

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: March 13, 2007 Consent [X] Regular []
Public Hearing []

Submitted By: Water Utilities Department
Submitted For: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Change Order No. 2 to the Contract with the Poole and Kent Company, Inc. (R2005-1928) for the Lake Region Water Treatment Plant Project (LRWTP) increasing the contract price by \$250,728.

Summary: On September 27, 2005, the Board approved a contract with the Poole & Kent Company, Inc. in the amount of \$19,727,000 for construction of the LRWTP (R2005-1928). This Change Order authorizes the Contractor to provide underground fuel storage tanks in lieu of aboveground tanks. Change Order No. 2 (\$250,728) results in a net increase of \$129,836 to the project. Total change orders to date, excluding the \$7,549,033.78 sales tax recovery program change order and this change order, equal zero. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.00% overall. This change order includes zero SBE participation. The contractor's cumulative SBE participation, including this change order, is 15.92% overall.

(WUD Project No. 03-169) District 6 (JM)

Background and Justification: On September 27, 2005, the Board approved a contract with the Poole & Kent Company, Inc. in the amount of \$19,727,000 for construction of the LRWTP (R2005-1928). On October 18, 2005, the Board approved Change Order No. 1 in the deductive amount of \$7,549,033.78, deleting materials and equipment for the purpose of sales tax recovery (R2005-2070) and issuing seventeen Purchase Orders resulting in a tax savings of \$412,962.63. Following Hurricane Wilma in October 2005, the Palm Beach County Facilities Development and Operations determined that underground fuel storage tanks offer greater operational flexibility than aboveground storage tanks. Change Order No. 2 authorizes the Contractor to furnish and install underground storage tanks for an additional cost of \$129,836. The County has agreed to cancel Purchase Order No. 03-169-05 issued to Phoenix Products for the aboveground storage tanks and credit \$120,892 back to the Contractor to purchase the underground tanks.

Attachments:

1. Location Map
2. Two (2) Original Change Order No. 2

Recommended By: Leisha L. Pica 02/15/07
Department Director Date

Approved By: Vincent Bonvento 3/6/07
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2007 | 2008 | 2009 | 2010 | 2011 |
|---|---------------------|----------|----------|----------|----------|
| Capital Expenditures | <u>\$250,728.00</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| External Revenues | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| Program Income (County) | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| In-Kind Match County | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| NET FISCAL IMPACT | <u>\$250,728.00</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| # ADDITIONAL FTE POSITIONS (Cumulative) | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |

Budget Account No.: Fund 4011 Dept 721 Unit W026 Object 6541

Is Item Included in Current Budget? Yes **X** No

Reporting Category **N/A**


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

One time capital expenditure from user fees with balances brought forward. The complete cost of this project is expected to be reimbursed by various federal, state and local grants.

C. Department Fiscal Review: Debra M. West

III. REVIEW COMMENTS

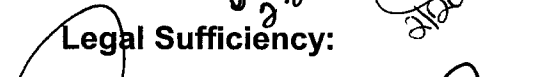
A. OFMB Fiscal and/or Contract Development and Control Comments:


 2-21-07
 OFMB
 act 2-20-07
 100
 02/20/07
 Legal Sufficiency

Ann. J. Jacoby 2/21/07
Contract Development and Control
Exh. 2/21/07

B. Legal Sufficiency:

Legal Sufficiency:


Assistant County Attorney

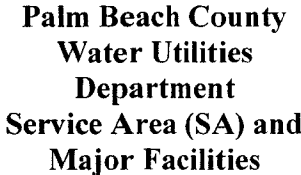
This item complies with current County policies.

At the time of days review, the pen was not executed.

