

Agenda Item #:

34-3

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

Meeting Date: March 9, 2010

Consent

Regular

Workshop

Public Hearing

Department: Facilities Development and Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Change Order No. 8 to the contract with Catalfumo Construction Ltd. (R2003-1543) decreasing the Guaranteed Maximum Price (GMP) for the Okeechobee Library by \$168,449.07.

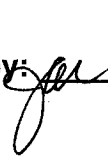
Summary: There is \$168,449.07 remaining in the contract contingency. Change Order No. 8 is for the final reconciliation of the contract. The unused funds will be returned to the Library Expansion Program II, 30.5M GO 03 Bond Revenue. The final Small Business Enterprise participation is 27%. (Capital Improvements Division) District 2 (JM)

Background and Justification: On April 1, 2008, the Board entered into a contract with Catalfumo Construction Ltd. (R2008-0518) for construction management services for the Okeechobee Library renovations. The construction was completed and the library reopened on November 18, 2008. After reconciliation of final construction costs, a credit is being returned to the County.

Attachments:

1. Location Map
2. Budget Availability Statement
3. Change Order History
4. Change Order No. 8

Recommended by:



Armeny Wong
Department Director

2/11/10
Date

Recommended by:

ADW
County Administrator

3/1/10
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	(\$168,449.07)	0	0	0	0
Operating Costs		0	0	0	0
External Revenues		0	0	0	0
Program Income (County)		0	0	0	0
In-Kind Match (County)					
NET FISCAL IMPACT	(\$168,449.07)				
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes X No _____

Budget Account No: Fund 3021 Dept 321 Unit L051 Object 6502
 Reporting Category _____

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

The funds returned to the 30.5M GO 03 Bond Revenue Fund will be budgeted for expenditure on another project in the LEPII.

Fiscal Review: Lavinia D. Gardner
 Lavinia D. Gardner, Chief Financial Officer

III. REVIEW COMMENTS:

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

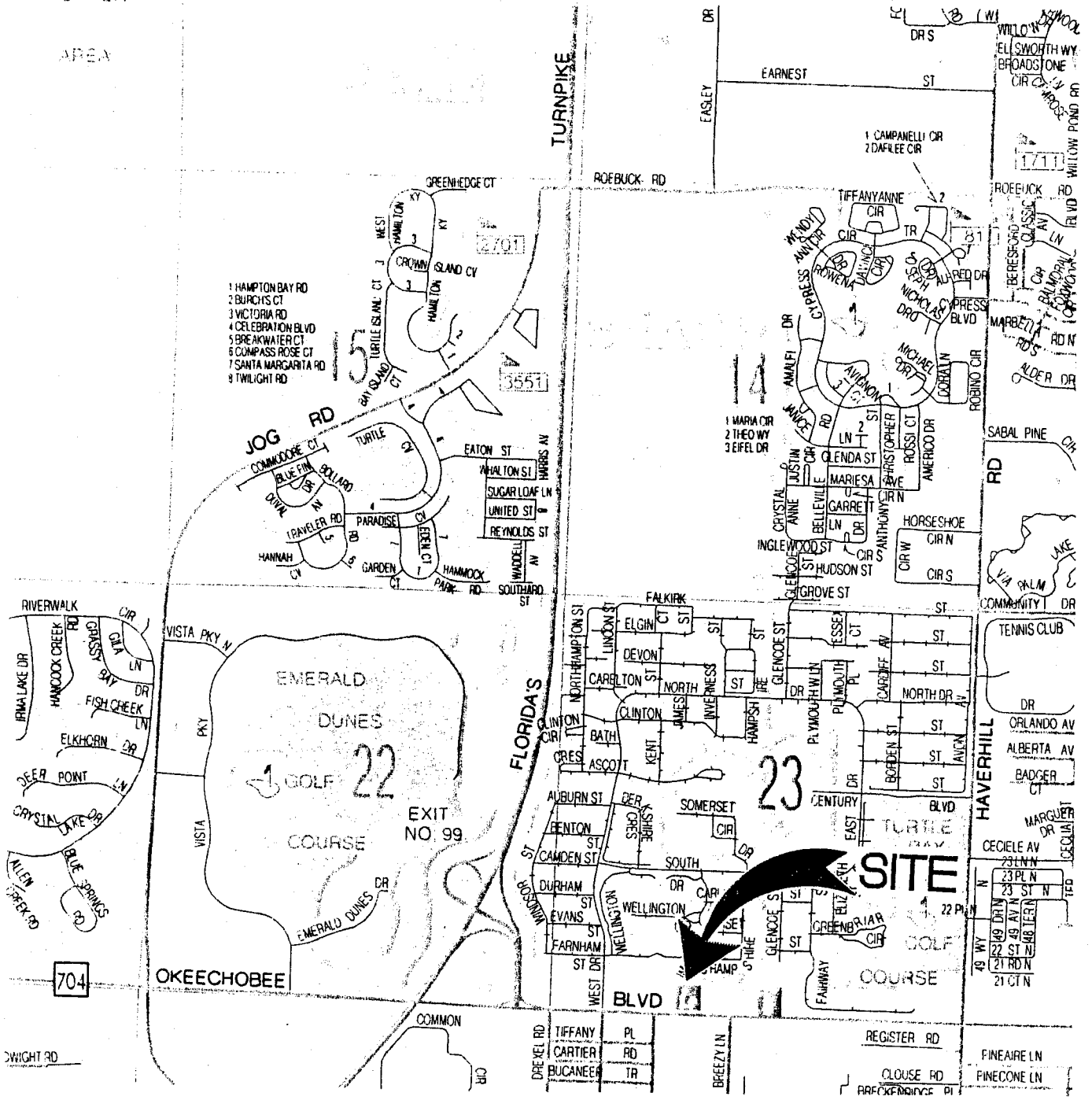
[Signature]
 OFMB
 (Handwritten notes: 01/19/10, 2/2/10, 2/2/10, 2/2/10, 2/2/10, 2/2/10)

