



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	(\$143,428)	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b> (\$143,428)	_____	_____	_____	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes X No \_\_\_\_\_

Budget Account No.: Fund Var Department \_\_\_\_\_ Unit 3073 Object \_\_\_\_\_

Task (Project) E009

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

Manatee Protection Program & Vessel Registration Fees

**C. Department Fiscal Review:**

*[Handwritten signature]*

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and /or Contract Dev. and Control Comments:**

*[Handwritten signature]* 2/28/12 *[Handwritten signature]* 3/1/12  
 OFMB <sup>23</sup> 2/24/12 2/24/12 Contract Development and Control  
 3-1-12 Bid held

**B. Legal Sufficiency:**

*[Handwritten signature]* 3/2/12  
 Assistant County Attorney

This item complies with current County policies.

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

**CHANGE ORDER NO. 2:**

(Mark applicable category:)

- Owner Initiated
- Differing Site Conditions
- Zoning/Code/Ordinance Changes
- Errors/Omissions/In Design
- Quantity Overruns/Underruns
- Request By Another Agency/Outside Party
- A. Reimbursable
- B. Non-Reimbursable
- Other

**PROJECT NAME:** South Cove Natural Area  
**PROJECT NO.:** 2011ERM02

**CONTRACTOR:**  
**Brang Construction Incorporated**  
4300 Oak Circle  
Boca Raton, FL 33431

**CONTRACT RESOLUTION NO.:** R2011 1042  
**COMMISSIONER DISTRICT NO.:** 7  
**CONTRACT DATE:** 7/19/2011  
**NOTICE TO PROCEED DATE:** 8/15/2011  
**COMMENCEMENT DATE:** 8/29/2011  
**BUDGET LINE ITEM:** Attached

You are directed to make the following Contract change(s):

Per your attached proposal dated 1/18/12, provide 1 and 2, below:

1. Provide Engineering Calculations for the aluminum railing (new Line Item 12, Lump Sum) \$ 2,940.00
2. Provide/install 1,350 5/8" flat SS washer 2 1/2 + OD (new Line Item 13, Lump Sum) \$ 3,706.29
3. Remove Planters (P1, P2, and P3) see Sheet 2 and 5 revision 2/03/12  
Remove 100 ft of the north side of the oyster reef, see Sheet 2 and 4 revision 2/03/12.  
Reduce Line Item 3 Sand by 1070 cubic yards \$( 24,824.00)  
Reduce Line Item 4 Armor Stone by 1500 tons \$(108,000.00)  
Reduce Line Item 5 Bedding Stone by 250 tons \$( 17,250.00)
4. 3 day time extension per County correspondence dated 1/25/12

NOT VALID UNTIL SIGNED BY COUNTY. SIGNATURE OF THE CONTRACTOR INDICATES HIS AGREEMENT HEREWITH INCLUDING ANY ADJUSTMENT IN THE CONTRACT SUM. CONTRACT TIME REMAINS DISPUTED BY CONTRACTOR. ALL REQUESTS FOR FACILITATED NEGOTIATIONS ARE RESERVED. FINAL CONTRACT SUM (DECREASE OR ADD) MAY VARY. PAYMENT IS BASED ON AMOUNT MEASURED AND INSTALLED.

The Original Contract Sum was	\$ 2,498,035.00
Net Change by Change Orders	\$ 3,826.00
The Contract Sum prior to this Change Order was	\$ 2,501,861.00
The Contract Sum will be <b>decreased</b> by this Change Order	\$ -143,427.71
The New Contract Sum <b>including</b> this Change Order will be	\$ 2,358,433.29
The Contract Time will be <b>increased</b> by	<u>3 Days</u>
The Date of Substantial Completion <b>including</b> this Change Order	<u>3/10/12</u>
The Date of Final Completion <b>including</b> this Change Order	<u>To Be Specified in Punchlist</u>

Execution of this Change Order acknowledges final settlement of, and releases, all claims for costs associated, with the above stated modification(s), including all costs associated with any claim for cumulative delays or disruptions resulting from, caused by, or incident to such modification(s), and including any claim that the above stated modification(s) constitutes, in whole or part, a cardinal change to the Contract. Contractor is not releasing and specifically reserves its right to make a claim for time and cost adjustment to the contract.

