

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

Meeting Date: June 17, 2008

Consent Regular
 Workshop Public Hearing

Department:

Submitted By: Department of Airports

Submitted For:

I. EXECUTIVE BRIEF

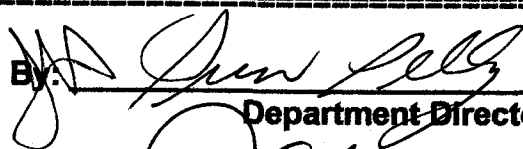
Motion and Title: Staff recommends motion to approve: Change Order No. 16 to the contract with James A. Cummings, Inc. increasing the contract in the amount of \$99,942 for the Long Term Parking Garage No. 2 at Palm Beach International Airport (PBIA). There is no change in time for Change Order No. 16.


Summary: On May 16, 2006, the BCC approved the Construction Contract (R-2006-0842) with James A. Cummings, Inc. for construction services for the Long Term Parking Garage at PBIA in the amount of \$61,666,000. Change Orders 1-15 were approved for a net decrease to the contract in the amount of \$24,776,377 which included the deletion of more than \$26 million in materials that were directly purchased by the owner for tax savings and no change in the contract time. Approval of Change Order No. 16 in the amount of \$99,942 is requested to cover changes to the contract documents that were required after the project was bid due to differences in code interpretations, agency requests or omissions in design. Change Order No. 16 will cover items described in the summary sheet containing description, summary explanation and cost for each item as submitted in the contract Change Proposals by James A. Cummings, Inc. The Small Business Enterprise (SBE) participation for this change order is 9.15%. The total SBE contract goal including all change orders is 15.95%. Countywide (JCM)

Background and Justification: Changes to the contract documents were required after the project was bid. These changes were required due to differences in code interpretations, agency requests or omissions in design. Change Order No. 16 will cover items described in the attached summary sheet containing description, summary explanation and cost for each item as submitted in 9 contract Change Proposals by James A. Cummings Inc. Approval of this change order will increase the total contract price by \$99,942 and no change in contract time.

Attachments:

- 1. Change Order No. 16 - (3 originals)
- 2. Change Order Summary Report
- 3. Change Order History for Change Orders No. 1 through No. 15

Recommended By:  5/21/08
Department Director Date

Approved By:  6/12/08
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	\$ 99,942				
Operating Costs					
External Revenues (Grants)					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	\$ 99,942				
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes X No

Budget Account No: Fund 417 Department 121 Unit A270 Object 6502
Reporting Category

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

Approval of this item will result in the expenditure of \$99,942 from the Airports' Construction Trust Fund (Bond Proceeds).

C. Departmental Fiscal Review: Michael Simms

III. REVIEW COMMENTS

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

Atwillhite 6-6-08
OFMB
6/4/08
6/5/08
6/2/08

Dr. J. Jacobs 6/9/08
Contract Dev. and Control

This item complies with current County policies.

B. Legal Sufficiency:

James C. [Signature]
Assistant County Attorney

C. Other Department Review:

Department Director

Long Term Parking Structure, II
R2006-0842
Change Order no 16 con't:
Page 2

2. Additional Elevator Shaft Vent Louvers in Stair Tower 10, in accordance with WCD#10 dated 09/03/07 and JAC Change Proposal No. 61R2 dated 04/08/08.
For the total amount of\$21,450.00
 3. Storm Drainage Riser at the access ramps between the old and new Garages, in accordance with JAC Change Proposal No. 67 dated 12/13/07.
For the total amount of\$8,033.00
 4. Additional Water Risers to four locations at Level 7, in accordance with JAC Change Proposal No. 69 dated 12/13/07.
For the total amount of\$7,481.00
 5. Furnish and install additional roof drains at the Pedestrian Bridge, in accordance with WCD #9 dated 08/28/07 and JAC Change Proposal No. 70R1 dated 02/29/08..
For the total amount of\$4,983.00
 6. Additional Divider Beams for the Elevators in Stair Tower 10, in accordance with JAC Change Proposal No. 71R1 dated 03/27/08.
For the total amount of\$10,024.00
 7. Addition of Roof Walkway Pads at Elevator/Stair Tower 10 and Pedestrian Bridge Roof, in accordance with JAC Change Proposal No. 85R1 dated 02/29/08.
For the total amount of\$3,276.00
 8. Additional Deck Drains on Level 4 of Garage #2, in accordance with RFQ #21 dated 11/08/07 and JAC Change Proposal No. 90R1 dated 02/27/08.
For the total amount of\$5,511.00
-
-
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CHANGE ORDER NO 16 SUMMARY REPORT

