

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: November 20, 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:

A) Change Order No. 6 in the amount of \$156,435, together with a 35-day time extension to Contract No. R2007-0010 with J.W. Cheatham, LLC for the construction of Greenview Shores Boulevard from South Shore Boulevard to Wellington Trace; and

B) Budget Amendment of \$156,435 in the Road Impact Fee Fund-Zone 3 to recognize reimbursement from The Village of Wellington.

Summary: Change Order No. 6 is compensation for additional costs encountered due to utility conflicts with the Village of Wellington (Village) utilities. The Village has agreed to fully reimburse Palm Beach County \$156,435 for Change Order No. 6.

District: 6 (MRE)

Background and Justification: The Village and Palm Beach County have partnered together to design and construct improvements on Greenview Shores Boulevard. This improvement is necessary as a result of conflicts with existing Village utilities. This Change Order was required to address modifications and additions requested by The Village. The contractor, J.W. Cheatham, LLC, has proposed compensation of 35 days and \$156,435.00 for this additional work. The Village has agreed to fully reimburse Palm Beach County \$156,435.00 for Change Order No. 6.

Attachments:

1. Location Map
 2. Change Order No. 6
 3. Attachment "A"
 4. Accepted and approved agreement dated August 14, 2007
 5. Change Order History
 6. Schedule 1
 7. Budget Amendment
-

Recommended By: _____ **Division Director** _____ **Date**

Approved By: _____ *D. J. Webb* 10/31/07
_____ **Date**
County Engineer

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2008 | 2009 | 2010 | 2011 | 2012 |
|--------------------------|---------------|------------|------------|------------|------------|
| Grant Expenditures | \$156,435 | -0- | -0- | -0- | -0- |
| Operating Costs | -0- | -0- | -0- | -0- | -0- |
| External Revenues | <\$156,435> | -0- | -0- | -0- | -0- |
| Program Income (County) | -0- | -0- | -0- | -0- | -0- |
| In-Kind Match (County) | -0- | -0- | -0- | -0- | -0- |
| NET FISCAL IMPACT | \$ -0- | -0- | -0- | -0- | -0- |

ADDITIONAL FTE

POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes _____ No X

Budget Acct No.: Fund ___ Dept. ___ Unit ___ Object ___
Program

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

Road Impact Fee Fund - Zone 3
Municipal Participation
Greenview Shores/S Shore Blvd to Wellington Tr

