

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

Meeting Date: December 15, 2009 [X] Consent [] Regular
[] Workshop [] Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

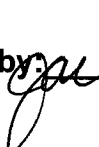

Motion and Title: Staff recommends motion to approve: Change Order No. 7 to the Contract (R2007-1217) with Catalfumo Construction, Ltd., decreasing the Guaranteed Maximum Price (GMP) for Palm Tran's West Palm Beach Intermodal Transit Facility (ITF) by \$250,312.77.

Summary: The new Intermodal Transfer System was completed and opened to the public in May 2009. There is \$250,312.77 remaining in the contract contingency that will be returned to Palm Tran. Change Order No. 7 accomplishes that reduction. The Small Business Enterprise (SBE) participation goal is 15% and the final SBE participation is 17.78%. The unused funds from this project will be released from encumbrance and reallocated to the Palm Tran Grant Fund for use on other projects. **(Capital Improvements Division) Countywide (JM)**

Background and Justification: Catalfumo is the Construction Manager for this project and the Board approved a GMP (R2009-1217) for the new ITF, which included a paved bus loop with eighteen bus parking spaces, seven shelters, a public restroom, vending services and a passenger vehicle drop-off lane. The actual construction cost came in lower than the original contract amount, resulting in a refund.

Attachments:

- 1. Location Map
- 2. Budget Availability Statement
- 3. Change Order No. 7

Recommended by:   11/13/09
Department Director Date

Approved by:  12/7/09
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	(\$250,312.77)	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	(\$250,312.77)				

ADDITIONAL FTE
 POSITIONS (Cumulative) 0

Is Item Included in Current Budget? Yes X No _____
 Budget Account No: Fund 3804 Dept 541 Unit 0464 Object 6502
 Reporting Category _____

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

The unused funds from this project will be released from encumbrance and reallocated to the Palm Tran Grant Fund.

III. REVIEW COMMENTS:

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

[Signature] 11-30-09
 OFMB
 11/25/09
 [Signature] 11-24-09

[Signature] 12/11/09
 Contract Administrator
 12/11/09

This item complies with current County policies.

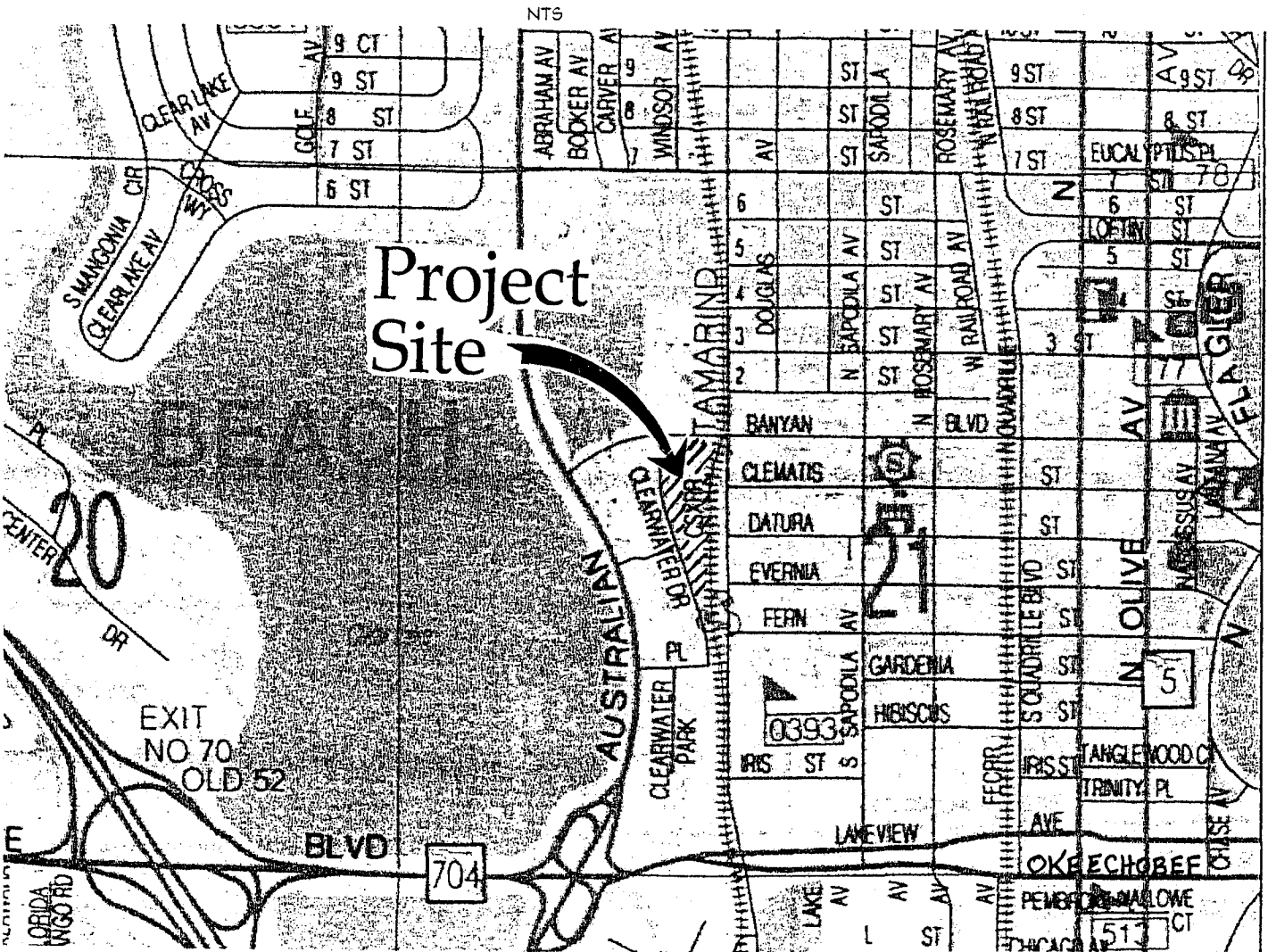
B. Legal Sufficiency:

[Signature]
 Assistant County Attorney

C. Other Department Review:

 Charles D. Cohen, Executive Director
 Palm Tran

Location Map



FACILITIES DEVELOPMENT & OPERATIONS
BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 11/09/09

REQUESTED BY: Dave Dolan

PHONE: 233-0280

FAX: 233-0270

PROJECT TITLE: WPB Intermodal Transit Facility

PROJECT NO.: 93222

ORIGINAL CONTRACT AMOUNT: NA - Annual

BCC RESOLUTION#: R2007-1217

REQUESTED AMOUNT: (\$250,312.77)

DATE:

CSA-or CHANGE ORDER NUMBER: Change Order #7

CONSULTANT/CONTRACTOR: Catalfumo Construction, Ltd.

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

CCP #44: Final GMP Reconciliation, reduce contingency.....(\$250,312.77)

CONSTRUCTION	(\$250,312.77)
PROFESSIONAL SERVICES	_____
STAFF COSTS** (Design/Constr. Phase)	_____
MISC. (permits, prints, advertising, etcetera)	_____
TOTAL	(\$250,312.77)

** 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)

PT 893

FUND: 3804 DEPT: 541 UNIT: 0464 OBJ: 6502 Program Period EY07

FUNDING SOURCE (CHECK ALL THAT APPLY): AD VALOREM OTHER

FEDERAL/DAVIS BACON

BAS APPROVED BY: [Signature] DATE: 11/13/09

ENCUMBRANCE NUMBER: 662308-1626

**CHANGE ORDER BRIEF
INTERMODAL FACILITY
PROJECT NO. 93222
NOVEMBER 3, 2009**

Prime Contractor..... Catalfumo Construction Ltd.

Change Order No..... 7

Change Order Amount(\$250,312.77)

Changed Contract Time.....0 calendar days

Description of CCP's:

1. CCP #44: Final GMP reconciliation – reduce contingency..... (\$250,312.77)

Explanation and Reason-for-Change Code:

1. CCP #44 Q Now that construction is complete this will recover unused contingency funds.

Reason-for-change codes

D = Differing Site Conditions

E = Errors/Omissions in Design

O = Owner-Initiated

Q = Quantity Adjustments

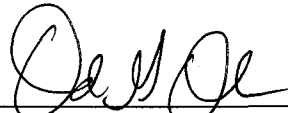
R = Request by another Agency/Outside Party

X = Other (Specify:)

Z = Zoning/Code/Ordinance Change

Estimated premium value of errors/omissions for this change order: \$0

SUBMITTED:



David G. Dolan

Project Manager, Capital Improvements Division

11/13/09

Date

CHANGE ORDER HISTORY
 WPB INTERMODAL TRANSIT FACILITY
 PROJECT #93222

CO #	Description	Date Approved	Sales Tax Recovery	Amount Approved by Director	Amount Approved by CRC	Amount Approved by BCC	Days Approved by Director	Days Approved by CRC	Days Approved by BCC	\$ SBE
1	CCP #01 - Provide site security camera system with wireless video system.	2/25/2009			\$81,996.01			0		\$ -
2	CCP #2R1, 3, 4R1, 5, 7, 8, 9, 10, 11, 12, 13, 15A & 16 (Reduce contingency by \$82,901.16)	3/19/2009		\$0.00			0			\$ 15,218.16
3	CCP #17 - Sales Tax Recovery 93222-001	4/1/2009	-\$140,370.00							
4	CCP #31 - Sales Tax Recovery PO 93222-002	5/19/2009	-\$40,675.91							
5	CCP #18R1, 19, 21, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35 (Reduce contingency by \$140,370.17)	5/19/2009		\$0.00						
6	CCP #45 - Return unused DOP funds to contract from DOP 93222-01, Electrical Supplies, Inc.	Pending		\$16,370.00						
7	Final GMP reconciliation	Pending				-\$250,312.77				
	Totals		-\$181,045.91	\$0.00	\$81,996.01	-\$250,312.77	0	0	0	\$15,218.16
				DIR + CRC DOLLARS TO DATE						
				\$81,996.01			DIR + CRC TOTAL DAYS TO DATE			
							0			