PALM BEACH INTERNATIONAL AIRPORT
LONG TERM PARKING GARAGE NO 2

RESOLUTION NO: 2006-0842
JAMES A CUMMINGS

CP #	DESCRIPTION	COST	DAYS	CATEGORY	SUMMARY/EXPLANATION
28D	Furnish and install doors frames and hardware in stair tower 10 lobbies, in accordance with RFQ #11 dated 01/03/07 and JAC Change Proposal No. 28D dated 11/15/07	\$39,184.00	0	Other Agency	During the permit review after the project was bid it was determined that closure wall and double doors at stair/elevator lobbies on all levels needed to be added to maintain 400' minimum travel distance requirements.
61R2	Additional Elevator Shaft Vent Louvers in Stair Tower 10, in accordance with WCD#10 dated 09/03/07 and JAC Change Proposal No. 61R2 dated 04/08/08.	\$21,450.00	0	Error	The venting of the elevator shafts as originally designed required cutting too many reinforcing bars in the slab. In addition code does not allow the duct work to vent to the elevator machine room. The venting for the shafts was relocated to the north face of the elevator shaft walls
67	Storm Drainage Riser at the access ramps between the old and new Garages, in accordance with JAC Change Proposal No. 67 dated 12/13/07.	\$8,033.00	0	Omission	An additional storm drain riser was required at the south access ramps between the new and existing garages. This was not shown on the contract drawings
69	Additional Water Risers to four locations at Level 7, in accordance with JAC Change Proposal No. 69 dated 12/13/07.	\$7,481.00	0	Error	The contract showed water risers (4 lines) on the seventh level in locations that did not include means to mount the risers. The risers had to be re-routed so they could be mounted to stub columns
70R1	Furnish and install additional roof drains at the Pedestrian Bridge, in accordance with WCD #9 dated 08/28/07 and JAC Change Proposal No. 70R1 dated 02/29/08	\$4,983.00	0	Omission	The slopes on the lightweight insulating fill on the pedestrian bridge roof have been revised to maintain a minimum 42-in parapet height. Additional roof drains were required.
71R1	Additional Divider Beams for the Elevators in Stair Tower 10, in accordance with JAC Change Proposal No. 71R1 dated 03/27/08.	\$10,024.00	0	Contract Adjustments	The original contract included 7 divider beams in the stair 10 elevator shaft. Upon review of the requirements of the elevator vendor it was determined that 8 divider beams were needed.
85R1	Addition of Roof Walkway Pads at Elevator/Stair Tower 10 and Pedestrian Bridge Roof, in accordance with JAC Change Proposal No. 85R1 dated 02/29/08	\$3,276.00	0	Owner Requested	Roof walkway pads were added to the pedestrian bridge and stair tower 10
90R1	Additional Deck Drains on Level 4 of Garage #2, in accordance with RFQ #21 dated 11/08/07 and JAC Change Proposal No. 90R1 dated 02/27/08.	\$5,511.00	0	Omission	The deck on the forth level was not draining properly. A site visit determined that additional deck drains were needed. It was agreed that the water ponding at 4 locations could be attributed to the camber built into the precast double tees and was not the fault of construction. 2 additional deck drains were added and 2 cleanouts were converted to drains. The contractor was responsible for 2 additional drains due to construction related issues.

LEGEND

\$47,450.00	Error/Omission/recommended and/or required in project
\$39,184.00	Other Agency (TSA, PZB, Fire Marshall)
\$3,276.00	Owner requested
\$0.00	Conditions not normally anticipated or encountered in construction
	Quantity Underruns, contract Adjustments

\$99,942.00 Total Change Order No 16

**SCHEDULE 2
LETTER OF INTENT TO PERFORM AS A SBE OR W/MBE SUBCONTRACTOR
(Attachment No. 10 To The Bid Form)**

PROJECT NAME: Long Term Parking Garage #2 PROJECT NO: PB 05-3 OWNER CHANGE ORDER #16

TO: Van Linda Iron Works

(Name of Prime Bidder)

The undersigned is certified by Palm Beach County as a(n) (check one or more as applicable):

Small Business Enterprise Minority Business Enterprise
 Black Hispanic Women Caucasian Other (Please Specify)

Date of Palm Beach County Certification: 11-15-07 to 11-15-10

The undersigned is prepared to perform the following described work in connection with the above project (specify in detail particular work items or parts thereof to be performed):

Line Item No.	Item Description	Qty/Units	Unit Price	Total Price
<u>CP71R1</u>	<u>Elevator Divider Beams and Channels</u>	<u>1 RA.</u>	<u>9141.00</u>	<u>9141.00</u>

at the following price: Nine Thousand One Hundred Forty One.
(Subcontractor's quote)

and will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If undersigned intends to sub-subcontract any portion of this subcontract to a non-SBE subcontractor or supplier, the amount of any such subcontract must be stated:
\$ N/A. The undersigned subcontractor understands that the provision of this form to prime bidder does not prevent subcontractor from providing quotations to other bidders.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/06/2007

