

34-5

Agenda Item #:

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

Meeting Date: December 18, 2007

☒ **Consent**

☐ **Regular**

☐ **Workshop**

☐ **Public Hearing**

Department: Facilities Development and Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Change Order No. 22 to the Contract with The Weitz Company, Inc. (R2003-1542) in the amount of \$597.20 and a time extension of 25 days for South County Regional Park Phase III.

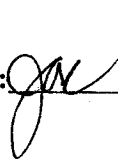
Summary: Change Order No. 22 is for reimbursement to the Contractor for fees paid to acquire temporary hydrant water meters for irrigation of the entrance road, parking lots, and amphitheater building landscaping. The 25 day extension is intended to remedy delays due to lack of irrigation water. Change Order No. 22 must be approved by the Board of County Commissioners because this change order, when combined with previous approvals, would exceed the combined authority of the Contract Review Committee and Department Director for time extensions. There is no SBE participation for this Change Order. The SBE goal for this project is 15% overall. When combined with previous Change Orders, the participation to date is 19.6%. (**Capital Improvements Division**) **District 5** (JM)

Background and Justification: On September 23, 2003, the Board entered into an annual contract with The Weitz Company, Inc., for construction management services. Amendment No. 7 (R2006-1181) authorized Weitz to provide for construction of an amphitheater, golf course support buildings, picnic pavilions, comfort station, entrance road and infrastructure improvements to Parcel A of the South County Regional Park. The potable water meters are necessary to provide irrigation water, allowing completion of the landscape work so the Parks' Department can take beneficial use of the amphitheater facility. The request for a 25-day extension is due to the lack of irrigation water originally intended to be supplied from an onsite lake. A required water use permit from South Florida Water Management District has been delayed, causing the delay to this project. Use of potable water from hydrant is a temporary measure until the water use permit can be obtained.

Attachments:

1. Location Map
2. Change Order No. 22
3. Budget Availability Statement

Recommended by:



Amy Wolf

Department Director

11/13/07

Date

Approved by:



County Administrator

12/18/07

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	<u>\$597.20</u>	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>\$597.20</u>	_____	_____	_____	_____
# ADDITIONAL FTE	_____	_____	_____	_____	_____
POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes X No _____

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

Budget Account No: Fund 3048 Dept 581 Unit P462 Object 6520
Reporting Category _____

III. REVIEW COMMENTS:

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

Sam Duh 12/4/07
OFMB
LD 11/28/07 CW 11/28/07

Jim J. Jacoby 12/17/07
Contract Administrator
D. Jones 12/17/07

B. Legal Sufficiency:

James C. Meyer 12/10/07
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.

CONSERVATION AREA
NO. 1

LEVEE L-40
LWOD E-1W-S

PARCEL "A"

FUTURE CORAL RIDGE PKY.

GLADES RD

UNIVERSITY DR.

US 441 (SR 7)

W. PALMETTO PARK RD.

PALM BEACH COUNTY
BROWARD COUNTY

LOCATION MAP



ATTACHMENT #1

CHANGE ORDER BRIEF
SOUTH COUNTY REGIONAL PARK PHASE III
PROJECT NO. 05215
OCTOBER 30, 2007

Prime Contractor The Weitz Company, Inc.

Change Order No. 22

Change Order Amount \$597.20

Changed Contract Time 25 calendar days

Description of CCP's:

1. CCP #128: Reimbursement for fee paid to acquire temporary hydrant water meters for irrigation of entrance road, parking lots and amphitheater landscape. \$597.20

Explanation and Reason-for-Change Code:

1. CCP #128: D These water meters are necessary in order to provide irrigation water thereby allowing completion of the landscape work so that "Certificate of Occupancy" can be obtained. These temporary measures are necessary to remedy delays caused by the delay to the SFWMD Water Use Permit.

