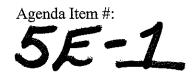
PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY



Meeting Date: December 20, 2011	[] Consent [] Workshop	[X] Regular [] Public Hearing	• ,,
Department: Facilities Development an	nd Operations		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Change Order No. 180 to the contract with Moss & Associates, LLC (R2007-0031) in the amount of \$2,304,942 for the West County Detention Facility, Courts Renovations.

Summary: On May 17, 2011, the Board authorized the expansion and renovation of the West County Courthouse (R2011-0755). The Courts Renovation project is the last phase of the Jail Expansion II project. This phase consists of the adaptive re-use of three buildings built between 1982-1998 to expand Court facilities to accommodate the increased in-custody population and provide a level of court facilities in the Western Communities equivalent to those at other satellites. Immediately upon starting interior demolition, it was apparent that unforeseen conditions would require design modifications. When additional reviews of the architect's design commenced to address the unforeseen conditions, it was determined that the architect had not fully complied with the County's program requirements. Because of the combined magnitude of the unforeseen conditions and architect's error and omissions (E/Os), it was necessary to address all design modifications concurrently. The project was re-phased to complete all demolition activities first thereby revealing all concealed conditions allowing these design revisions to be made at the same time as the revisions resulting from E/Os. Ultimately 25% of the value of this change order is attributable to unforeseen building conditions and 50% due to E/Os and the Architect not complying with the Florida Building Codes. Staff estimates the premium value of the E/Os and associated general conditions to be approximately \$400,000. According to County policy and law, Staff will evaluate the premium value of all change orders identified as E/Os against the contractual standard of care to determine if the standard has been exceeded and the premium value recovered from the Architect. The remaining 25% of this Change Order (\$600,000) attributable to County initiated changes, the most significant of which, \$240,000, is for courtroom electronics and security design. The remaining County initiated changes are necessary to: 1) reconcile the security and building code requirements, and/or to 2) reduce operating and maintenance requirements. Change Order No. 180 is funded from the contingency line of the Criminal Justice and Public Improvement Revenue Bond Series 2008. The original value of this contract is \$11,926,673. Moss & Associates will be achieving 21.5% Small Business Enterprise (SBE) participation in this change order bringing their total contract participation to 16.5% (Capital Improvements Division) Countywide/District 6 (JM)

Background and Policy Issues: On April 25, 2006, the Board approved proceeding with Jail Expansion II consisting of the expansion of the West County Detention Facility, the Stockade and renovations to the Main Detention Center. Amendment No. 9 approved on May 17, 2011, authorized expansion and renovation of the West County Courthouse. Change Order No. 180 is necessary for changes due to unforeseen conditions, revisions due to inconsistencies between the Owner's program requirements and the provided design, and revisions in order to comply with the Florida Building Code. As the Architect is responsible to design the project in accordance with the program provided by the County and all codes, a portion of the cost of Change Order No. 180 is due to the Architect's design not fully complying with the County's direction and the Florida Building Code. Staff is estimating that the premium cost of that work and associated general conditions is approximately \$400,000. Staff will evaluate the additional costs regarding errors and omissions at the completion of construction according to County Policy. The change order also includes delay costs (\$330,000) associated with general conditions as well as additional preconstruction services (\$212,000). These are costs by the construction manager during the period of processing these changes and investigating unforeseen site conditions discovered during the initial demolition, which are ultimately less expensive than demobilizing and remobilizing from the site during the delay. A condensed version (without sales tax reduction change orders or no cost change orders) of the Change Order History is attached.