Change Order # 6
PO CSEP020607-17

\$156,435.00

C. Departmental Fiscal Review: _____

R. D. Wald 10/11/07

III. REVIEW COMMENTS

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

Jim DeL... 11-7-07
OFMB

atw 11.5.07
MD 11/15/07
SW 11/15/07
Control 11/23/07

Jim J. J... 11/8/07
Contract Dev. and Control

B. Approved as to Form and Legal Sufficiency:

Marlene R. Utter 11/14/07
Assistant County Attorney

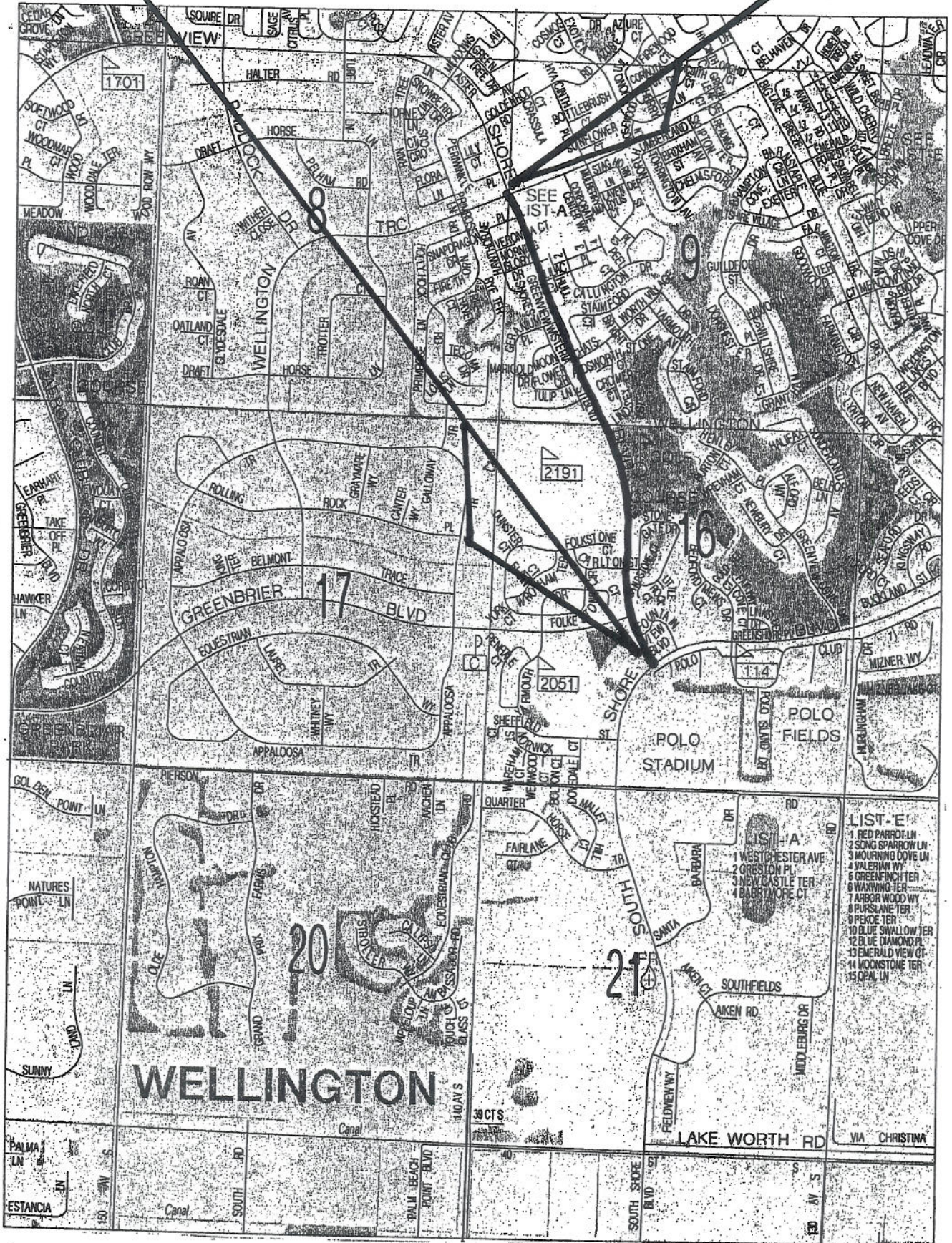
This item complies with current County policies.

C. Other Department Review:

Department Director

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

**PROJECT LOCATION
PROJECT #2002500
GREENVIEW SHORES BOULEVARD
FROM
SOUTH SHORE BOULEVARD TO WELLINGTON TRACE**



LOCATION SKETCH

CHANGE ORDER

| | |
|---|---|
| <input type="checkbox"/> Owner Initiated | <input type="checkbox"/> Quantity Overruns/Underruns |
| <input checked="" type="checkbox"/> Differing Site Conditions | <input type="checkbox"/> Request By Another Agency/Outside Party |
| <input type="checkbox"/> Zoning/Code/Ordinance Changes | <input type="checkbox"/> A. Reimbursable <input type="checkbox"/> B. Non-Reimbursable |
| <input type="checkbox"/> Errors/Omissions/In Design | <input type="checkbox"/> Other: |

| | |
|---|----------------------------|
| PROJECT: GREENVIEW SHORES BOULEVARD/SOUTH | CHANGE ORDER NO: 6 (six) |
| (Name) SHORE BOULEVARD TO WELLINGTON TRACE | COUNTY PROJECT NO: 2002500 |
| TO: | CONTRACT DATE: 01/09/07 |
| (Contractor) J.W. Cheatham, LLC | RESOLUTION NO: R2007-0010 |
| | DISTRICT NO: 6 |

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

*** Change Order No. 6 is Fully Reimbursable by The Village of Wellington**

See Attachment "A" for breakdown of revised quantities to the original joint participation agreement between Palm Beach County and The Village of Wellington \$ 156,435.00

| | |
|---|----------------|
| The original Contract Sum was | \$6,599,072.30 |
| Net change by previous Change Orders | \$ 99,116.90 |
| The Contract Sum prior to this Change Order was | \$6,698,189.20 |
| The Contract Sum will be increased by this Change Order | \$ 156,435.00 |
| The new Contract Sum including this Change Order will be | \$6,854,624.20 |
| The Contract Time will be increased by | (35) Days |
| The Date of Completion as of the date of this Change Order therefore is | June 7, 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.

| | |
|--|--|
| <u>J.W. Cheatham, LLC</u> | <u>P.B.Co. Board of County Commissioners</u> |
| ENGINEER (If Applicable) <u>CONTRACTOR</u> | OWNER |
| <u>7396 Westport Place</u> | <u>P. O. Box 1229</u> |

| | |
|--|---|
| Address <u>West Palm Beach, FL 33413</u> | Address <u>West Palm Beach, FL 33416-1229</u> |
|--|---|

