

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: July 10, 2007

Consent **Regular**
 Workshop **Public Hearing**

Department:

Submitted By: **Engineering and Public Works**
Submitted For: **Construction Coordination Division**

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Change Order No. 2 in the amount of \$14,350, together with a 20-day time extension, to Contract No. R2006-2350 with J. W. Cheatham LLC for construction of Persimmon Boulevard South Extension from 110th Avenue North to Okeechobee Boulevard.

Summary: Change Order No. 2 is compensation for additional costs and delays resulting from an error in the survey control points furnished to the contractor.

Districts: 2 and 6 (M.E.)

Background and Justification: After construction had commenced, it was discovered that the survey control points given to the contractor, J. W. Cheatham LLC, were off by 16 feet, resulting in the contractor having to re-establish the control points, re-stake the east right-of-way line, remove the existing silt fence, and install a new silt fence. Reimbursement from the consultant, K-F Group, Inc., for the premium amount of this error and omission will be processed in accordance with PPM CW-F-067. The 20-day time extension equates to \$152,280, which exceeds the monetary value authorized for approval by the Contract Review Committee in accordance with PPM CW-F-050.

Attachments:

1. Location Map
2. Change Order No. 2
3. J. W. Cheatham LLC letter dated 3/7/07
4. Schedule No. 1
5. Change Order History

Recommended by:

[Signature]
Division Head

5-23-07
Date

Approved by:

[Signature]
County Engineer

6/12/07
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	\$14,350	-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	\$14,350	-0-	-0-	-0-	-0-

ADDITIONAL FTE
POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes X No
Budget Acct No.: Fund 320 Dept. 301 Unit 1029 Object 051
Program

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

Road Impact Fee Fund - Zone 3
Persimmon Blvd-S Ext/110th Ave to Okeechobee Blvd

Change Order #2 \$14,350.00

C. Departmental Fiscal Review: _____ *[Signature]*

III. REVIEW COMMENTS

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

[Signature] 6-18-07
OFMB
6-18-07
6/18/07
6/12/07

[Signature] 6/19/07
Contract Dev. and Control
6/19/07

B. Approved as to Form and Legal Sufficiency:

[Signature] 6/26/07
Assistant County Attorney

This item complies with current County policies.