[Signature] (2/26/10)
 Contract Administrator
 (Handwritten notes: 2/20/10)

This item complies with current County policies.

B. Legal Sufficiency:
[Signature] 3/1/10
 Assistant County Attorney

C. Other Department Review:
[Signature]
 John J. Callahan III, Library Director



LOCATION MAP



FACILITIES DEVELOPMENT & OPERATIONS
BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 1/04/10

REQUESTED BY: Karen Arndt

PHONE: 561-233-0208

FAX: 561-233-0270

PROJECT TITLE: Okeechobee Branch Library

PROJECT NO.: 03225

ORIGINAL CONTRACT AMOUNT: \$2,145,984.81

BCC RESOLUTION#: R2008-0518/R2003-1543

REQUESTED AMOUNT <\$168,449.07>

DATE:

CHANGE ORDER NUMBER: 8

CONTRACTOR: Catalfumo Construction Ltd.

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

1. CCP #41: GMP reconciliation savings / Return owners contingency.....<\$168,449.07>

CONSTRUCTION

<\$168,449.07>

PROFESSIONAL SERVICES

STAFF COSTS** (Design/Construction Phase)

MISC. (permits, prints, advertising, etcetera)

TOTAL

<\$168,449.07>

** 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: 3021 DEPT: 321 UNIT: L051 OBJ: 6502

FUNDING SOURCE (CHECK ALL THAT APPLY):

AD VALOREM OTHER

FEDERAL/DAVIS BACON

BAS APPROVED BY:

Lynn D. Gardner

DATE:

1/10/10

ENCUMBRANCE NUMBER: _____

Per Karen: Remaining encumbrance of \$158,814.59 will be released and vendor will issue a check for the difference of \$9,634.48 due to over billing.

AGS
2/11/10

**CHANGE ORDER SUMMARY
OKEECHOBEE BRANCH LIBRAY
PROJECT #03225**

CO #	DESCRIPTION	DATE APPROVED	SALES TAX RECOVERY	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 #01: Temporary power and fencing for book mobile.	06/13/08		\$6,435.17						Owner-Initiated
2	CCP#: 3R3,004,005,006, 007,008,9R2,10R, 011,012,014	08/16/08			\$59,366.77 <\$47,187.50>					Owner-Initiated
3	CCP #: 15,16,17R,18,19, 21, 22,23	09/10/08		\$44,498.48						Owner-initiated Requested by another agency Zoning/Cope/ ordinance change
4	CCP #26: Requested changes to casework	10/12/08		\$11,339.39			29			Owner-initiated
5	CCP #25, 27R,28,29	11/04/08		\$30,513.58						Errors/Omissions in Design Requested by another agency Owner-initiated
6	CCP #30R, 33,35,38,39	01/06/09		\$0.00 (Reduced Contingency by \$42,768.55)						Owner-initiated