C. Other Department Review:

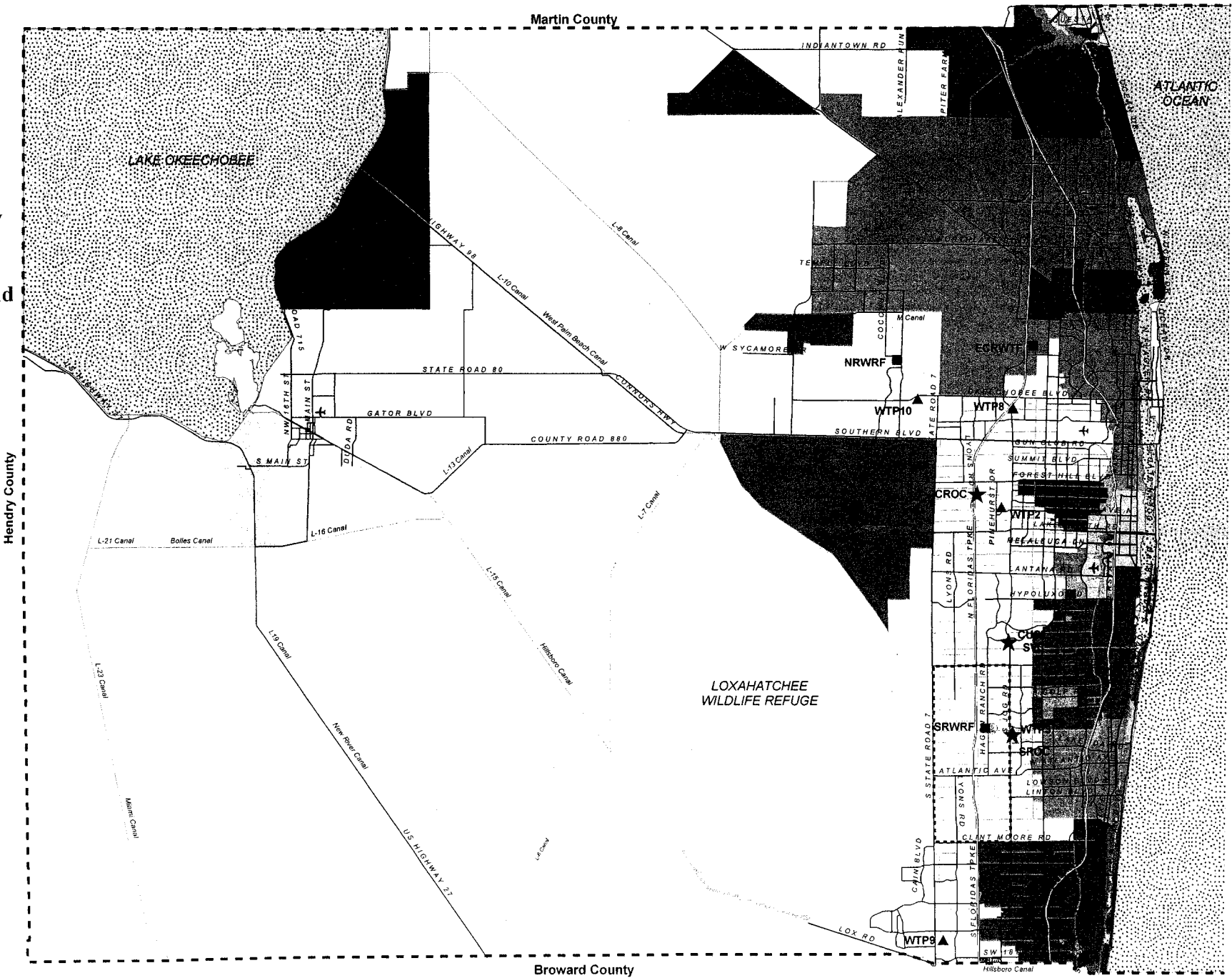
Department Director

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



Attachment 1

P.B.C.W.U.D. SA
 - - - - Mandatory Reclaimed SA
 - - - Palm Beach County Limits
 ★ Administration
 ■ Water Reclamation Facility
 ▲ Water Treatment Facility
 Wetlands



LAKE REGION WATER TREATMENT PLANT
PROJECT NO. WUD 03-169
CHANGE ORDER NO. 2

Unsigned
COPY

Contractor:
Poole and Kent Company of Florida
1781 NW North River Dr.
Miami, FL 33125

WATER UTILITIES DEPARTMENT
CONTRACT NO. R2005-1928
CONTRACT DATE: September 27, 2005
NOTICE TO PROCEED:
BUDGET FUND#: 4011-721-W026-6541

DISTRICT: 6

You are directed to make the following changes in this contract:

1. Delete two (2) - 12,000 gallon aboveground fuel storage tanks, complete with all piping valving, inventory monitoring, site work, concrete work and electrical complete as shown in the Contract Documents and Purchase Order 03-169-05, and install complete two (2) -12,000 gallon underground fuel storage tanks, with all piping valving, inventory monitoring, site work, concrete work and electrical required for a complete and operational system to supply fuel to the water treatment plant emergency generator.