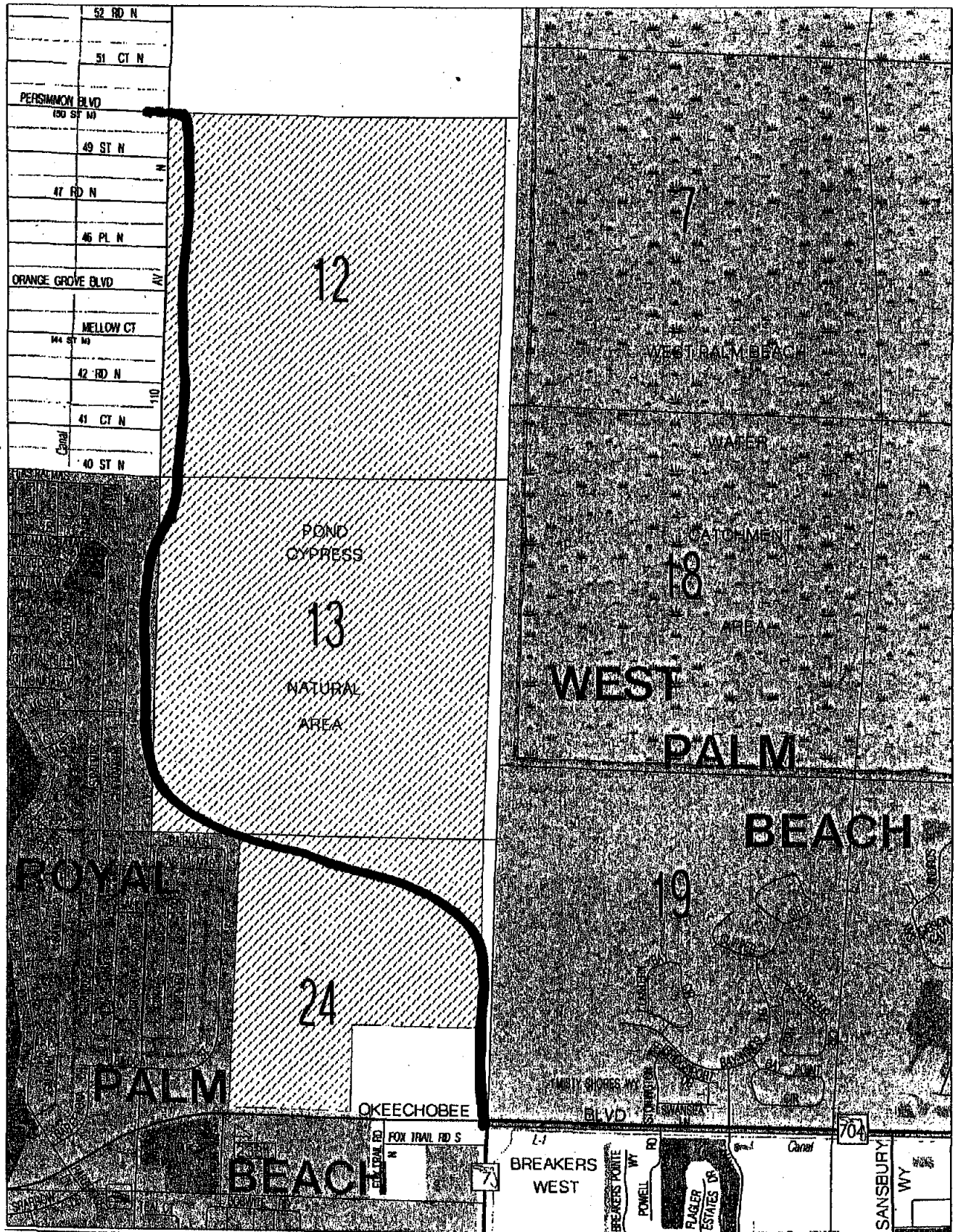
C. Other Department Review:

Department Director

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

PROJECT LOCATION

PERSIMMON BOULEVARD SOUTH EXTENSION FROM 110TH AVENUE NORTH TO OKEECHOBEE BOULEVARD



LOCATION SKETCH

CHANGE ORDER

ORIGINAL

Attachment #2

- Owner Initiated
- Differing Site Conditions
- Zoning/Code/Ordinance Changes
- Errors/Omissions/In Design
- Quantity Overruns/Underruns
- Request By Another Agency/Outside Party
- A. Reimbursable B. Non-Reimbursable
- Other

PROJECT: **PERSIMMON BOULEVARD SOUTH EXTENSION** CHANGE ORDER NO: 2 (Two)
 (name) **FROM 110TH AVENUE NORTH TO OKEECHOBEE** COUNTY PROJECT NO: 1998500
BOULEVARD CONTRACT DATE: 11/21/06
 TO: (Contractor) J.W. Cheatham, LLC RESOLUTION NO: R-2006-2350
 DISTRICT NO: 2 & 6

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

1. Re-establish control points – Lump Sum	\$ 2,300.00
2. Re-stake east right-of-way line – Lump Sum	3,450.00
3. Install new silt fence and remove existing silt fence – 4300 LF @ \$2.00	8,600.00
TOTAL \$	14,350.00

The original Contract sum was	\$ 16,606,553.50
Net change by previous Change Orders.	\$ 2,282.00
The Contract Sum prior to this Change Order was	\$ 16,608,835.50
The Contract Sum will be increased by this Change Order	\$ 14,350.00
The new Contract Sum including this Change Order will be	\$ 16,623,185.50
The Contract Time will be increased by	(20) Days
The Date of Completion as of the date of this Change Order therefore is	December 23,2008

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.