ATTACHMENT # 3

**CHANGE ORDER SUMMARY
OKEECHOBEE BRANCH LIBRARY
PROJECT #03225**

CO #	DESCRIPTION	DATE APPROVED	SALES TAX RECOVERY	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
7	CCP #31	04/21/09				\$94,496.79				Owner-initiated
8	CCP #41	Pending				<\$168,449.07>				Return contingency from buyout Savings
				TOTAL APPROVED TO DATE	TOTAL \$ APPROVED BY DIR	TOTAL \$ APPROVED BY CRC	TOTAL \$ APPROVED BY BCC	TOTAL DAYS APPROVED BY DIR	TOTAL DAYS APPROVED BY CRC	TOTAL DAYS APPROVED BY BCC
				\$0.00	\$92,786.62	\$59,366.77	\$94,496.79	29	0	0
				DIR/CRC DOLLARS APPROVED TO DATE			DIR/CRC TOTAL DAYS APPROVED TO DATE			
				\$152,153.39			29			

CHANGE ORDER BRIEF
Okeechobee Branch Library
Project No.03225
January 04, 2010

Prime Contractor.....Catalfumo Construction Ltd.

Change Order No8

Change Order Amount..... <\$168,449.07>

Changed Contract Time..... 0 calendar days

Description of CCP's:

1. CCP #41: GMP reconciliation / Return owner's contingency <\$168,449.07>

Explanation and Reason-for-Change Code:

1. CCP #41: X Return of owner's contingency balance and reduce the contract amount by \$168,449.07

Reason-for-change codes

D = Differing Site Conditions

E = Errors/Omissions in Design

O = Owner-Initiated

Q = Quantity Adjustments

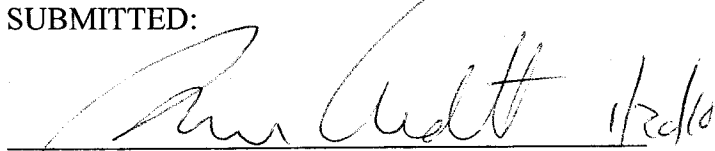
R = Request by another Agency/Outside Party

X = Other (Specify:)

Z = Zoning/Code/Ordinance Change

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

SUBMITTED:



Karen Arndt

Date

Project Manager, Capital Improvements Division

**CHANGE ORDER SUMMARY
OKEECHOBEE BRANCH LIBRAY
PROJECT #03225**

CO #	DESCRIPTION	DATE APPROVED	SALES TAX RECOVERY	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 #01: Temporary power and fencing for book mobile.	06/13/08		\$6,435.17						Owner-Initiated
2	CCP#: 3R3,004,005,006, 007,008,9R2,10R, 011,012,014	08/16/08			\$59,366.77 <\$47,187.50>					Owner-Initiated
3	CCP #: 15,16,17R,18,19, 21, 22,23	09/10/08		\$44,498.48						Owner-initiated Requested by another agency Zoning/Cope/ ordinance change
4	CCP #26: Requested changes to casework	10/12/08		\$11,339.39			29			Owner-initiated
5	CCP #25, 27R,28,29	11/04/08		\$30,513.58						Errors/Omissions in Design Requested by another agency Owner-initiated
6	CCP #30R, 33,35,38,39	01/06/09		\$0.00 (Reduced Contingency by \$32,768.55)						Owner-initiated

**CHANGE ORDER SUMMARY
OKEECHOBEE BRANCH LIBRAY
PROJECT #03225**

CO #	DESCRIPTION	DATE APPROVED	SALES TAX RECOVERY	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
7	CCP #31	04/21/09				\$94,496.79				Owner-initiated
8	CCP #41	Pending				<\$168,449.07>				Return contingency from buyout Savings

TOTAL APPROVED TO DATE	TOTAL \$ APPROVED BY DIR	TOTAL \$ APPROVED BY CRC	TOTAL \$ APPROVED BY BCC	TOTAL DAYS APPROVED BY DIR	TOTAL DAYS APPROVED BY CRC	TOTAL DAYS APPROVED BY BCC
\$0.00	\$92,786.62	\$59,366.77	\$94,496.79	29	0	0
DIR/CRC DOLLARS APPROVED TO DATE				DIR/CRC TOTAL DAYS APPROVED TO DATE		
\$152,153.39				29		