\$250,728.00

NOT VALID UNTIL SIGNED BY BOTH OWNER AND ENGINEER. SIGNATURE OF THE CONTRACTOR INDICATES HIS AGREEMENT HERewith INCLUDING ANY ADJUSTMENT IN THE CONTRACT SUM OR CONTRACT TIME, AND NO ADDITIONAL COST OR TIME INDICATED HEREIN WILL BE RELATED TO THIS CHANGE

| | |
|---|--------------------------|
| The original Contract Sum was..... | \$19,727,000.00 |
| Net change by previous Change Orders | (7,549,033.78) |
| The Contract Sum prior to this Change Order was | \$12,177,966.22 |
| The Contract Sum will be increased by this Change Order..... | \$ 250,728.00 |
| The new Contract Sum including this Change Order will be | \$12,428,694.22 |
| The Contract time will be increased by..... | (0)days |
| The Date of Substantial Completion Phase 1 including this Change Order: | <u>120 days from NTP</u> |
| The Date of Substantial Completion Phase 2 including this Change Order: | <u>274 days from NTP</u> |
| The Date of Substantial Completion Phase 3 including this Change Order: | <u>575 days from NTP</u> |
| The Date of Substantial Completion Phase 4 including this Change Order: | <u>790 days from NTP</u> |
| The Date of Final Completion including this Change Order:..... | <u>850 days from NTP</u> |

**LAKE REGION WATER TREATMENT PLANT
PROJECT NO. WUD 03-169
CHANGE ORDER NO. 2**

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 MODIFICATIONS AND INCLUDING ANY CLAIM THAT THE ABOVE STATED MODIFICATION(S) CONSTITUTES IN WHOLE OR PART, A CARDINAL CHANGE TO THE CONTRACT.

**Palm Beach County
Water Utilities Dept.**

**Poole & Kent Co. of
Florida**

**Palm Beach County Board
of County Commissioners**

ENGINEER
Brian Shields, P.E., Dir. Engr.
ADDRESS
P.O. Box 16097
West Palm Beach, FL 33416

CONTRACTOR
Patrick Carr, Executive V.P.
ADDRESS
1781 NW North River Dr.
Miami, FL 33125

OWNER
Addie L. Greene, Chairperson
ADDRESS
P.O. Box 16097
West Palm Beach, FL 33416

DATE _____

DATE _____

DATE _____

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

ATTEST:
Sharon R. Bock, Clerk
and Comptroller:

County Attorney

(Corporate Seal)

Deputy Clerk

LAKE REGION WATER TREATMENT PLANT
PROJECT NO. WUD 03-169
CHANGE ORDER NO. 2

- | | |
|--|--|
| <input checked="" type="checkbox"/> OWNER INITIATED | <input type="checkbox"/> QUANTITY OVERRUNS/UNDERRUNS |
| <input type="checkbox"/> DIFFERING SITE CONDITIONS | <input type="checkbox"/> REQUEST BY ANOTHER AGENCY |
| <input type="checkbox"/> ZONING/CODE/ORDINANCE CHANGES | <input type="checkbox"/> ERRORS/OMISSIONS IN DESIGN |
| | <input type="checkbox"/> Reimbursable |
| | <input type="checkbox"/> Non-Reimbursable |

**LAKE REGION WATER TREATMENT PLANT
PROJECT NO. WUD 03-169
CHANGE ORDER NO. 2**

SCOPE OF WORK

Delete two (2) - 12,000 gallon aboveground fuel storage tanks, complete with all piping valving, inventory monitoring, site work, concrete work and electrical complete as shown in the Contract Documents, and Purchase Order 03-169-05, and install complete two (2) - 12,000 gallon underground fuel storage tanks, with all piping valving, inventory monitoring, site work, concrete work and electrical required for a complete and operational system to supply fuel to the water treatment plant emergency generator.