Attachments:

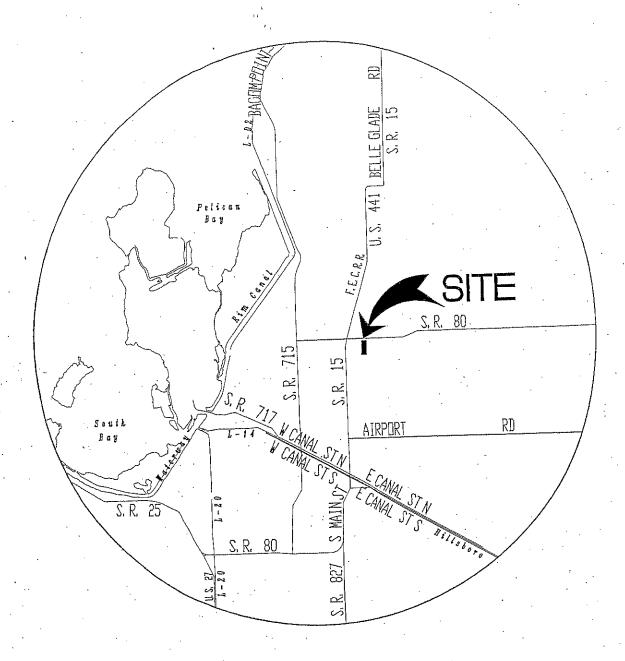
- 1. Location Map
- 2. Budget Availability Statement
- 3. Change Order History
- 4. Change Order No. 180

Recommended by:	francy Work	12/8/11	
A The state of the	Department Director	Date	
Approved by:	William Well	12/19/11	
	County Administrator	Date /	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:
Fiscal Years 2012 2013 2014 2015 2016 Capital Expenditures 2,304,942 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 2,304,942 # ADDITIONAL FTE POSITIONS (Cumulative)
Is Item Included in Current Budget? Yes X No
B. Recommended Sources of Funds/Summary of Fiscal Impact:
C. Departmental Fiscal Review: 13-5-4 III. REVIEW COMMENTS:
A. OFMB Fiscal and/or Contract Development and Control Comments:
OFMB Contract Administrator 12) 151) Contract Administrator 12-15-15 wheely
B. Legal Sufficiency: Assistant County Attorney 12/16/14
C. Other Department Review:

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



LOCATION MAP

FACILITIES DEVELOPMENT & OPERATIONS BUDGET AVAILABILITY STATEMENT

PHONE: 233-0278 **FAX:** 233-0270

11/21/11 REQUESTED BY: Mike McPherson

PROJECT TITLE: PBC Jail I	Expansion Program II	PROJECT I	NO.: 06213
ORIGINAL CONTRACT AMO	OUNT:	BCC RESO	LUTION#:
REQUESTED AMOUNT:	2,304,942,00		
CSA or CHANGE ORDER NU	MBER: 180		
CONSULTANT/CONTRACTO	Moss and Ass	sociates, LLC	
PROVIDE A BRIEF STATEM CONSULTANT/CONTRACTO		OF SERVICES TO BE PROVID	ED BY THE
Drawings Departme	. This set of drawings dant comments, Owner con	nat have been included into a set of Content August 19, 2011 includes Build mments, and design modifications. The second	ing he cost
CONSTRUCTION PROFESSIONAL SERV STAFF COSTS** (De MISC. (Builder Risk Ins TOTAL	sign/Construction Phase)	\$2,304,942.00 \$2,304,942.00	
** By signing this BAS your depreceipt of this BAS by FD&O. Ube billed.	artment agrees to these s Inless there is a change in	staff costs and your account will be the scope of work, no additional sta	charged upon ff charges will
BUDGET ACCOUNT NUMBE	R (IF KNOWN)		
FUND: 3053 DEPT: 4/11	UNIT: 1336)	OBJ: 6577	0
FUNDING SOURCE (CHECK	ALL THAT APPLY):	□ AD VALOREM ☐ OTHER	Bul
BAS APPROVED BY:	/w_	☐ FEDERAL/DAVIS BACON DATE: //-2/-//	
ENCUMBRANCE NUMBER:_	200-11	1407.748	

REQUEST DATE:

CHANGE ORDER HISTORY JAIL EXPANSION PROGRAM – II PROJECT NO. 06213

CO #	DESCRIPTION	DATE APPROVED	SALES TAX RECOVERY	AMOUNT APPROVED BY DIR of FDO	AMOUNT APPROVED BY CRC	AMOUNT APPROVED BY BCC	DAYS APPROVED BY DIR	DAYS APPROVED BY CRC	DAYS APPROVED BY BCC	CODE
	CRC approved change orders - CO's # 4, 40 & 115, 128, 130, 133, 135, 142, 143 &176.	Varies			\$744,902.94		·			D, E, O
	DIR approved change orders - CO's # 5, 30, 32, 39, 51, 52, 56 thru 68, 89 thru 91, 97 thru 101, 108 thru 114, 118 thru 120, 121, 123, 124, 127, 129, 131, 132, 136 thru 141, 144 thru 148, 150 thru 159, 161 thru 163, 174,179.	Varies		\$1,016,833.16						D, E, O, R, Z
	CO's #34 & 92	Varies				\$2,244,739.00	,			E, O & Z
164	Reconciliation of Amendment #3 Pod C GMP for Expansion II West County Detention Center.	7/20/2011			<\$63,591.49>					Х
l·	Reconciliation of Amendment #1 De-muck GMP for Expansion II West County Detention Center.	8/16/2011		-		<\$289011.62>	·			X
	#8-CVV GMP for Expansion II West County Detention Center.	8/16/2011	·			<\$582440.27>				Х
167	Reconciliation of Amendment #2 Utilities GMP for Expansion II West County Detention Center.	8/16/2011				<\$402931.56>				X
169	#4- Out Buildings GMP for Expansion II West Coutny Detention Center.					<\$457688.59>				X
170	#5- Asphalt Paving GMP for Expansion II West County Detention Center.					<\$134696.26>				Х
180	C.O. WCC 018-R1 Conformance Set	Pending				\$2,304,942.00				D, E
								-		

CHANGE ORDER HISTORY JAIL EXPANSION PROGRAM - II PROJECT NO. 06213

CO#	DESCRIPTION	DATE	SALES TAX	AMOUNT	AMOUNT	AMOUNT	DAYS	DAYS	DAYS	CODE
		APPROVED	RECOVERY	APPROVED BY		APPROVED BY	APPROVED	APPROVED	APPROVED	
				DIR of FDO	CRC	BCC	BY DIR	BY CRC	BY BCC	
			TOTAL APPROVED TO DATE	TOTAL \$ BY DIR	TOTAL \$ BY CRC	<u> </u>		i •	TOTAL DAYS BY BCC	
			0.00	\$1,090,319.16	\$681,311.45	\$2,971,924.32	0	*	0	
				DIR + CRC TO E				C TOTAL O DATE		ı
				\$1,771,	630.61			*		
							* Amendment	#1 - 109 days		
				i			Amendment	#2 - 108 days		
		•					Amendment	#3 - 126 days		
							Amendment	#6 - 203 days	·	
							Amendment	#8 - 30 days		

CHANGE ORDER BRIEF JAIL EXPANSION PROGRAM- II PROJECT NO. 06213 **NOVEMBER 30, 2011**

Prime Contractor......Moss & Associates, LLC Change Order No......180

Change Order Amount.......... \$2,304,942.00

Changed Contract Time......147 calendar days

Description of CCP's:

1. This change order represents Field Bulletins 1-11 that have been included in the Conformance Set of drawings. These drawings are dated August 19, 2011 that include Building Department comments, Owner comments and design revisions.

Explanation and Reason-for-Change Order Code:

1. (D, E, D, Z) Chang Order #180 is necessary due to the unforeseen conditions, revisions in order to comply with the Florida Building Code, and revisions due to inconsistencies in between the Owner's program requirements and the consultants design. The work was placed on hold for 120 days and 27 days are needed to complete the revised work.