PALM BEACH COUNTY

CHANGE ORDER

ISSUED TO: Catalfumo Construction Ltd. 4300 Catalfumo Way North Palm Beach Gardens, Florida 33410	CHANGE ORDER NO.: 8
PROJECT: Okeechobee Branch Library	REFERENCE CCP NO.: 40
PROJECT NO. 03225	RESOLUTION NO.: R2008-0518 / R2003-1543
	DISTRICT NO.: 2

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 #41: GMP reconciliation <\$168,449.07>

CONTRACT PRICE	COMPLETION DATE
Original Contract Price: <u>\$17,015.65</u>	Contract Completion Date will be increased by <u>0</u> #days calendar days.
Addendum #16: <u>\$2,145,984.81</u>	
Previous CO # <u>1</u> through <u>7</u> : <u>\$199,462.68</u>	
This Change Order No. <u>8</u> : <u><\$168,449.07></u>	
ADJUSTED Contract Price: <u>\$2,194,014.07</u>	
	Contract Notice to Proceed Date: <u>April 15, 2008</u>
	Contract Substantial Completion Date: <u>September 17, 2008</u>
	ADJUSTED Substantial Completion Date: <u>N/A</u>

<p>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:</p> <p><u>Catalfumo Construction LTD</u> Contractor By: <u>[Signature]</u> Title: <u>CCP</u> Date: <u>1/12/10</u></p>	<p>DESIGN PROFESSIONAL The above changes are recommended for approval by the Owner:</p> <p><u>Hanson Professional Services</u> Design Professional By: <u>[Signature]</u> Title: <u>Architect</u> Date: <u>1/14/10</u></p>	<p>PALM BEACH COUNTY Recommended By:</p> <p>By: <u>[Signature]</u> Title: <u>Project Manager</u> Date: <u>2/8/10</u></p> <p>By: <u>[Signature]</u> Title: <u>Director - CID</u> Date: <u>2/8/10</u></p> <p>By: <u>[Signature]</u> Title: <u>Director, FD&O</u> Date: <u>2/11/10</u></p> <p>By: _____ Legal Sufficiency - CAO Date: _____</p> <p>Approved By:</p> <p>By: _____ Burt Aaronson Title: <u>Chair, BCC</u> Date: _____</p>
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Rev. 2/2008

PALM BEACH COUNTY

CONSTRUCTION CHANGE PROPOSAL (CCP)

CAT PROJ: 06-024-01

TO: Palm Beach County
Capital Improvements Division

CCP NUMBER: 041
DATE: 12/22/2009

ATTENTION: Karen Arndt
REFERENCE: Project Closeout Reconciliation

Okeechobee
PROJECT NAME: Branch Library
PROJECT NUMBER: 03225
CONTRACT NUMBER: R2003-1543

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: **GMP Reconciliation PBC Change Order #8**

PROPOSED CONTRACT PRICE CHANGE: (increases) \$ (168,449.07)
 (decrease)
 (unchanged)

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

PROPOSED NEW SUBSTANTIAL COMPLETION: N/A DATE

FROM: Catalfumo Construction, Ltd.
Construction Manager

DISTRIBUTION: E. Meinzinger
Joe Keating
L. Fields

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

DATE: 12/22/09

**PALM BEACH COUNTY
FACILITIES DEVELOPMENT & OPERATIONS DEPARTMENT
CONTINGENCY USE DIRECTIVE**

AUTHORIZATION TO ADJUST THE CONTRACTOR'S
CONTINGENCY WITHIN THE GUARANTEED MAXIMUM PRICE (GMP)

Project No: 03225

Project Name: Okeechobee Branch Library

CUD NO. 003

Date: December 22, 2009

The following is a description of items to adjust the Contractor's Contingency within the Guaranteed Maximum Price (GMP). This action does not change the GMP amount or the contract time:

Item	RCO	Description of Adjustments to the Contingency	Value
1		Change Order #8 - Project Closeout Reconciliation	\$166,724.17
2			
3			
4			
5			

Total all items for this CUD \$166,724.17

Original Contingency Amount	<u>\$71,520.00</u>
Previous CUD's (01-02)	<u>(\$69,795.10)</u>
Balance before this CUD	<u>\$1,724.90</u>
THIS CUD	<u>\$166,724.17</u>
Balance after this CUD	<u>\$168,449.07</u>