LAKE REGION WATER TREATMENT PLANT
PROJECT NO. WUD 03-169
CHANGE ORDER NO. 2

COST SUMMARY

| <u>C.O. #</u> | <u>DESCRIPTION</u> | <u>ADDITIONS</u> | <u>(DELETIONS)</u> | <u>NET CHANGE</u> |
|---------------|--|------------------|--|---|
| 2 | Cancel PBC PO # 03-169-05 for above ground fuel storage with vendor (Phoenix Products) | -0- | \$120,892.00 deleted from project cost not project contract | No Change in Construction Contract Amount |
| 2 | Credit Poole & Kent in accordance with C/O #1 for cancelled PO # 03-169-05 (above) | \$120,892.00 | -0- | \$120,892.00 |
| 2 | Additional costs associated with construction of underground fuel storage | \$129,836.00 | -0- | \$129,836.00 |
| Total: | | | | <u>\$250,728.00</u> |

LAKE REGION WATER TREATMENT PLANT
PROJECT NO. WUD 03-169
CHANGE ORDER NO. 2

SCHEDULE 1

PARTICIPATION OF SBE/MWBE CONTRACTORS

PROJECT NAME: Lake Region Water Treatment Plant PROJECT NO. WUD 03-169
NAME OF PRIME CONTRACTOR: Poole and Kent Company of Florida CHANGE ORDER NO. 2
CONTACT PERSON: Patrick Carr, Executive V.P. PHONE NO: 305/325-1930 FAX NO: 305/325-9586
CONTRACT DATE: September 17, 2005 DEPARTMENT: Water Utilities

| Name, Address and Phone Number of M/WBE | Type of Work To Be Performed | Contract Amount | | | |
|--|---------------------------------|-----------------|----------|-------|-----------------------|
| | | Black | Hispanic | Women | Other(Please Specify) |
| 1. | | \$ | \$ | \$ | \$ 0 |
| 2. | | \$ | \$ | \$ | \$ 0 |
| 3. | | \$ | \$ | \$ | \$ 0 |
| 4. | | \$ | \$ | \$ | \$ 0 |
| 5. | | \$ | \$ | \$ | \$ 0 |
| TOTALS | | \$ 0 | \$ 0 | \$ 0 | \$ 0 |

PRIME CONTRACTOR TO COMPLETE:
ORIGINAL CONTRACT PRICE: \$19,727,000.00 ORIGINAL PARTICIPATION: 15.92% overall SBE
ADJUSTED CONTRACT PRICE: \$12,307,802.22 ADJUSTED PARTICIPATION: 15.92% overall SBE
* Change Order #2 does not change SBE/M/BE participation.