Reason-for-change codes

D = Differing Site Conditions

R = Request by another Agency/Outside Party

E = Errors/Omissions in Design

X = Other (Reconciliation for GMP)

O = Owner-Initiated

Q = Quantity Adjustments

Z = Zoning/Code/Ordinance Change

Estimated premium value of errors/omissions for this change order: \$400,000

SUBMITTED:

Project Manager, Capital Improvements Division

Date

	PALM BEACH COUNTY							
		CHAN	NGE ORDER					
ISSUED TO: Moss	& Associates, LLC		CHANGE ORDER N	NO.: 180				
	SW 27 th Avenue, Sui a, Florida 34474	ite 202	REFERENCE CCP N	NO.: WCC018R2				
PROJECT: PBC J	Jail Expansion		RESOLUTION NO.:	R2007-0031				
PROJECT NO. 06213			DISTRICT NO.:	6				
The completion date, co by this and previous Ch	intract price, and all to ange Orders, if any, s	erms, covenants, as shall remain in full	nd conditions of the above i force and effect.	referenced contract, except as duly modified				
1.CCP #WCC018R2: F	by this and previous Change Orders, if any, shall remain in full force and effect. DESCRIPTION OF CHANGE: 1.CCP #WCC018R2: Represents Field Bulletins #1-11 that have been included into a set of Conformance Drawings. This set of drawings dated August 19, 2011 includes Building Department comments, Owner comments, and design modifications. The cost of the work shall not exceed							
CONTRACT PRICE	, , , , , , , , , , , , , , , , , , , ,		COMPLETION DATE					
Original Contract Price: Amendment #1 through Previous Change order Task Order # 1 thru #3 Previous Sale Tax C.O' This Change Order No ADJUSTED Contract P	#9 : \$12 \$ 3 : \$ 5 8 (\$1 180 \$	\$565,536.00 29,376,652.00 1,754,390.24 651,746.00 18,605,318.50) 2,304,942.00 16,047,947.74	Contract Completion Date will be increased by 147 calendar days. Contract Notice to Proceed Date: 05/13/11 Contract Substantial Completion Date: 04/12/12 ADJUSTED Substantial Completion Date: 08/07/2012					
CONTRACTOR Execution of this acknowledges final sereleases, all claims for associated, directly or above stated modificatic claims for cumula disruptions resulting frincident to such modification(s) constitution part, a cardinal change to the above changes are a Moss Construction, LI Contractor By: Title:	ettlement of, and or costs and time indirectly, with the ion(s), including all tive delays or rom, caused by, or diffications(s), and at the above stated artes, in whole or to the contract.	DESIGN PROFE. The above change approval by the O Design Profession	es are recommended for Owner:	PALM BEACH COUNTY Recommended By: By: Manager Date: 1/20/11 By: Director CID Date: 1/1/1/ By: Director, FD&O Date: 1/2/1/1/ Legal Sufficiency - CAO Date: 1/2/1/1/ Approved By: By: Shelley Vana				
Pay 2/2008				Title: Chair, BCC Date:				

	PALM BEA	ACH COUN	ITY			
CONSTRUCTION C	HANGE PROPOSAL (CCP)					
TO: Facilities Development an 2633 Vista Parkway		CCP NUMB DATE:	ER:	#WCC 018-R2 11/03/2011		
West Palm Beach, FL 334	11	PROJECT N	AME:	Palm Beach County Jail Expansion II- West County Courts Renovation		
ATTENTION: Michael McPl	terson	PROJECT N CONTRACT		06213		
REFERENCE: WCC - CON	FORMANCE SET Field Bulletin xxx					
We propose the follow	ng:					
Construction Change P	roposal					
DESCRIPTION:						
in full force and effect	r details. Except as modified below	.,				
· .	PROPOSED CONTRACT PRIC	E CHANGE	(increases) (decrease)	\$ 2,304,942		
	PROPOSED CONTRACT PRIC	E CHANGE	•	\$ 2,304,942		
	PROPOSED CONTRACT PRIC		(decrease)	\$ 2,304,942		
		CHANGE	(decrease) (unchanged) (increases) (unchanged)	\$ 2,304,942 147 Days		
	PROPOSED CONTRACT TIME	E CHANGE	(decrease) (unchanged) (increases) (unchanged) ETION Moss & Ass	\$ 2,304,942 147 Days		
DISTRIBUTION: Moss: Mike Mazza	PROPOSED CONTRACT TIME	E CHANGE	(decrease) (unchanged) (increases) (unchanged) ETION Moss & Ass CON	\$ 2,304,942 147 Days August 07, 2012 date sociates LLC		