**CONTRACTOR**  
Brang Construction Incorporated  
4300 Oak Circle  
Boca Raton, FL 33431

**OWNER**  
Palm Beach County, Florida  
Board of County Commissioners

BY James R. Fedele DATE 2/29/12  
James R. Fedele

BY \_\_\_\_\_ DATE \_\_\_\_\_  
Shelley Vana, Chair

**ATTEST:**  
Sharon R. Bock, Clerk & Comptroller  
\_\_\_\_\_  
Deputy Clerk

**APPROVED AS TO FORM & LEGAL SUFFICIENCY:**  
James C. [Signature] DATE 2/29/12  
Chief Assistant County Attorney

**APPROVED AS TO TERMS & CONDITIONS:**  
\_\_\_\_\_  
Daniel Bates, Deputy Director, ERM



Building Your Quality of Life

CONSTRUCTION CHANGE PROPOSAL #

2

PROJECT NAME: SOUTH COVE NATURAL AREA - PROJECT NO. 2011ERM02

DATE: 1/18/2012

DESCRIPTION OF PROPOSED CHANGES:

MODIFICATIONS IN ACCORDANCE WITH FIELD BULLETIN #

N/A

Structural engineering services for aluminum railing calculations and evaluation to determine compliance with Florida Building Code.

A. WORK PERFORMED BY GENERAL CONTRACTOR

1 Labor	\$ -	NO CHARGE
2 Material	\$ 3,434.40	
3 Equipment	\$ -	

	SUBTOTAL	\$ 3,434.40
GENERAL CONTRACTOR OVERHEAD & PROFIT	15%	\$ 515.16
	<b>TOTAL "A"</b>	<b>\$ 3,949.56</b>

B. WORK PERFORMED BY SUBCONTRACTORS

1 Joel R. Middlebrooks, Jr., P.E.	\$ 2,800.00
2	\$ -
3	\$ -
4	\$ -
5	\$ -

	SUBTOTAL	\$ 2,800.00
GENERAL CONTRACTOR OVERHEAD/PROFIT	5%	\$ 140.00
	<b>TOTAL "B"</b>	<b>\$ 2,940.00</b>

C. CREDIT ITEMS

1 MATERIAL	\$ 243.27	
2 LABOR	\$ -	
3 EQUIPMENT	\$ -	
4 SUBCONTRACTORS	\$ -	
	<b>TOTAL "C"</b>	<b>\$ 243.27</b>

D. SUBTOTAL "A" + "B" - "C" \$ 6,646.29

TOTAL COST of CONSTRUCTION CHANGE PROPOSAL # 2 \$ 6,646.29



Department of Environmental  
Resources Management  
2300 North Jog Road, 4<sup>th</sup> Floor  
West Palm Beach, FL 33411-2743  
(561) 233-2400  
FAX: (561) 233-2414  
www.pbcgov.com/erm

■  
**Palm Beach County  
Board of County  
Commissioners**

Shelley Vana, Chair  
Steven L. Abrams, Vice Chairman  
Karen T. Marcus  
Paulette Burdick  
Burt Aaronson  
Jess R. Santamaria  
Priscilla A. Taylor

**County Administrator**  
Robert Weisman

"An Equal Opportunity  
Affirmative Action Employer"

January 25, 2012

Mr. James R. Fedele  
Brang Construction, Incorporated  
4300 Oak Circle  
Boca Raton, Florida 33431

**SUBJECT: SOUTH COVE NATURAL AREA (PROJECT NO. 2011ERM02)  
REQUEST FOR TIME EXTENSION**

Dear Mr. Fedele:

This letter is in response to your January 19<sup>th</sup> request for a time extension and January 24<sup>th</sup> email regarding the CPM Schedule.

In review of your delay spreadsheet and your daily reports, six (6) Inclement Weather Days: (8/30, 10/11, 10/17, 10/18, 10/19 and 11/18), one (1) day due of Flagler Bridge closure (9/27), and two (2) days associated with piling issues (12/7 and 12/30), meet the criteria for delay as specified in the contract documents. We find no merit in the additional claims for time related to inclement weather.

The request for an additional one (1) day related to relocating your staging site within Currie Park was granted in Change Order #1.