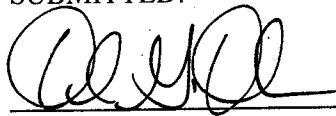
Reason-for-change codes

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: Sales Tax Savings Program)
Z = Zoning/Code/Ordinance Change

Estimated premium value of errors/omissions for this change order: \$0.00

SUBMITTED:



David G. Dolan, Project Manager
Capital Improvements Division

11/08/07

Date

ATTACHMENT # 2

**CHANGE ORDER HISTORY
SOUTH COUNTY REGIONAL PARK PARCEL III
PROJECT NO. 05215**

CO #	DESCRIPTION	DATE APPROVED	SALES TAX RECOVERY APPROVED TO DATE	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 #1 - Haul and stockpile top soil.	10/03/06		\$33,189.00			0			Owner Initiated
2	Sales Tax Recovery for CCP #3,7,8,9	10/29/06	(\$246,425.32)							Sales Tax Savings Program
3	Sales Tax Recovery for CCP #4, 5 & 13	11/14/06	(\$266,785.91)							Sales Tax Savings Program
4	Sales Tax Recovery for CCP #6, 12, 15, 18	12/11/06	(\$219,210.60)							Sales Tax Savings Program
5	Sales Tax Recovery for CCP #10	12/22/06	(\$35,940.87)							Sales Tax Savings Program
6	Sales Tax Recovery for CCP #43, 47, & 52	03/12/07	(\$615,240.00)							Sales Tax Savings Program
7	Sales Tax Recovery for CCP #49, 53 & 56	03/21/07	(\$109,465.75)							Sales Tax Savings Program
8	Sales Tax Recovery for CCP #67	04/09/07	(\$116,702.05)							Sales Tax Savings Program
9	Sales Tax Recovery for CCP #72 & 73	05/04/07	(\$128,056.80)							Sales Tax Savings Program
10	CCP #21, 22R, 23, 25, 26, 27, 28, 29, 30R3, 31, 32, 33, 34, 35, 36, 37, 38, 39, 41, 44, 46, 47, 50R, 51R, 59 for a total of \$1,158,501.87	06/19/07		\$0.00						

CHANGE ORDER HISTORY
SOUTH COUNTY REGIONAL PARK PARCEL III
PROJECT NO. 05215

CO #	DESCRIPTION	DATE APPROVED	SALES TAX RECOVERY APPROVED TO DATE	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
11	Sales Tax Recovery for CCP #83 & 85	07/02/07	(\$90,487.50)							Sales Tax Savings Program
12	CCP #45R, 54R4, 58, 60, 61, 63R2, 64R2, 65, 66, 69, 70, 71, 74, 76R, 78, 79, 81, 82, 84	08/22/07		\$0.00						
13	CCP #116	08/29/07	(\$6,675.70)							Sales Tax Savings
14	CCP #080R	09/26/07		\$0.00 (reduce construction contingency by \$52,500)			21			Differing Site Conditions/Request by Another Agency
15	CCP #106	10/03/07			\$0.00 (reduce construction contingency by \$57,640.60)			22		Errors/Omission in Design
16	CCP #024, 077, 087, 088, 089R, 092, 093, 094R, 095, 096, 098, 100, 101R2, 103R, 105, 110, 111R2, 113, 114 and 118	10/05/07		\$0.00 (reduce construction contingency by \$200,521.81)						Owner Initiated Errors/Omission in Design
17	CCP #109 - Add additional light fixtures around dressing room mirrors	10/24/07		\$19,353.54						Owner Initiated
18	CCP #108R3	Pending		\$0.00 (reduce construction contingency by \$34,014.00)			9			Errors/Omissions
19	CCP #107R3	Pending			\$0.00 (reduce construction contingency by \$217,594.00)			68		Owner Initiated
20	CCP #18, 62, 68, 86R3, 115, 116, 119, 121, 122, 123R, 124, 126, 131, 132, 135, 136	Pending		\$0.00 (reduce construction contingency by \$172,231.04)			0			Owner Initiated Errors/Omissions