Palm Beach County Jail Expansion - II
West County Courts Renovation
Hovember 3, 2011
CCP #WCC 018-R2 - Conformance Set Revision

Div.	Description	Qty		FOTAL
			area exercis	
	General Constitutes GRABEIA			
j	Cost based on July 01, 2012 through September 07, 2012		\$. 331,285
ı	Lump Sum General Conditions		*	,
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		· I		
				•
		·		
	Subtotal General Conditions		\$	331,285
	Subtotal General Conditions			
	SINGONIAGO RIGIOSA VALUSIANOS (VALUSIANOS)			
	This subcontractor shall furnish and install additional			
	demolition. This work is to remove the EFIS from the lobby			
3	area in order renovate the lobby	Meisner	\$	2,298.00
	This subcontractor shall furnish and install additional cast in		İ	•
	place concrete and CMU walls which includes a sidewalk,		_	400 540 00
3	ramps, slabs, footings, and columns.	Florida Lemark	\$	102,548.00
	This subcontractor shall furnish and install additional			
	structural steel and misc. metals which includes reinforcing of		۱ "	E4 004 00
5	existing joists and RTU supports.	Dixie metals	\$	54,021.00
	This subcontractor shall furnish and install additional millwork			
	which includes new base cabinet, counter top enlarged and		\$	4,708.00
7_	ventillation fan at judges bench.	Exact Millworks	Ψ	-5,100.00
			l	
	This subcontractor shall furnish and install additional roofing	15 Teek Doofing	\$	7,900.00
7	materials includes overflow drains/scupper and flashings.	Hi-Tech Roofing	<u> </u>	7,000.20
	This subcontractor shall furnish and install additional			
	fireproofing and intumescant painting at the existing steel and	Tropic Fire	\$	16,030.00
7	roof deck . This subcontractor shall furnish and install additional non-	Hopicine		
	structural metal framing and drywall which includes plastered			
8	ceiling and additional fire rated walls.	Raiph Della-Pietra	\$	59,045.00
Ö	This subcontractor shall furnish and install additional flooring		1	
9	which includes sheet vinyl, ceramic tile and carpet.	Atlantic Interior Services	\$	21,110.00
- J	This subcontractor shall furnish and install additional			
9	painting.	Fleischer's	1	n/a
	This subcontractor shall furnish and install additional		Î	
10	acessories.	Lotspeich		n/a
-	As discussed with PBC-CID, all cost associated with the		Ī	
	revisions to the doors and hardware shall be submitted as an	·		
	allowance below until a separate field bulletin is issued. This			
	proposal includes GLAZING ONLY which includes hurricane		· .	ይፋ ክስስ ሰብ
11	glass and one way glas at the information room.	Cornerstone	\$	51,390.00
	This subcontractor shall furnish and install additional		, e	2,630.00
11	aluminum canopy located on the east side of the building.	Dittmer	\$	2,030.00
	This subcontractor shall turnish and install additional fire		È	
•	sprinkler pipe that includes additional soffit steel, sprinkler	_ ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	e	32,694.00
22	head replacement, and new sprinkler heads.	Fred McGilvray	\$	04,034.UU
	This subcontractor shall delete a roof drain and a break room			/4 77/44 DO
23	sink.	Plumbing Mart	\$	(1,741.00



Palm Beach County Jail Expansion - II West County Courts Renovation November 3, 2011 CCP #WCC 018-R2 - Conformance Set Revision