BY _____ BY S. M. Morsell, v.g. BY _____

DATE _____ DATE 9/27/07 DATE _____

ATTEST: Sharon r. Bock,
Clerk & Comptroller

Approved as to Form and Legal
Sufficiency:

| | | |
|-------------------------|---------------|----------------------------|
| _____ (Deputy Clerk) | _____ Date | _____ (County Attorney) |
|-------------------------|---------------|----------------------------|

ATTACHMENT "A"
Greenview Shores Boulevard from South Shore Boulevard
To Wellington Trace; Project No. 2002500

Revisions to original agreement between Palm Beach County and The Village of Wellington for joint participation and project funding of Greenview Shores from South Shore Boulevard to Wellington Trace.

| <u>ITEM</u> | <u>C.O.ADDITION</u> |
|--|----------------------|
| 37 Manhole (P-7) | |
| 39 Manhole (J-7) | |
| Difference Between 39 & 37 – 1 EA. @ \$3,180.00 | \$ 3,180.00 |
| 45 Premium for conflict condition – 6 EA @ \$3,930.00 | 23,580.00 |
| 94 Support and protect watermain and appurtenances – 400 LF @ \$17.00 | 6,800.00 |
| 96 Support and protect forcemain and appurtenances – 1074 LF @ \$17.00 | 18,275.00 |
| 39 Manhole (J-7) – 2 EA @ \$6,590.00 | 13,180.00 |
| 40 Manhole (J-7) (>10') – 2 EA @ \$7,695.00 | 15,390.00 |
| new Conflict structure sleeves – 18 EA @ \$2,500.00 | 45,000.00 |
| new Remove 6" FM at C-4 Canal – Lump Sum | 14,520.00 |
| new Install 6" FM at C-4 Canal – Lump Sum | 14,310.00 |
| new Modify existing structures – 4 EA @ \$550.00 | <u>2,200.00</u> |
| CHANGE ORDER NO. 6 TOTAL AMOUNT | \$ 156,435.00 |

AUG 1 2007



Department of Engineering
and Public Works
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
www.pbcgov.com

**Palm Beach County
Board of County
Commissioners**
Addie L. Greene, Chairperson
Jeff Koons, Vice Chair
Karen T. Marcus
Warren H. Newell
Mary McCarty
Burt Aaronson
Jess R. Santamaría

County Administrator
Robert Weisman

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**"This letter supercedes the one previously sent dated
June 6, 2007, and includes additional items."**

August 1, 2007

Angela Kahoe, P.E.
Deputy Director of Environmental and Engineering Services
Village of Wellington
14000 Greenbriar Blvd.
Wellington, Fl 33414-7615

**RE: Greenview Shores Blvd
From South Shore Blvd. to Wellington Trace.
Palm Beach County Project # 2002500
Supplement to Agreement with Village of Wellington**

Dear Ms. Kahoe:

The Village of Wellington has agreed to jointly participate with Palm Beach County Engineering in the utility construction of subject project.

As per your previous conversation with Palm Beach County Construction Coordination the following itemized attachment "B" shows the revised quantities and new items added to the previously signed agreement between Palm Beach County and The Village of Wellington.

The summary of total changes are as follows:

| | Original | Revised |
|--|----------------------|----------------------|
| Roadway Pay Items | \$ 84,281.00 | \$ 111,041.00 |
| Contingency Pay Items | \$ 18,920.00 | \$ 18,920.00 |
| Village of Wellington W.U.D. | \$ 205,169.00 | \$ 230,244.00 |
| New Items not in original Agreement | | \$ 104,600.00 |
| Grand Total | \$ 308,370.00 | \$ 464,805.00 |
| Additional Amount Added to Original Agreement | | \$ 156,435.00 |

Please note to best of our knowledge all changes are included but it does not guarantee there will not be any unforeseeable changes in the future.



Page 2
Angela Kahoe, P.E.
Greenview Shores Blvd

As per paragraph #7 in the original agreement, if the foregoing is acceptable to The Village of Wellington, please indicate acceptance of the changes as per the terms and conditions of the original agreement by signing this document and returning the original to our office within one calendar month from the above date.

Sincerely,

Omelio A. Fernandez
Omelio A. Fernandez, P.E., Director,
Engineering & Public Works Opers.

Tanya N. McConnell
Tanya N. McConnell, P.E.,
Deputy County Engineer

Accepted and approved by Village of Wellington this

14th day of August, 2007.