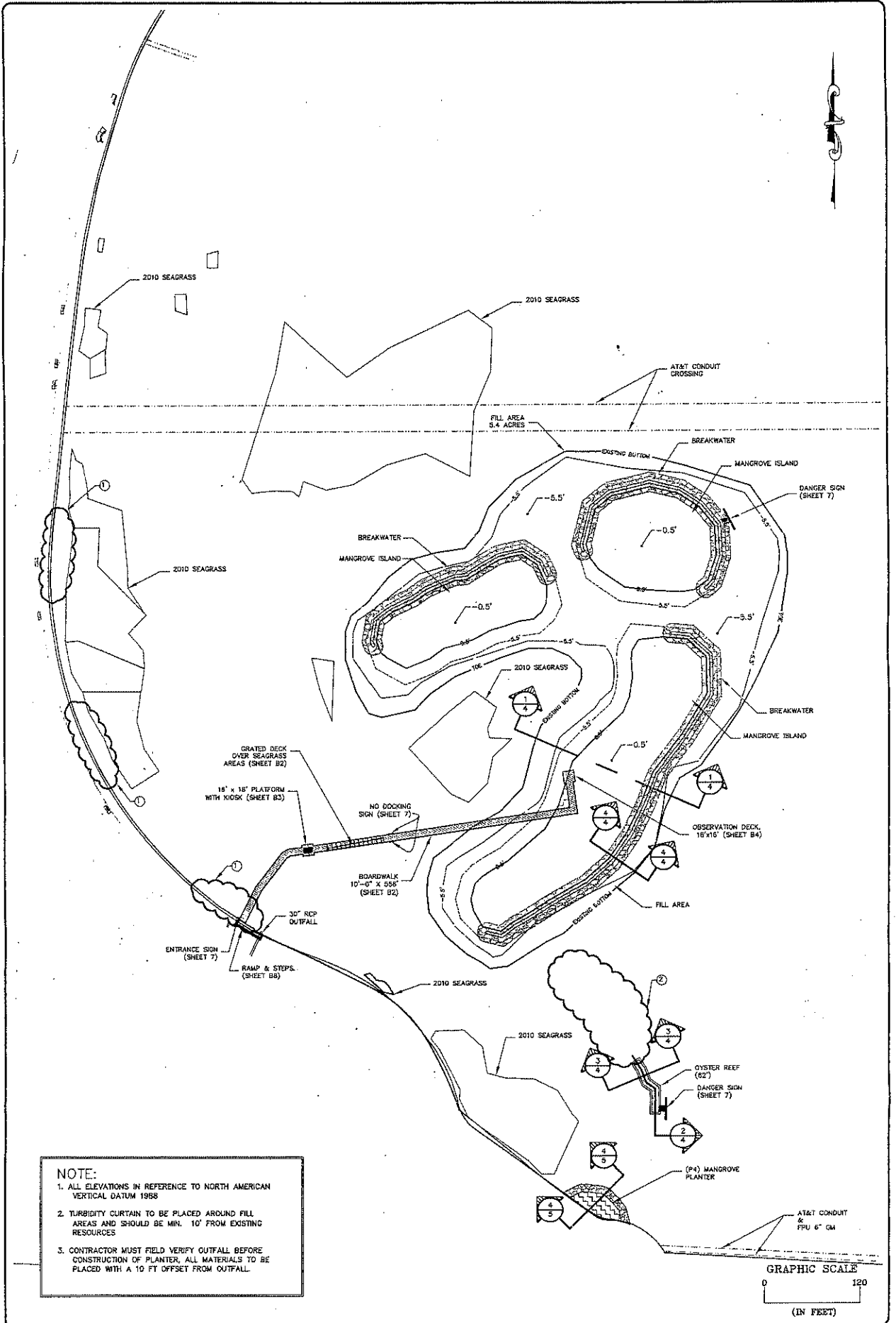
Delays associated with tidal levels and tidal currents are the contractor's responsibility to be addressed through means and methods.

As previously requested and required, please update the CPM Schedule per General Condition 67 Construction Schedule, which shall include addressing the remaining project delays associated with means and methods and corrective action to be taken. This information is required with the next pay application.

If you have any questions, please contact me at 561-233-2445 or Mr. Eric Anderson at 561-233-2514.

Sincerely,

Daniel Bates, Deputy Director  
Environmental Resources Management



Sheet  
OF 7  
2

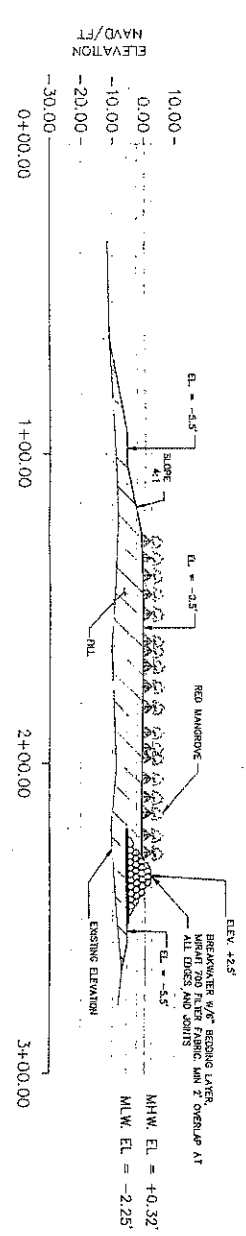
Project  
**SOUTH COVE RESTORATION**  
PLAN