ORIGINAL CONTRACT PRICE	\$45,000.00
AMENDMENT NO. 1 & WO #9	\$3,389,653.63
PREVIOUS CHANGE ORDERS (1,2&5)	\$81,996.01
PREVIOUS SALES TAX C.O.'s (3, 4 & 6)	-\$164,675.91
THIS CHANGE ORDER	-\$250,312.77
ADJUSTED CONTRACT PRICE	\$3,101,660.96

PALM BEACH COUNTY

CHANGE ORDER

ISSUED TO:	Catalfumo Construction, Ltd. 4300 Catalfumo Way North Palm Beach Gardens, FL 33410	CHANGE ORDER NO.:	7
PROJECT:	WPB Intermodal Transit Facility	REFERENCE CCP NO.:	44
PROJECT NO.	93222	RESOLUTION NO.:	R2007-1217 (R2008-1859)
		DISTRICT NO.:	7

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 #44: Final GMP Reconciliation, reduce contingency.....(\$250,312.77)

CONTRACT PRICE

COMPLETION DATE

Original Contract Price:	\$45,0000.00	Contract Completion Date will be increased by <u>0</u> calendar days.
W.O. #9 & Amendment #1	\$3,389,653.63	Contract Notice to Proceed Date: <u>11/07/08</u>
Previous Change Orders	\$81,996.01	Contract Substantial Completion Date: <u>05/15/09</u>
Previous Sales Tax C.O.'s	(\$164,675.91)	ADJUSTED Substantial Completion Date: <u>N/A</u>
This Change Order	(\$250,312.77)	
ADJUSTED Contract Price:	\$3,101,660.96	

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 modifications(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:

Catalfumo Construction, Ltd.
Contractor
By: [Signature] GVP
Title: _____ Date: 11/16/09

DESIGN PROFESSIONAL

The above changes are recommended for approval by the Owner:

Miller Legg & Associates, Inc.
Design Professional
By: [Signature]
Title: _____ Date: 11/16/09

PALM BEACH COUNTY

Recommended By:
By: [Signature]
Title: Project Manager Date: 11/13/09
By: [Signature]
Title: Director - CID Date: 11/13/09
By: [Signature]
Title: Director, FD&O Date: 11/13/09
By: _____
Legal Sufficiency - CAO Date: _____
Approved By:
By: _____
Title: Chairman, BCC Date: _____

PALM BEACH COUNTY

CONSTRUCTION CHANGE PROPOSAL (CCP)

CAT PROJ: 08-008-01

TO: Palm Beach County
Capital Improvements Division

CCP NUMBER: FORTY-FOUR (44)
DATE: 11/4/2009

ATTENTION: Dave Dolan

PROJECT NAME: Palm Tran Intermodal Facility

REFERENCE: Final Reconciliation

PROJECT NUMBER: 93222
CONTRACT NUMBER: R2007 1217

We propose to accomplish the MODIFICATIONS identified in FIELD BULLETIN # _____ N/A
and as described herein. Except as modified below, the original contract and all prior amendments shall remain in full force
and effect.

DESCRIPTION: Final GMP Reconciliation PBC Change Order #7

PROPOSED CONTRACT PRICE CHANGE: (increases) (\$250,312.77)
(decreases)
(unchanged)

CURRENT SUBSTANTIAL COMPLETION DATE: N/A

PROPOSED CONTRACT TIME CHANGE: (increases) 0 DAYS
(unchanged)

PROPOSED NEW SUBSTANTIAL COMPLETION: N/A DATE

FROM: Catalfumo Construction, Ltd.
Construction Manager

DISTRIBUTION: E.Meinzinger
L. Fields

SIGNED: _____
Edward E. Meinzing, Executive Vice-President

DATE: _____

PALM BEACH COUNTY

CONSTRUCTION CHANGE PROPOSAL (CCP)

CAT PROJ: 08-008-01

TO: Palm Beach County
Capital Improvements Division

CCP NUMBER: FORTY-FOUR (44)
DATE: 11/4/2009

ATTENTION: Dave Dolan

PROJECT NAME: Palm Tran Intermodal Facility

REFERENCE: Final Reconciliation

PROJECT NUMBER: 93222
CONTRACT NUMBER: R2007 1217

We propose to accomplish the MODIFICATIONS identified in FIELD BULLETIN # _____ N/A
and as described herein. Except as modified below, the original contract and all prior amendments shall remain in full force
and effect.

DESCRIPTION: Final GMP Reconciliation PBC Change Order #7

PROPOSED CONTRACT PRICE CHANGE: (increases) (\$250,312.77)
(decreases)
(unchanged)

CURRENT SUBSTANTIAL COMPLETION DATE: _____ N/A

PROPOSED CONTRACT TIME CHANGE: (increases) 0 DAYS
(unchanged)

PROPOSED NEW SUBSTANTIAL COMPLETION: _____ N/A DATE

FROM: Catalfumo Construction, Ltd.
Construction Manager

DISTRIBUTION: E.Meinzinger
L. Fields

SIGNED: _____
Edward E. Meinzinger, Executive Vice-President

DATE: _____