By: *Thomas M. Wenham*
(SIGNATURE)

MAYOR
(TITLE)

As Authorized Representative for
Village of Wellington

Thomas M. Wenham, Mayor
(PRINTED NAME)

SR

OAF:DLY:SR:

Attachment: Attachments "B"

- pc: Tanya N. McConnell, P.E., Deputy County Engineer-w./Attach.
- Marlene R. Everitt, Assistant County Attorney-w./Attach.
- Ellis Ross, Director, Construction Coordination-w./attach.
- Bob Ward, Fiscal Manager I, Administrative Services-w./Attach.

ec: Javier Lopez, P.E. Project Engineer - Roadway Production Division
Serge Jerome, Project Coordinator - Roadway Production Division

File: Project # 2002500

N:\ROADWAY\UTILITY COORDINATION\2002500_Greenview_Southshore to wellington
Trace\WEL-req LTR.doc

CHANGE ORDER HISTORY

PALM BEACH COUNTY PROJECT: GREENVIEW SHORES BOULEVARD FROM SOUTH SHORE BOULEVARD TO WELLINGTON TRACE; PROJECT NO. 2002500

| 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 | 7/16/2007 | Substitution 0.00 | 0 | | | | | | |
| 2 | 8/17/2007 | 40,991.90 | 14 | | | | | | |
| 3 | 8/23/2007 | 3,725.00 | 2 | | | | | | |
| 4 | 09/17/07 | 47,000.00 | 15 | | | | | | |
| 5 | 09/17/07 | 7,400.00 | 5 | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | TOTAL | 99,116.90 | 36 | | | 99,116.90 | 16 | | |
| | CUMULATIVE TOTAL | 99,116.90 | 36 | | | 99,116.90 | 16 | | |
| | | 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 | | |

SCHEDULE 1

LIST OF PROPOSED SBE-M/WBE SUBCONTRACTORS

OCT - 3 2007

PROJECT NAME: Greenview Shores Blvd. PROJECT NO. 2002500

NAME OF PRIME BIDDER: J.W. Cheatham LLC.

CONTACT PERSON: Steve Cheatham PHONE NO: 471-4100 FAX NO: 471-8348

BID DATE: _____ DEPARTMENT: _____

cc

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 Sp.) |
| 1. SBE | <input type="checkbox"/> | <input type="checkbox"/> | \$ _____ | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| 2. -0- Participation for | <input type="checkbox"/> | <input type="checkbox"/> | \$ _____ | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| 3. Change Order # 6 | <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 | | \$ _____ | \$ _____ | \$ _____ | \$ _____ | \$ _____ |

Change Order #6

Total Bid Price \$ 156,435.00

Total Value of SBE Participation \$ -0-

- NOTE:
1. 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.
 2. 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.
 3. M/WBE information is being collected for tracking purposes only.

SCHED-1

Stell 10/03/07

**BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY
BUDGET Amendment**

FUND Road Impact Fee – Zone 3

BGRV 100907-114
BGEX 100907-1371

Attachment #7

| ACCOUNT NUMBER | ACCOUNT NAME | ORIGINAL BUDGET | CURRENT BUDGET | INCREASE | DECREASE | ADJUSTED BUDGET | EXPENDED/ ENCUMBERED AS OF 10/09/07 | REMAINING BALANCE |
|--|---------------------------------|-----------------|----------------|----------------|----------|-----------------|-------------------------------------|-------------------|
| <u>REVENUES</u> | | | | | | | | |
| <u>GREENVIEW SHORES/S SHORE-WELLINGTON TR</u> | | | | | | | | |
| 3503-361-0853-6948 | Utility Reloc Reimb | <u>348,232</u> | <u>348,232</u> | <u>156,435</u> | <u>0</u> | <u>504,667</u> | | |
| TOTAL RECEIPTS & BALANCES | | 48,680,419 | 48,680,419 | 156,435 | 0 | 48,836,854 | | |
| <u>EXPENDITURES</u> | | | | | | | | |
| <u>GREENVIEW SHORES/S SHORE-WELLINGTON TR</u> | | | | | | | | |
| 3503-361-0853-8101 | Contributions Othr Govtl Agency | <u>250,669</u> | <u>250,669</u> | <u>156,435</u> | <u>0</u> | <u>407,104</u> | 0 | 407,104 |
| TOTAL APPROPRIATIONS & EXPENDITURES | | 48,680,419 | 48,680,419 | 156,435 | 0 | 48,836,854 | | |

| | | | |
|----------------------------------|-------------------|----------------|---|
| | SIGNATURE | DATE | |
| Engineering & Public Works | <u>R. J. Ward</u> | <u>10/9/07</u> | By Board of County Commissioners At Meeting of <u>11/20/07</u> |
| Administration / Budget Approval | _____ | _____ | _____ |
| OFMB Department – Posted | _____ | _____ | Deputy Clerk to the Board of County Commissioners |