### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date: June 7, 2011

[X] Consent [] Workshop

] Regular ] Public Hearing

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Agenda Item #:

3H-2

Department: Facilities Development & Operations

## I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: Change Order No. 5 to the Contract with The Weitz Company (R2007-1105) decreasing the Guaranteed Maximum Price (GMP) for the State Attorney/Public Defender & Judicial Center Hurricane Hardening project by \$1,449,176.94.

**Summary:** On October 20, 2009, the Board approved the GMP (R2009-1774) in the amount of \$10,931,930 for the State Attorney/Public Defender & Judicial Center Hurricane Hardening project. There is \$1,449,176.94 remaining in the contract contingency due to unused allowances, unused owner's contingency, buyout savings, and work efficiencies resulting from an alternate method to replacing the glass. Change Order No. 5 reconciles the final project cost and will also allow for closeout. The Small Business Enterprise (SBE) participation goal is 15%, and the final SBE participation is 17%. Funding for this project came from the FEMA Hazard Mitigation Grant Program Fund (75%) and the Public Building Improvement Fund (25%) and \$362,294 will be returned to General Fund Contingency. (Capital Improvements Division) <u>Countywide</u> (JM)

**Background and Justification:** On October 20, 2009, the Board approved an Amendment with the Weitz Company (R2009-1774) for construction management services for the State Attorney/Public Defender and Judicial Center Hurricane Hardening. 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 No. 5

Recommended by:	Awmen Worf	5 (14) 11
que	Department Director	Date
Approved by:	Ubaker	6/1/11
	HC County Administrator	Date

## II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	( <u>\$1,449,17</u> 7	) 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	(\$1,449,177	_)			
<b># ADDITIONAL FTE</b>					
POSITIONS (Cumulative)					
Is Item Included in Current	Budget? Yes	X	No		

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

Funding for this project came from the FEMA Hazard Mitigation Grant Program Fund (75%) and the Public Building Improvement Fund (25%). The unused funds will be returned proportionately to the appropriate funding source, resulting in a return of \$362,294 to the General Fund.

5.2011 C. Department Fiscal Review:

III. <u>REVIEW COMMENTS</u>:

A. OFMB Fiscal and/or Contract Development and Control Comments: Adjusted contract price will be \$ 8,713,616.36

Ano J. Jacobart 512571 Contract Administrator

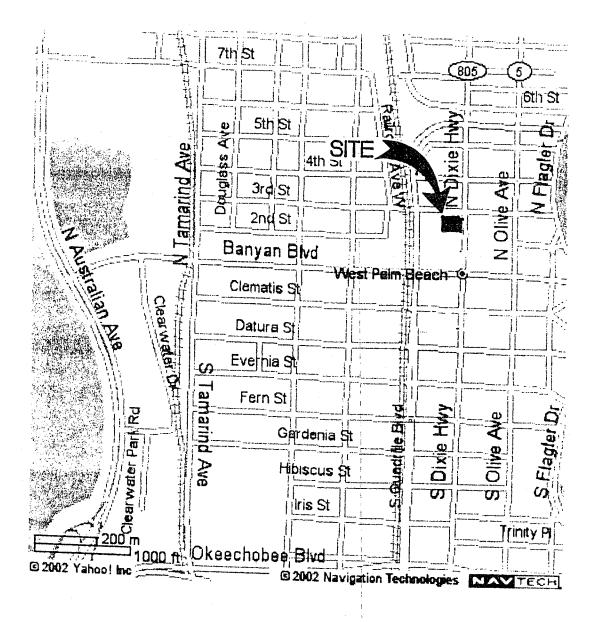
This item complies with current County policies.

Legal Sufficiency:

C. Other Department Review:

Department Director

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



LOCATION MAP N.T.S.



ATTACHMENT # (

## **FACILITIES DEVELOPMENT & OPERATIONS BUDGET AVAILABILITY STATEMENT**

**REQUEST DATE:** 04/20/11 **REQUESTED BY: Anil Patel** 

PHONE: 233-0271 FAX: 233-0270

**PROJECT TITLE**: SA/PD Judicial Center Hurricane Hardening

**PROJECT NO.:** 08204

ORIGINAL CONTRACT AMOUNT: \$10,931,930.00

**BCC RESOLUTION#:** R2007-1105 (R2009-1774) DATE:

**REQUESTED AMOUNT: (\$1,449,176.94)** 

CSA or CHANGE ORDER NUMBER: Change Order #5

CONSULTANT/CONTRACTOR: The Weitz Company

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

CONSTRUCTION **PROFESSIONAL SERVICES STAFF COSTS**\*\* (DESIGN / CONST. PHASE) **MISC.** (permits, prints, advertising, etc) TOTAL

\*\* This is an estimate of staff charges. Actual(s) will be billed at the end of each fiscal year.