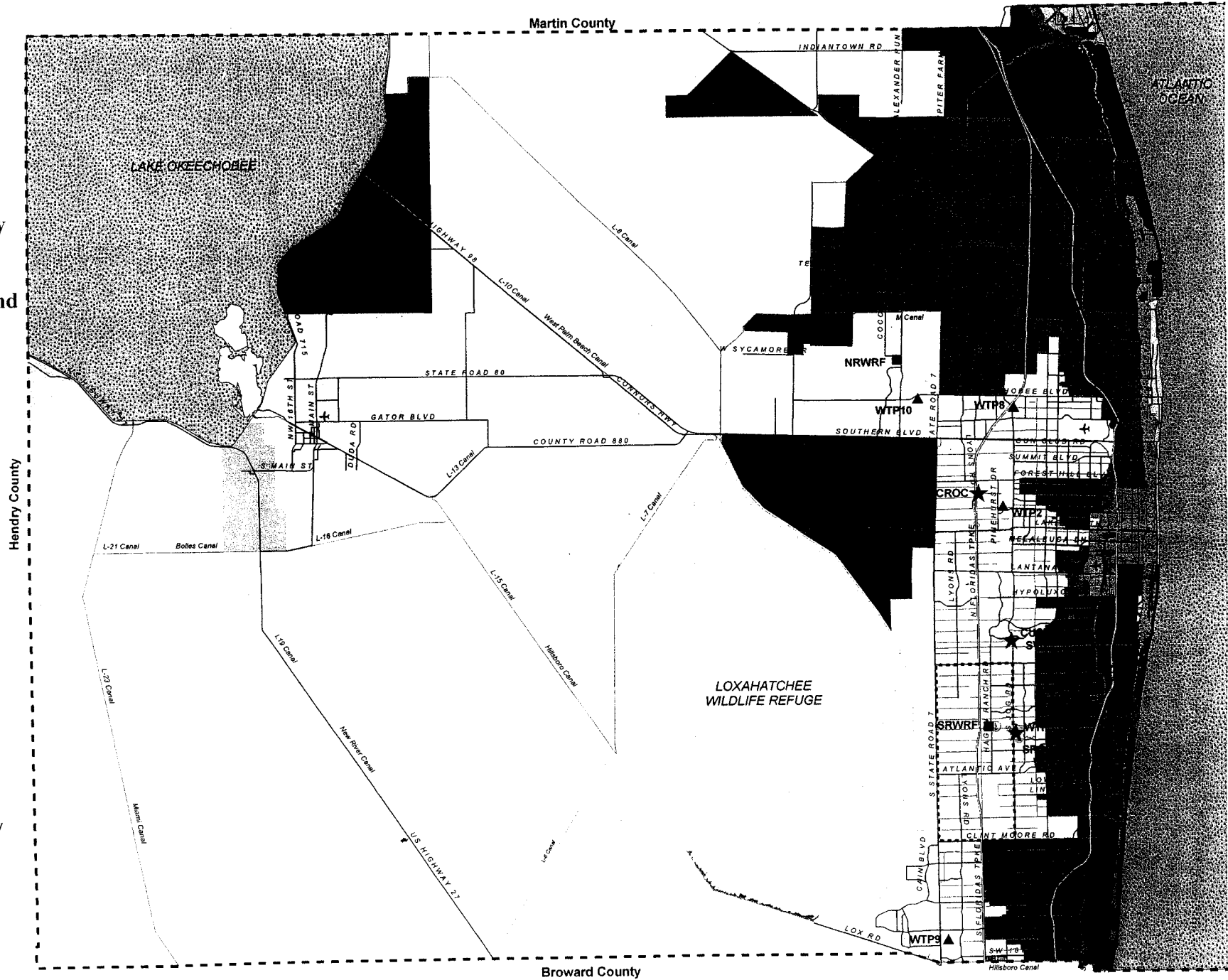
**Palm Beach County
Water Utilities
Department
Service Area (SA) and
Major Facilities**

Legend

- P.B.C.W.U.D. SA
- Mandatory Reclaimed SA
- - - Palm Beach County Limits
- ★ Administration
- Water Reclamation Facility
- ▲ Water Treatment Facility
- ☼ Wetlands



NOT TO SCALE





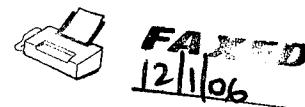
Poole & Kent

Mechanical Contractors
An EMCOR Company

Poole & Kent Company of Florida
1781 N.W. North River Drive
Miami, FL 33125
P.O. Box 420556
Miami, FL 33242
Phone: 305.325.1930
Fax: 305.324.0522

December 1, 2006

Palm Beach County WUD
8100 Forest Hill Blvd.
West Palm Beach, FL 33413



Attn: Mike Gleman

Re: Lake Region Water Treatment Plant
PBC No. WUD 03-169
Poole and Kent Job No. 05616
Palm Beach County RFP #3

Mr. Gleman:

Enclosed please find a cost breakdown to furnish and install two (2) 12,000 gallon double wall underground fuel storage tanks. This quotation replaces the previous quotation dated April 7, 2006. Scope of this proposal is in accordance with RFP#3A (see clarification 5, below). The total lump sum cost of this change amounts to \$250,728.00.

The following clarifications apply:

1. This quote is valid for fourteen (14) days, after which it will be re-quoted only upon written request.
2. This lump sum proposal is based solely upon direct cost elements, such as labor, material, equipment and normal workmanship and does not include any amount for changes in the sequence of work, delays, disruption, rescheduling, extended overhead, acceleration and impact costs of any type. The Poole and Kent Company reserves the right to submit costs for any and all the aforementioned, as well as related items of costs, including the cumulative impact of all in the aggregate, prior to final job close-out.
3. Poole and Kent reserves the right to submit for additional supplemental costs as described in the General Conditions of the Contract Documents when the full impact of this change is realized.
4. This proposal excludes any direct and indirect costs resulting from unforeseen work not specifically mentioned herein.



www.pkflorida.com

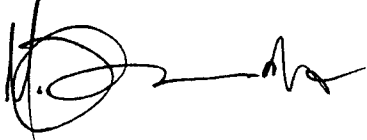
5. The costs of any and all permit fees or permit drawings are specifically not included in the cost of this proposal. Should any permit fees be required, they will be submitted to the owner under a separate cover.
6. RFP#3A states (2) 24,000 gallon underground fuel tanks; however, this proposal is for two (2) 12,000 gallon underground fuel tanks per your verbal request for this revision.
7. Pricing is based on the layout shown on RFP#3 and does not include costs for the relocation of utilities to accommodate a different layout.
8. Tank pricing is based on the submittal data furnished to Palm Beach County on September 26, 2006. Requests for additional accessories may result in added cost.