PRODUCER
Aon Risk Services, Inc of Florida
1001 Brickell Bay Drive
Suite 1100
Miami FL 33131 USA

PHONE: (866) 283-7122 FAX: (847) 953-5390

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
James A. Cummings, Inc.
3575 NW 53rd Street
Fort Lauderdale FL 33309 USA

INSURERS AFFORDING COVERAGE		NAIC #
INSURER A:	Westchester Fire Insurance Co	21121
INSURER B:	Zurich American Ins Co	16535
INSURER C:	American Guarantee & Liability Ins Co	26247
INSURER D:		
INSURER E:		

COVERAGES SIR May Apply

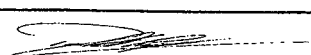
THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
B		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	GLO926021100	05/31/07	05/31/08	EACH OCCURRENCE	\$1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$300,000
						MED EXP (Any one person)	\$10,000
						PERSONAL & ADV INJURY	\$1,000,000
						GENERAL AGGREGATE	\$2,000,000
						PRODUCTS - COMP/OP AGG	\$2,000,000
C		AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON OWNED AUTOS <input checked="" type="checkbox"/> COLLISION DED \$1,000 <input checked="" type="checkbox"/> COMPREHENSIVE DED \$1,000	BAP4894702-04	05/31/07	05/31/08	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
						BODILY INJURY (Per person)	
						BODILY INJURY (Per accident)	
						PROPERTY DAMAGE (Per accident)	
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT	
						OTHER THAN AUTO ONLY: EA ACC AGG	
A		EXCESS / UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION	G22045878001	07/01/06	05/31/08	EACH OCCURRENCE	\$15,000,000
						AGGREGATE	\$15,000,000
B		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	WC591766902	05/31/07	05/31/08	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER	
						E.L. EACH ACCIDENT	\$1,000,000
						E.L. DISEASE-EA EMPLOYEE	\$1,000,000
						E.L. DISEASE-POLICY LIMIT	\$1,000,000
		OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS, VEHICLES, EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
 RE: Palm Beach International Airport Long term parking structure No. 2 contract# 05-3.
 Palm Beach County Board of County Commissioners, a political subdivision of the state of Florida, its officers, employees and agents are listed as Additional Insured with respect to General Liability policy where required by

CERTIFICATE HOLDER
 Palm Beach County
 c/o Department of Airports
 846 P.B.I.A.
 West Palm Beach FL 33406 USA

CANCELLATION
 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE 

Holder Identifier : Certificate No : 570023719037

CHANGE ORDER NO 16 SUMMARY REPORT

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	Quantity Underruns, contract Adjustments

\$99,942.00 Total Change Order No 16

PALM BEACH INTERNATIONAL AIRPORT
LONG TERM PARKING GARAGE NO 2
FAA AIP No.:
FDOT WPI:
PB NO PB 05-3

	ORIGINAL	CURRENT
DATE:	NTP 7/10/2006	
CONTRACT TIME =	480	529 Thru CO #16
CONTRACT COMPLETION DATE	11/2/2007	12/21/2007
CONTRACT AMOUNT =	\$61,666,000.00	\$36,989,565.00
LIQUIDATED DAMAGES PER DAY	\$3,700.00	