Div.	Description	Qty		TOTAL
	This subcontractor shall furnish and install additional		T	
ĺ	mechanical equipment and ductwork that included new duct,			
23	fire dampers, and VFD.	Southeast Mech	\$	32,803.00
الحصيب	This subcontractor shall furnish and install additional			
	courtroom audio and recording, Pod C lighting control,		1	
	pathway/raceway for new FA fiber inter-connection, media		1	
ļ	camera,receptacles and data jacks, & additional concrete		s	958,429.00
26	cutting.	Meisner	<u> </u>	500,425.00
	General Conditions - Trailers, Storage Container, Vehicles	4.4-1	\$.	- 6,870.00
26	and Phones for 4.9 Months (147 days)	Meisner	Ψ	0,010.00
	This subcontractor shall furnish and install additional		1	
	electronics that included door controls, cameras, intercoms,	Com-Tec	l s	30,850.00
27	and DVRT.	Com-rec	 	
	This subcontractor shall furnish and install additional site	Eden's	\$. 10,039.00
31	work and utilities.	Euerrs	+*-	. ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
	min to the standard of the stall additional fancing		i	
]	This subcontractor shall furnish and install additional fencing	Carlson	\$	4,800.0
32	which included a motorized gate at the judges parking. POST SET HM FRAMES IN DRYWALL & CMU	RDP & Cornerstone	\$	24,848.0
- 8		KUP & CUITIOISCUTE	15	(215,774.8
	Deduct for Addendum No. 2		† <u>*</u>	(40,400.0
	Deduct for Court Room Audio/Video Allowance		<u> </u>	(1.0)
	Deduct for Hurrican Impact at Ext. & Bullet Resistance at		\$	(45,000.0
	C106		 	(10)
	A MARCHAR AND Transport Allowance		\$	50,000.0
	Inwall & Siab Concrete Patching of MEP Trenches-Allowance		 	
	Hollow Metal Frames, Doors and Hardware Allowance based		\$	175,820.0
	on Conformance Drawings		+	
	New Conduit/Wire in Pod C 2nd & 3rd Floor Allowance based			
	on proposal & email from Miesner dated 11/03/11 that			
	consists of existing conduit below the slab being cut.	·	\$	195,503.7
			<u> </u>	
	Subtotal		\$	1,872,70
		4.050/	\$	23,408.8
	Subbonds / Subguard	1.25%	۳	N/A
	Builders Risk Insurance	0.90%	\$	16.854.3
	Performance Bond		\$	24,345.1
	General Liability Insurance / C.C.I.P.	1.30%	\$	65,544.7
	Construction Contingency	3.50%	Ф	05,044.7
	Subtotal		\$	2,002,85
	I Sabotar	1	†	
	O to Wasana Tao	4.50%	\$	90,12
	Construction Manager Fee	-1.00/0	┪	
	SUB TOTAL		\$	2,092,98
	Addtl Preconstruction Services 01-Sep-11 thru 30-Sep-11		\$	83,932.0
	Addtl Preconstruction Services 01-Oct-11 thru 15-Nov-11		\$	128,022.0
				2,304,94
	TOTAL		\$	2,504,94

SCHEDULE 1

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

PROJECT NAME: Palm Beach	County Jail	Expansion	n II – Wes	st County	/ Courts F	<u>Renovation</u>	PROJECT NO.	06213	
NAME OF GENERAL CONTRACTOR:	loss & Asso	ciates LLC	C . coi	NTACT PERS	ом: <mark>Jason</mark>	Patrizi	PHONE NO	954-769-8	<u>650</u>
CCP#: WCC #018-R2									
	PLE/	SE IDENTIF	Y ALL APP	LICABLE	CATEGORIE	S OF SUBCO	NTRACTORS	- State of the sta	SPACE CONTRACTOR OF THE PROPERTY OF THE PROPER
(Chec	k one or both Cate	gories) Subc	ontract Amour	it		•		†	
Name, Address and Phone Number	Minority Business	Small Business	. В	lack	Hispar	nic ·	Women	Caucasian	Other (Please Specify)
1. RDP		X	\$		\$	\$	\$		\$ <u>64,646.00</u>
2. FLIESCHERS		X	\$		\$	\$	\$		\$ <u>2,530.00</u>
3. GRID-ONE ELECTRIC		X	\$		\$	\$	\$		\$ <u>400,000.00</u>
4. Atlantic Interior Services		X	\$		\$	\$	\$		\$ <u>21,110.00</u>
5. Hi-Tech Roofing		\boxtimes	,		\$	\$	4	.	\$ <u>7,900.00</u>
Change Order Price \$ _\$2,304,942	.00		Total Value	of SBE Partic	ipation \$ 496	,186.00	M/WBE Partic	ipation \$	