This change has impacted construction to date with regard to installation of the tanks and surrounding underground utilities. Please issue a lump sum change order in the amount quoted as soon as possible to minimize any further impacts to this project.

If you should have any questions, please feel free to contact me at (561) 992-5409.

Very truly yours,

Poole and Kent

A handwritten signature in black ink, appearing to read 'M. Brandao', with a stylized flourish at the end.

Michael Brandao
Project Manager

Attach/2 pages



Poole & Kent

Mechanical Contractors
An EMCOR Company

Poole & Kent Company of Florida
1781 N.W. North River Drive
Miami, FL 33125
P.O. Box 420566
Miami, FL 33242

Phone: 305.325.1930
Fax: 305.324.0522

Field Phone: 561.992.5409
Field Fax: 561.992.5406

Project Name: **Lake Region WTP, WUD 03-169**
Owner: **Palm Beach County**
Engineer: **Camp Dresser & McKee, Inc.**
Prime Contractor: **Poole and Kent**

Proposed Change Order No. 3b December 1, 2006

| Sheet No. | Sheet Identification | Material (\$) | Labor (hrs) | Equipment (\$) |
|--|---|---------------|--------------------------|----------------|
| 1 | Furnish and Install (2) 12,000 gal u/g Fuel Tanks | (3,366.00) | -110.98 | (2,357.11) |
| 2 | | - | | - |
| 3 | | - | | - |
| 4 | | - | | - |
| 5 | | - | | - |
| 6 | | - | | - |
| 7 | | - | | - |
| 8 | | - | | - |
| 9 | | - | | - |
| 10 | | - | | - |
| 11 | | - | | - |
| 12 | | - | | - |
| 13 | | - | | - |
| 14 | | - | | - |
| 15 | | - | | - |
| 16 | | - | | - |
| 17 | | - | | - |
| 18 | | - | | - |
| 19 | | - | | - |
| 20 | | - | | - |
| Material Cost, Labor Hours and Equipment Cost TOTALS | | (3,366.00) | -110.98 | (2,357.11) |
| Labor | | Totals | | |
| fitter/mechanic hours (110.98) | | | | |
| job adjustment factor 100% | | | | |
| total adjusted hours -110.98 hrs. @ 42.56 | | (4,723.39) | a. Equipment | |
| field foreman -22.20 hrs. @ 47.33 | | (1,050.56) | b. Labor Cost | |
| gen. foreman -4.44 hrs. @ 69.63 | | (309.11) | c. Material Cost | |
| Labor Subtotal (line b.) | | (6,083.06) | d. Equipment & Tools | |
| | | | e. Sales Tax 6.5% | |
| | | | f. Subcontracts | |
| Subcontracts | | | g. Other Direct Costs | |
| i. Glasgow Equipment 217,323 | | | h. Subtotal | |
| ii. Electrical Work 4,000 | | | i. Overhead 5.0% | |
| iii. I&C Programming 5,000 | | | j. Profit 10.0% | |
| iv. | | | k. Bond & Insurance 2.0% | |
| v. | | | | |
| Subcontract Subtotal (line h.) | | 226,323 | | |

Total Proposed Change Order Amount 250,728

QUOTATION & CONTRACT
For Installation or Service

DATE: MARCH 6, 2006

PAGE 1 OF 1

GLASGOW EQUIPMENT SERVICE, INC.
P.O. BOX 10087
RIVIERA BEACH, FLORIDA 33419-0087
PHONE (561) 842-7236 * FAX (561) 842-7402

POOLE & KENT COMPANY
13100 JOG ROAD
DELRAY BEACH, FL 33484
ATTN: MIKE BRANDAO

RE: 39700 HOOKER HIGHWAY

IN RESPONSE TO YOUR INQUIRY, WE SUBMIT THE FOLLOWING QUOTATION:

PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT TO INSTALL A NEW FUEL SYSTEM MEETING F.D.E.P./E.P.A. REQUIREMENTS, INCLUDING:

- PREPARE AND SUBMIT PERFORMANCE AND PAYMENT BOND.
- OBTAIN REQUIRED PERMITS USING OWNER-SUPPLIED DRAWINGS
- PERFORM NECESSARY EXCAVATIONS AND TRENCHING.
- FURNISH AND INSTALL TWO 12,000-GALLON MODERN WELDING DOUBLE-WALL GLASTEEL II UNDERGROUND STORAGE TANKS INCLUDING DEADMEN RESTRAINTS, TANK FITTINGS, VENTS, MANWAYS, SUMPS AND WATER TIGHT MANHOLE LIDS.
- FURNISH AND INSTALL DOUBLE-WALL ENVIRON GEOFLEX-D UNDERGROUND FUEL OIL SUPPLY AND RETURN PIPING INCLUDING FLEXIBLE PIPING CONDUIT, FITTINGS AND ACCESSORIES FROM THE TANK TO THE OWNER-SUPPLIED DAY TANK.
- FURNISH AND INSTALL TRANSITIONAL PIPING SUMP WITH ALL NECESSARY ACCESSORIES.
- FURNISH AND INSTALL BLACK IRON FUEL OIL SUPPLY AND RETURN PIPING FROM TRANSITIONAL SUMP TO THE OWNER-SUPPLIED DAY TANK INCLUDING SOLENOID VALVE AND FITTINGS.
- BACKFILL EXCAVATIONS WITH PEAROCK PER MANUFACTURERS RECOMMENDATION.
- FURNISH AND INSTALL VEER-ROOT ENVIRONMENTAL TANK MONITORING SYSTEM TLS-350J, COMPLETE WITH AUDIO AND VISUAL ALARMS, SUMP SENSORS, INVENTORY AND LEAK DETECTION CAPABILITIES, INTEGRAL PRINTER AND TEN ROLLS OF PAPER.
- STARTUP AND CHECKOUT OF SYSTEM
- PERFORM ALL REQUIRED INSPECTIONS, TESTING AND CERTIFICATIONS.

BID PRICE

\$ 217,322.78

CONDITIONS AND CLARIFICATIONS:

- FUEL SUPPLY NOT INCLUDED
- NO CONCRETE INCLUDED
- EXCAVATED MATERIALS TO REMAIN ON-SITE
- NO PLC OR DATABASE MODIFICATIONS INCLUDED
- ELECTRICAL CONDUIT, WIRING AND CONTROL WIRING NOT INCLUDED
- PERMIT FEES NOT INCLUDED
- INSTALLATION CERTIFICATION & PROOF OF PROPER OPERATION OF ALL EQUIPMENT WILL BE PROVIDED AT COMPLETION OF PROJECT.
- DUE TO INDUSTRY VOLITILITY FOR CARBON STEEL MATERIAL, THE PRICING OFFERED IN THIS QUOTATION IS SUBJECT TO REVIEW AT THE TIME OF ORDER PLACEMENT. MATERIAL PRICING WILL BE SUBJECT TO ADJUSTMENT, WITHOUT MARKUP, BASED UPON INCREASES OCCURRING BETWEEN THE DATE OF QUOTATION AND TIME OF ORDER PLACEMENT

PAYMENT TERMS: TO BE INVOICED ON PERCENTAGE OF WORK COMPLETION.

THANK YOU FOR THE OPPORTUNITY TO BE OF SERVICE.

TRULY YOURS,

LOUIS F. D'ANTONIO, VP
GLASGOW EQUIPMENT SERVICE, INC.

ACCEPTANCE: This quotation when accepted by the customer, and countersigned by the authorized representative of GLASGOW EQUIPMENT SERVICE, INC., will constitute a bona fide contract between the parties, subject to all terms and conditions on the reverse side of the final quotation & contract. It is expressly agreed that there are no promises, agreements, or understanding, oral or written, not specified in this quotation.

Customer _____
Authorized Signature _____
Name & Title Of signer _____
Date _____

Glasgow Equipment Service, Inc.
Authorized Signature _____
Name & Title Of signer _____
Date _____