**BUDGET ACCOUNT NUMBER (IF KNOWN)** 

UNIT: 13430 FUND: 3801 DEPT: 411

FUNDING SOURCE (CHECK ALL THAT APPLY):

	VGot-		
OBJ:	25 %	75	- 0/0
AD	VALOREM	TOTHER	Gunuls

□ FEDERAL/DAVIS BACON

(\$1,449,176.94)

(\$1,449,176.94)

SUBJECT TO IG FEE?	I YES 📌 🗆 NO	(
BAS APPROVED BY:	In	DATE:
ENCUMBRANCE NUMBER:	0520	008-149P

ATTACHMENT #2

### CHANGE ORDER BRIEF SA/PD & JCC HURRICANE HARDENING PROJECT NO. 08204 FEBRUARY 15, 2011

Prime Contractor.....The Weitz Company Change Order No......5 Change Order Amount......(\$1,449,176.94) Changed Contract Time......0 calendar days

Description of CCP's:

 1. CCP #008:
 Contract reconciliation to zero out contingency
 (\$1,449,176.94)

 Total
 \$1,449,176.94

Explanation and Reason-for-Change Code:

1. CCP #008: X Final reconciliation for contract close out.

Reason-for-change codes D = Differing Site Conditions E = Errors/Omissions in Design

O = Owner-InitiatedQ = Quantity Adjustments R = Request by another Agency/Outside Party X = Other (Specify: Direct Owner Purchase) Z = Zoning/Code/Ordinance Change

Estimate premium value of errors/omissions for this change order: N/A

SUBMITTED:

Date

Anil Patel, Project Manager / Capital Improvements Division

#### SA/PD JUDICIAL CENTER HURRICANE HARDENING PROJECT #08204

CO #	Description	Date Approved	Sales Tax Recovery	Amount Approved by Director	Amount Approved by CRC		Days Approved by Director	Days Approved by CRC	Days Approved by BCC	\$ SBE
1	CCP #1 & 2	12/3/2009	-\$1,147,663.81							
2	CCP #4R & 5	1/28/2010	-\$131,510.00							
3	CCP #006	2/1/2011	\$513.05							
4	CCP #007	3/1/2011	\$97.06							
5	CCP #008 - Final Contract Reconciliation					-\$1,449,176.94			0	
		· · · · · · · · · · · · · · · · · · ·								
		Totals	-\$1,278,563.70	\$0.00	\$0.00	-\$1,449,176.94	0	0	0	\$0.00

DIR + CRC DOLLARS TO DATE

\$0.00

DIR + CRC TOTAL DAYS TO DATE

0

TASK 1	\$509,427.00
ORIGINAL CONTRACT PRICE (Amend #3)	\$10,931,930.00
PREVIOUS CHANGE ORDERS ( )	\$0.00
PREVIOUS SALES TAX C.O.'s (1-4)	-\$1,278,563.70
THIS CHANGE ORDER ( 5 )	-\$1,449,176.94
ADJUSTED CONTRACT PRICE	\$8,713,616.36

	PALM E	BEACH COUNTY	
	СНА	NGE ORDER	
ISSUED TO: The Weitz Company		CHANGE ORDER	NO.: 05
1720 Centerpark Drive East West Palm Beach, FL 33401		<b>REFERENCE</b> CCP	NO.: 008
PROJECT: SA/PD Judicial Center Hurricane PROJECT NO. 08204	0	: R2007-1105 (R2009-1774)	
	colionente	DISTRICT NO.:	7
The completion date, contract price, and all terms, by this and previous Change Orders, if any, shall re-	emain in fu	, and conditions of the above ill force and effect.	e referenced contract, except as duly modified
DESCRIPTION OF CHANGE:			
1. CCP #008: Contract reconciliation to zero Total	out contin	gency	( <u>\$1,449,176.94)</u> (\$1,449,176.94)
CONTRACT PRICE		COMPLETION DATE	
Amendment No. 3\$10,93Previous Change Orders:Previous Sales Tax C.O.'s:(\$1,278This Change Order No. 5:(\$1,449	9,427.00 1,930.00 \$0.00 3,563.70) 9,176.94) 3,616.36	Contract Completion Date Contract Notice to Proceed	etion Date: 12/06/2010
ExecutionofthischangeorderThe aacknowledgesfinalsettlementof, andapproreleases, allclaimsforcostsandtimeassociated,directly orindirectly, with theabove statedmodification(s), including allclaimsforcumulativedelaysordisruptionsresultingfrom, caused by, orincidentto suchincludingany claimthat the above statedmodification(s), andincludingany claimthat the above statedmodification(s)modification(s)constitutes, inwhole orpart, a cardinal change to the contract.The above changes are accepted:MPADesig		Inc.	PALM BEACH COUNTY Recommended By: By:
Rev. 2/2008		······	
		······································	