CHANGE ORDER No.	DATE	DESCRIPTION	CHANGE ORDER TIME	VALUE OF TIME EXTENSION	CHANGE ORDER AMOUNT	TOTAL VALUE OF CHANGE ORDER ADJUSTED FOR TIME	LEAD DEPT APPROVAL	CRC APPROVAL	CUMULATIVE APPROVAL	BCC APPROVAL	PERCENT CHANGE	NEW CONTRACT AMOUNT	STATUS
1	8/16/2006	Dewatering	0	\$0	\$15,750.00	\$15,750.00	\$15,750.00		\$15,750.00		0.03%	\$61,681,750.00	Approved by Lead Dept on 8/29/06
2	10/24/2006	Duct Bank and High Mast	0	\$0	\$263,493.00	\$263,493.00			\$15,750.00	\$263,493.00	0.43%	\$61,945,243.00	Approved by BCC on 11/21/06. (R2006-2419)
3	11/20/2006	Overexcavation	0	\$0	\$42,264.00	\$42,264.00	\$42,264.00		\$58,014.00		0.07%	\$61,987,507.00	Approved by Lead Dept on 11/20/06
4	1/3/2007	Potholing and Fuel Tanks	0	\$0	\$7,542.00	\$7,542.00	\$7,542.00		\$65,556.00		0.01%	\$61,995,049.00	Approved by Lead Dept on 1/3/07
5	Board Meeting on Feb 27, 2007.	Add New Cable to OS Switchgear Adjacent to Revenue Control Bldg.	0	\$0	\$412,524.00	\$412,524.00			\$65,556.00	\$412,524.00	0.67%	\$62,407,573.00	Approved by BCC on 2/27/07 (R2007-0270)
6	3/12/2007	Overexcavation and Backfill	0	\$0	\$14,537.00	\$14,537.00	\$14,537.00		\$80,093.00		0.02%	\$62,422,110.00	Approved by Lead Dept on 3/12/07
7	CRC Meeting 3/14/07	SD4A Storm Drainage Modifications		\$0	\$71,106.00	\$71,106.00		\$71,106.00	\$151,199.00		0.12%	\$62,493,216.00	Approved by CRC on 3/14/07
8	Board Meeting 6/05/07.	Deduction for Owner purchased materials and Administration of Materials		\$0	(\$27,534,855.00)	(\$27,534,855.00)			\$151,199.00	(\$27,534,855.00)	-44.65%	\$34,958,361.00	Approved by BCC on 6/05/07 (R2007-0857)
9	Board Meeting 6/05/07. Needs to go to the Board since cumulative approval would have been exceeded	Repairs to Windframe. Repairs to columns on LTP1		\$0	\$73,872.00	\$73,872.00			\$151,199.00	\$73,872.00	0.08%	\$35,032,233.00	Approved by BCC on 6/05/07 (R2007-0858)
10	Board Meeting 6/19/07.	Permitting Changes - water, storm, plumbing		\$0	\$468,051.00	\$468,051.00				\$468,051.00	0.52%	\$35,500,284.00	Approved by BCC on 6/19/07 (R2007-0933)

PALM BEACH INTERNATIONAL AIRPORT
LONG TERM PARKING GARAGE NO 2
FAA AIP No.:
FDOT WPI:
PB NO PB 05-3

	ORIGINAL	CURRENT
DATE: NTP	7/10/2006	
CONTRACT TIME =	480	529 Thru CO #16
CONTRACT COMPLETION DATE	11/2/2007	12/21/2007
CONTRACT AMOUNT =	\$61,666,000.00	\$36,989,565.00
LIQUIDATED DAMAGES PER DAY	\$3,700.00	

CHANGE ORDER No.	DATE	DESCRIPTION	CHANGE ORDER TIME	VALUE OF TIME EXTENSION	CHANGE ORDER AMOUNT	TOTAL VALUE OF CHANGE ORDER ADJUSTED FOR TIME	LEAD DEPT APPROVAL	CRC APPROVAL	CUMULATIVE APPROVAL	BCC APPROVAL	PERCENT CHANGE	NEW CONTRACT AMOUNT	STATUS
11	Board Meeting 8/21/07	Permit Conformance Set-Electrical, Generator, Fire Protection	34	\$125,800	\$840,988.00	\$966,788.00				\$840,988.00	0.94%	\$36,341,272.00	Approved by BCC on 8/21/07 (R2007-1286)
12	Board Meeting 12/04/07	CP 28E,44,45,48,50,51,52	15	\$55,500	\$387,384.00	\$442,884.00		\$0.00		\$387,384.00	0.43%	\$36,728,656.00	Waiting for Board Approval
13	CRC Meeting 12/19/2007	CP 41, 56, 62, 63	0	\$0	\$28,531.00	\$28,531.00		\$28,531.00			0.03%	\$36,757,187.00	Approved
14	CRC Meeting 3/19/2008	CP28U,28V,55,59R1,74,76,78,79,81	0	\$0	\$95,922.00	\$95,922.00		\$95,922.00			0.11%	\$36,853,109.00	Approved
15	CRC Meeting 3/19/2008	CP 28W, 38R1, 64, 80, 91, 94	0	\$0	\$36,514.00	\$36,514.00		\$36,514.00			0.04%	\$36,889,623.00	Approved
16	Board Meeting 6/17/08	CP 61R2, 67,69,70R1,71R1,85R1,90R1	0	\$0	\$99,942.00	\$99,942.00				\$99,942.00	0.11%	\$36,989,565.00	
Total			49		(\$24,676,435.00)		\$80,093.00	\$232,073.00	\$0.00	(\$24,988,601.00)	4.81%	\$36,989,565.00	

To be approved by the Dept
To be approved by the CRC
To be approved by the Board

Notes
1. Change Order 9 requires Board Approval since the total value of the Change Order exceeds \$100,000

Approval Authority

<u>CO Value</u>	<u>Authority</u>
\$0-50,000	Lead Dept
\$50,001-100,000	CRC
>\$100,001	BCC

<u>Cummulative Value</u>	<u>Authority</u>
\$0-100,000	Lead Dept
\$100,101 - 200,000	CRC