CHANGE ORDER HISTORY
SOUTH COUNTY REGIONAL PARK PARCEL III
PROJECT NO. 05215

CO #	DESCRIPTION	DATE APPROVED	SALES TAX RECOVERY APPROVED TO DATE	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
21	CCCP #99-R	Pending		\$4,327.09			0			Owner Initiated
22	CCP #128	Pending				\$597.30			25	Differing Site Conditions
			TOTAL \$ APPROVED TO DATE FOR SALES TAX RECOVERY	TOTAL \$ BY DIR	TOTAL \$ BY CRC	TOTAL \$ BY BCC	TOTAL DAYS BY DIR	TOTAL DAYS BY CRC	TOTAL DAYS BY BCC	
			(\$1,834,990.50)	\$56,869.63	\$0.00	\$597.30	30	90	25	
				DIR + CRC DOLLARS TO DATE				DIR+ CRC TOTAL DAYS TO DATE		
				\$56,869.63				120		

PALM BEACH COUNTY

CHANGE ORDER

ISSUED TO: The Weitz Company
1720 Centrepark Drive East
West Palm Beach, FL 33401

CHANGE ORDER NO.: 22

REFERENCE CCP NO.: 128

PROJECT: South County Regional Park Phase III

RESOLUTION NO.: R2003-1542 (R2006-1181)

PROJECT NO. 05215

DISTRICT NO.: 5

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:

CCP #128: Reimbursement for fee paid to acquire temporary hydrant water meters for irrigation of entrance road, parking lots and amphitheater landscape. \$597.20

CONTRACT PRICE

Original Contract Price: \$ 17,996,464.00
Amendment #__ through __ \$ _____
Previous Change Orders \$ 97,686.67
Previous Sales Tax C.O.'s \$ (1,834,990.50)
This Change Order \$ 597.20
ADJUSTED Contract Price \$ 16,259,757.37

COMPLETION DATE

Contract Completion Date will be increased
by 25 calendar days.
Contract Notice To Proceed Date: 07/07/06
Contract Substantial Completion Date: 11/12/07
ADJUSTED Substantial Completion Date: 12/07/07

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: B.C.B.Title: Sr. P.M. Date: 11/13/07

DESIGN PROFESSIONAL

The above changes are recommended for approval by the Owner:

Heller, Weaver & Sheremeta, Inc.

Design Professional

By: J. H.Title: PROJ MGR Date: 11/13/07

PALM BEACH COUNTY

Recommended By:

By: [Signature]Title: Project Manager Date: 11/14/07By: [Signature]Title: Director - CID Date: 11/14/07By: [Signature]Title: Director - FD&O Date: 11/14/07

By: _____

Legal Sufficiency - CAO Date: _____

Approved By:

By: _____

Addie L. Greene

Title: Chairperson, BCC Date: _____



**BUILD IN
GOOD COMPANY.**

Construction Change Proposal

TWC, Detailed, Grouped by Number

Page 1 of 1

SOUTH CTY REG. PARK PHASE III

Project # F106000

12551 Glades Road

Boca Raton, FL 33428

Tel: Fax:

Directive Number: 094

Date Created: 9/25/2007

THE WEITZ COMPANY-FLORIDA is hereby directed to make the following change(s) in this contract:

Temp Water Meters for Irrigation

Description:

Itemized Details:

Budget Code	Description	QTY	UOM	Unit Price	Est Amt
0.015002__2450	Temporary Water - Account deposit for (2) 3" water meters to supply potable water from hydrant in-leu-of well water to the landscape irrigation system. This allows TWC to proceed w/ installation of sod & shrubs & eventually 2nd lift of asphalt. Cost excludes monthly fee of \$385.00/month.	1.00		\$2,000	\$ 2,000
00.011505__2450	General Liability 0.98%	1.00		\$20	\$ 20
00.011570__2450	Subguard 1.5%	1.00		\$31	\$ 31
00.011560__2450	Performance Bond 0.65%	1.00		\$13	\$ 13
00.011510__2450	Builders Risk 0.92%	1.00		\$19	\$ 19
00.011501__2450	Construction Fee 4.5%	1.00		\$94	\$ 94

Total: \$ ~~2,176~~

\$597.20

549.66

5.44

8.33

3.57

5.09

25.11

Proposed Adjustments

1. The proposed basis of adjustment to the Contract Sum or Guaranteed Maximum Price is:

- ☐ Lump Sum (increase/decrease) of
- ☐ Unit Price of per
- ☐ As provided in Subparagraph 7.3.6 of AIA Document A201, 1997 Edition.
- ☐ Time and Material not to exceed
- ☐ as follows:

2. The Contract Time as a result of this work will be unchanged.

3. Approval Required by in order to not delay the project.

Upon execution by the Architect and Owner, this directive shall be effective immediately.