ENGINEER (If Applicable) J.W. Cheatham, LLC
 CONTRACTOR
 Address 7396 Westport Place
West Palm Beach, FL 33413

P.B.Co. Board of Co. Commissioner
 OWNER
 Address P. O. Box 21229
West Palm Beach, FL 33416-1229

BY S. M. HARRIS
 DATE 5/15/07

BY _____
 DATE _____

ATTEST: Sharon R. Bock,
 Clerk & Comptroller

Approved as to Form and Legal
 Sufficiency:

(Deputy Clerk) Date

(County Attorney)



Road Building & Earthmoving Contractors

March 7, 2007

Palm Beach County
Construction Coordination Division
P.O. Box 21229
West Palm Beach, FL 33416

MAR - 9 2007

Attn: Mr. Ellis Ross, Director

Ref: Persimmon Blvd. Project No. 1998500

Dear Mr. Ross:

J.W. Cheatham, LLC's surveyor, Monroe Land Surveying, Inc., has discovered a problem with the Control Points on the above referenced project. Based on control point information given on sheet 17 and 18 of the plans, our surveyor staked the R/W lines of the project. Even though the points checked within themselves the control points at stations 318+35.23, 322+38.07 and 329+20.01 were in the wrong location by approximately 16 feet in an Easterly direction. This was communicated to Brown & Phillips, Inc., the surveyor for the County. The wrong location was confirmed by Brown and Phillips and we were told by Mr. Phillips that we should establish our own control points at these locations.

Due to the wrong information supplied on plans, we had staked the easterly R/W line in the wrong location and have cleared and installed silt fences, which have to be removed and relocated.

J.W. Cheatham, LLC is requesting reimbursement of the costs to correct work due to wrong information supplied to us.

Re-establish Control Points	1	Lump Sum	\$ 2,300.00
Re-Stake East R/W Line	1	Lump Sum	\$ 3,450.00
Install new silt fence & remove existing		4300 LF @ \$2.00/LF	<u>\$ 8,600.00</u>
		Total	\$14,350.00

Additional Contract Days 20 Days.



**Road Building &
Earthmoving Contractors**

Persimmon Blvd. Survey, Page 2

Your prompt response is requested.

Sincerely,
J.W. Cheatham, LLC

S. M. Mousavi

Moe Mousavi
Vice President

SCHEDULE 1

LIST OF PROPOSED SBE-M/WBE SUBCONTRACTORS

PROJECT NAME: Persimmon Blvd. South Extension PROJECT NO. 1998500 *Change order No 2*
 NAME OF PRIME BIDDER: J. W. Cheatham, LLC
 CONTACT PERSON: Moe Moussaoui PHONE NO: (561) 471-4100 FAX NO: (561) 471-8348
 BID DATE: 11/21 DEPARTMENT: Estimation

PLEASE IDENTIFY ALL APPLICABLE CATEGORIES OF SUBCONTRACTORS

Name, Address and Phone Number	(Check one or both Categories)		Dollar Amount				
	Minority Business	Small Business	Small	Black	Hispanic	Women	Other (Please Specify)
1. <u>N/A</u>	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
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"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
6.	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
(Please use additional sheets if necessary)	Total		\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>

Total Bid Price \$ 14,350.00 Total Value of SBE Participation \$ 0

- NOTE:
- The amounts listed on this form must be supported by the Subcontractors prices included on Schedule 2 in order to be counted toward goal attainment.
 - Firms may be certified by Palm Beach County as an SBE and/or M/WBE. If firms are certified as both an SBE and M/WBE, please indicate the dollar amount under the appropriate category.
 - M/WBE information is being collected for tracking purposes only.

CHANGE ORDER HISTORY

PALM BEACH COUNTY PROJECT Persimmon Boulevard South Extension from 110th Avenue North to Okeechobee Boulevard: Project No. 1998500

C.O. #	DATE APPROVED	COUNTY ENGINEER		C.R. COMMITTEE		TOTAL DEPT. & C.R. APPROVALS		BOARD OF CO. COMM.	
		AMOUNT	TIME	AMOUNT	TIME	AMOUNT	TIME	AMOUNT	TIME
1	5/17/2007	2,282.00	0						
	TOTAL	2,282.00	0			2,282.00	0		
	CUMULATIVE TOTAL	2,282.00	0			2,282.00	0		
		MAX. AMT. \$100,000.00	MAX. TIME 30 DAYS	MAX. AMT. \$100,000.00	MAX. TIME 90 DAYS	MAXIMUM CUMULATIVE CO. ENG. & C.R. COMM. \$200,000.00	MAX. CUM. CO. ENG. & C.R. 120 DAYS		