBE Participation \$ -0-