Execution of this CUD 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 claims that the above stated modification constitutes, in whole or part, a cardinal change to the contract. The above changes are accepted:

Construction Manager:
Catalfumo Construction, Ltd.
3701 Catalfumo Way South
Palm Beach Gardens, FL 33410

Architect:
Hanson Professional Services
1601 Belvedere Rd
Suite 303 South
West Palm Beach, FL 33406

Owner:
Palm Beach County
Capital Improvements Division
2633 Vista Parkway
West Palm Beach, FL 33411

By: *J. Keating, P.M.*
Joe Keating - Project Manager

By: _____

By: _____
Project Manager

Date: 12/21/09

Date: _____

Date: _____

By: *Edward E. Meininger Jr.*
Ed Meininger - Executive VP

By: _____
Dir. - Capital Improvements Div

Date: exp 12/22/09

Date: _____

By: _____
Dir. - FD&O

Date: _____

Quality from the ground up

CATALFUMO

Construction, Ltd.

CONSTRUCTION • DEVELOPMENT • MANAGEMENT

December 22, 2009

Ms. Karen Arndt
Project Manager, Capital Improvements Division
Palm Beach County Facilities Development & Operations
2633 Vista Parkway
West Palm Beach, FL 33411

**Re: Okeechobee Branch Library – Contract Closeout
Palm Beach County Project No. 03225**

Dear Ms. Arndt:

Catalfumo Construction, Ltd. is pleased to notify the Capital Improvements Division of the following GMP savings to our Construction Management Contract on the above referenced project.

The total savings equates to **\$168,449.07**, and the final contract value is \$2,176,998.42. Enclosed, please find the following documents:

1. Contract reconciliation CUD 03
2. Final deductive CCP #41 (Change Order #8) to close the contract
3. Final pay application #12 with SBE Schedule 1 and 3
4. Supporting cost information for contract allowances
5. Reconciliation of all line items included within the GMP

It has been our pleasure to work with Palm Beach County on this important project. Should you require any further information, please contact me at 561-694-8853.

CATALFUMO CONSTRUCTION, LTD.



Edward E. Meinzinger
Executive Vice President

Cc: D. Catalfumo
S. Provines
J. Keating
Z. Young
P. Simonson
J. Jacoby
L. Carter

SCHEDULE 1

LIST OF PROPOSED SBE-M/WBE SUBCONTRACTORS

PROJECT NAME: Okeechobee Branch Library
 NAME OF PRIME BIDDER: CATALFUMO CONSTRUCTION, Ltd.
 CONTACT PERSON: Joe Keating
 BID OPENING DATE:

PROJECT NO: 03225
 PHONE NO: 561-694-3000
 DEPARTMENT:
 FAX NO: 561-691-3890

PLEASE IDENTIFY ALL APPLICABLE CATEGORIES OF SUBCONTRACTORS

	Name, Address and Phone Number	(Check one or both Categories)		Subcontract Amount					Other (Please Specify)
		Minority Business	Small Business	Black	Hispanic	Woman	Caucasian		
1	Hi-Tech Roofing & Sheetmetal 2266 4th Avenue North Lake Worth, FL 33461		X	\$ -	\$ -	\$ -	\$ -	\$ 7,350.00	
2	Flags Plus 1441 South Military Trail West Palm Beach, FL 33415	X	X	\$ -	\$ -	\$ -	\$ -	\$ 4,611.99	
3	Palm Beach Glass Specialties 1237 Roebuck Court West Palm Beach, FL 33401	X	X	\$ -	\$ -	\$ -	\$ -	\$ 21,265.00	
4	Baron Sign Manufacturing 900 13th St Riviera Beach, FL 33404		X	\$ -	\$ -	\$ -	\$ -	\$ 5,346.58	
5	Stokes Mechancial Contractors 2001 7th Avenue N Lake Worth, FL 33462		X	\$ -	\$ -	\$ -	\$ -	\$ 560,342.04	
	(Please use additional sheets if necessary)		Total	\$ -	\$ -	\$ -	\$ -	\$ 598,915.61	

Final Contract Value: \$ 2,176,998.42

Total Value of SBE Participation \$ 598,915.61

% SBE Participation 27.51%

- 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.