	PALM B	EACH COUNTY	
CONSTRUCT	TION CHANGE PROPOSAL (CCP)		
то:	PBC Capital Improvements Division 2633 Vista Parkway	CCP NUMBER:	#008
ATTENTION:	West Palm Beach, Fl 33411 Anil Patel	DATE:	4-11-11
REFERENCE: unused funds.	Project Close out / Reconciliation of	PROJECT NAME:	Hurricane Hardening SAPD and Main Courthouse
		PROJECT NUMBER: CONTRACT NUMBER:	08204 R2009 1774
We propose to a described herein and effect.	accomplish the MODIFICATIONS ident n. Except as modified below, the origina	tified in FIELD BULLETI al contract and all prior am	N FB # and as endments shall remain in full force
DESCRIPTIO	N:	•	
Decrease in con summary.	tract amount due to a reconciliation of u	nused funds in the budget.	See attached final accounting
	PROPOSED CONTRACT PR	ICE CHANGE (decrease)	
	(decrease in the amo	ount of)	\$ 1,449,176.94
	PROPOSED CONTRACT TI	ME CHANGE ( )	days
	PROPOSED NEW SUBSTAN	TIAL COMPLETION	date
		FROM: Frank D'Ase	canio, The Weitz Company CONTRACTOR
DISTRIBUTIO	N: Palm Beach County –	SIGNED:	2-11
		DATE: <u>4</u> -1	2 ''

## **Weitz** PBC #8204

# Palm Beach Hardening - Final Accounting Summary

Account Description	GMP		Revised B	udget Including Fee	Cos	t Including Fee	Sa	ivings
Preconstruction services	\$	509,427.00	\$	509,427.00	\$	489,515.37	\$	19,911.63
JCC	\$	8,166,427.00	\$	7,140,519.70	\$	6,156,957.52	\$	983,562.18
SAPD	\$	2,765,504.00	\$	2,512,442.00	\$	2,066,738.87	\$	445,703.13
Total	\$	11,441,358.00	\$	10,162,388.70	\$	8,713,211.76	\$ ^	1,449,176.94

March 08, 2011

Anil Patel Palm Beach County F D & O 2633 Vista Parkway West Palm Beach, FL 33411-5604

Re: SBE Participation Summary for PBC Hurricane Hardening- JCC & SAPD Project

Dear Anil,

The following is a summary of the final SBE participation for the PBC Hurricane Hardening- JCC & SAPD Project. Totals are based on final subcontract amount and final project cost.

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ORIGINAL CONTRACT AMOUNTS Palm Beach Glass.....

FINAL CONTRACT AMOUNTS \$1,486,282.00

TOTAL.....\$1,486,282.00

SBE%.....17%

Sincerely, k

Frank Dascanio Project Manager The Weitz Company

#### SCHEDULE 1

#### LIST OF PROPOSED SBE-M/WBE SUBCONTRACTORS CHANGE ORDER WORK

PROJECT NAME: <u>PBC Hurricane Hardeni</u>	ng -SAPD and Main Courthouse	······································		PROJECT NO08204
NAME OF GENERAL CONTRACTOR:	The Weitz Company	CONTACT PERSON:	Frank Dascanio	PHONE NO: 561-687-4838

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CCP #: 008

	(Check one o	r both Categories)	Subcontract Amou	nt			
Name, Address and Phone Number	Minority Business	Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)
1. NONE			\$	\$	\$	\$	\$
2.			\$	\$	\$	\$	\$
3.			\$	\$	\$	\$	\$
4.			\$	\$	\$	\$	\$
5.			\$	\$	\$	\$	\$
(Please use additional sheets if necessary)		Total	\$	\$	\$	\$	\$

G:\CID\Forms\Schedule 1 SBA for Change Orders.wpd