ARCHITECT

Address: _____

By: _____

Date: _____

OWNER

Address: _____

By: _____

Date: _____



CONSTRUCTION (HYDRANT) METER MEMORANDUM OF UNDERSTANDING

I, JOSEPH WHALEN representing THE WHITE CO
Developer of SOUTH COUNTY REGIONAL PARK

request the use of a construction water meter. Upon such a request, I understand that all Potable Water used for construction purposes or any other approved purpose on a project must pass through a meter with an approved backflow prevention device. The Department will install construction meters on specific hydrants and the Customer will be billed for all appropriate fees. The installed meter shall not remain in service at any one location for more than two years. Construction meters may only be moved by Department personnel. Construction meters to be placed on new fire hydrants will not be installed until a "construction only release" is obtained from the Health Unit. The water through construction meters shall be considered non-potable and shall not be used for drinking or consumption purposes. The water may be used for non-potable applications such as temporary irrigation, testing of internal plumbing systems, flushing toilets in model homes, construction and/or sales trailers. The Developer shall post "Non-Potable Water - Do Not Drink" signs at all water outlets served with construction water. No Connection or Guaranteed Revenue Fees are required for construction meters.

The meter requested at this time is to be installed at:

12551 GLADES ROAD, BOCA RATON
(DRAWING C-5.6)

Upon installation, this meter will be chained and locked and a seal placed on the meter for identification; this chain and seal must remain intact. Removal may result in a tampering fee being assessed to the account. In addition, damage to the hydrant meter may result in forfeiture of deposit. Account deposits and rates depend on the meter size as follows:

Circle one:	Account Deposit	Monthly Base Facility Fee	Monthly Customer Account Fee	All Metered Usage Per 1,000 gallons
5/8" meter	\$200.00	\$13.75	\$2.50	See Monthly Fee Schedule
2" meter	\$750.00	\$144.00	\$2.50	See Monthly Fee Schedule
3" meter	\$1,000.00	\$385.00	\$2.50	See Monthly Fee Schedule

By signing below, I agree that I will comply fully with the above requirements.

Signature: [Signature] Date: 9/26/07

Name (print): JOSEPH WHALEN Title: APM

Billing Address: 1720 CENTRE PARK DR

WJRB, FL. 33401

Phone: 561-723-2565

•NOTE•
Initial
Here

Per Fire Marshall Request, there needs to be one intervening hydrant between each metered hydrant and only one meter per hydrant

NOTE: If you need to have a construction meter removed or relocated, please contact the Palm Beach County Water Utilities Department at (561) 493-6056 / 6057 / 6058 and provide the hydrant meter's serial number and street address or account number.

** For Office Use Only **

Account Number: _____



CONSTRUCTION (HYDRANT) METER MEMORANDUM OF UNDERSTANDING

I, JOSEPH WHITEN representing THE WITZ CO.
Developer of SOUTH COUNTY REGIONAL PARK

request the use of a construction water meter. Upon such a request, I understand that all Potable Water used for construction purposes or any other approved purpose on a project must pass through a meter with an approved backflow prevention device. The Department will install construction meters on specific hydrants and the Customer will be billed for all appropriate fees. The installed meter shall not remain in service at any one location for more than two years. Construction meters may only be moved by Department personnel. Construction meters to be placed on new fire hydrants will not be installed until a "construction only release" is obtained from the Health Unit. The water through construction meters shall be considered non-potable and shall not be used for drinking or consumption purposes. The water may be used for non-potable applications such as temporary irrigation, testing of internal plumbing systems, flushing toilets in model homes, construction and/or sales trailers. The Developer shall post "Non-Potable Water - Do Not Drink" signs at all water outlets served with construction water. No Connection or Guaranteed Revenue Fees are required for construction meters.

The meter requested at this time is to be installed at:

12551 GLADES ROAD, BOCA RATON
(Drawing C-5.2)

Upon installation, this meter will be chained and locked and a seal placed on the meter for identification; this chain and seal must remain intact. Removal may result in a tampering fee being assessed to the account. In addition, damage to the hydrant meter may result in forfeiture of deposit. Account deposits and rates depend on the meter size as follows:

Circle one:	Account Deposit	Monthly Base Facility Fee	Monthly Customer Account Fee	All Metered Usage Per 1,000 gallons
5/8" meter	\$200.00	\$13.75	\$2.50	See Monthly Fee Schedule
2" meter	\$750.00	\$144.00	\$2.50	See Monthly Fee Schedule
3" meter	\$1,000.00	\$385.00	\$2.50	See Monthly Fee Schedule

By signing below, I agree that I will comply fully with the above requirements.

Signature: [Signature] Date: 9/26/07
Name (print): JOSEPH WHITEN Title: APM
Billing Address: 1720 CENTRE PARK DR.
WAB, FL 33401
Phone: 561-723-2565

•NOTE•
Initial
Here

Per Fire Marshall Request, there needs to be one intervening hydrant between each metered hydrant and only one meter per hydrant

NOTE: If you need to have a construction meter removed or relocated, please contact the Palm Beach County Water Utilities Department at (561) 493-6056 / 6057 / 6058 and provide the hydrant meter's serial number and street address or account number.

** For Office Use Only **

Account Number: _____

From: Linda Collins
To: Anthony Longo
Date: 10/25/2007 8:21 AM
Subject: RE: South County Regional Park 3 inch hydrant meters

Anthony,
Good morning. The checks that Weitz will receive are as follows:
Account # 399589- the refund will be \$671.17 and Account # 399590 will receive a \$779.17 refund. The account deposit for 3" hydrant meter is \$1,000.

Stay out of the rain today!

-----Original Message-----

From: Anthony Longo
Sent: Tuesday, October 23, 2007 10:49 AM
To: Linda Collins
Subject: South County Regional Park 3 inch hydrant meters

Linda,
Can you tell me in advance to Weitz receiving checks, the amount they will be refunded for the two meters?

Anthony A Longo
Facilities Development and Operations
Capital Improvements Division
2633 Vista Parkway
West Palm Beach, Florida 33411-5604
ph. 561/233-0219 fax 561/233-0270

Account # 399589 - Meter acquisition fee. . \$ 1,000.00
Account # 399590 - Meter acquisition fee. . \$ 1,000.00
Refund / Account close-out 2
checks \$671.17 and \$779.17. (\$1,450.34)
Actual amount of water used \$ 549.66

**FACILITIES DEVELOPMENT & OPERATIONS
BUDGET AVAILABILITY STATEMENT**

REQUEST DATE: 10/30/07

REQUESTED BY: Dave Dolan

PHONE: 233-0282

FAX: 233-0270

PROJECT TITLE: South County Regional Park Parcel III

PROJECT NO.: 05215

ORIGINAL CONTRACT AMOUNT: \$17,996,464.00

BCC RESOLUTION#:

DATE:

REQUESTED AMOUNT: \$597.20

CSA or CHANGE ORDER NUMBER: CO #22

CONSULTANT/CONTRACTOR: The Weitz Company

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

Change Order #22 (CCP #28): Reimbursement for fee paid to acquire hydrant water meters for irrigation of spine road, parking lots and building landscape.

CONSTRUCTION

\$597.20

PROFESSIONAL SERVICES

STAFF COSTS** (DESIGN / CONST. PHASE)

MISC. (permits, prints, advertising, etc)

TOTAL

\$597.20

** 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: 3048 DEPT: 581 UNIT: P462 OBJ: 6520

FUNDING SOURCE (CHECK ALL THAT APPLY): ☐ AD VALOREM ☐ OTHER
☐ FEDERAL/DAVIS BACONBAS APPROVED BY: *Dominic J. [Signature]*

DATE: _____

ENCUMBRANCE NUMBER: _____

FUNDING SOURCE(S)

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

BAS APPROVAL

- ☒ FULLY FUNDED WITHIN CURRENT BUDGET *JD*
☐ FULLY FUNDED PENDING BUDGET TRANSFER _____

ATTACHMENT # 3