Scale  
AS SHOWN

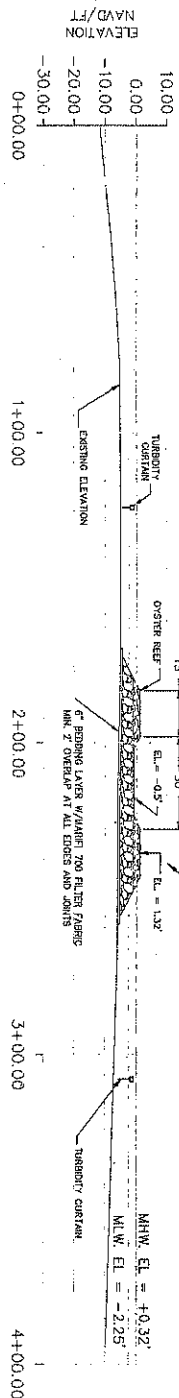
No.	Revision	By	Date
1	Remove planters	198E	2/24/12
2	Reduce oyster reef	198E	2/24/12



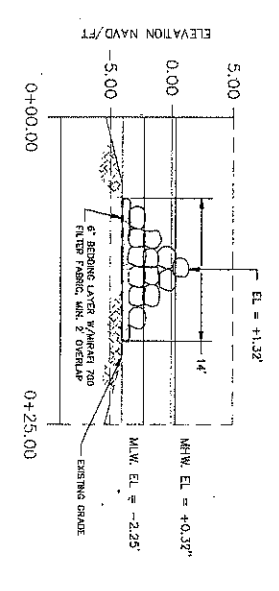
**PALM BEACH COUNTY**  
DEPARTMENT OF  
ENVIRONMENTAL RESOURCES MANAGEMENT  
2300 NORTH JOG ROAD, 4th FLOOR  
WEST PALM BEACH, FLORIDA 33411  
(561) 233-2400



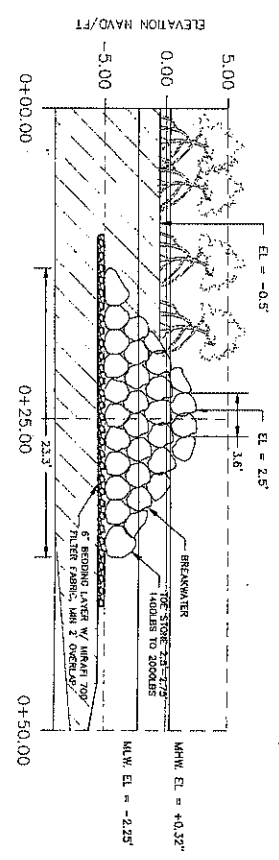
1 TYPICAL SECTION  
SCALE = 1" = 40'




2 OYSTER REEF SECTION  
SCALE = 1" = 40'



3 OYSTER REEF SECTION  
SCALE = 1" = 10'



4 BREAKWATER SECTION  
SCALE = 1" = 10'

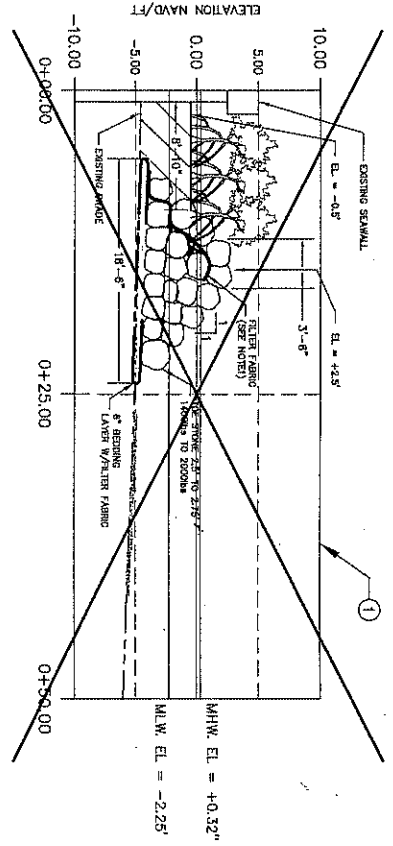

**PALM BEACH COUNTY**  
 DEPARTMENT OF  
**ENVIRONMENTAL RESOURCES MANAGEMENT**  
 2300 NORTH JOG ROAD, 4th FLOOR  
 WEST PALM BEACH, FLORIDA 33411  
 (561) 233-2400

Rev.	By	Date	Description
1	BM/E	2/13/01	Reduce oyster reef

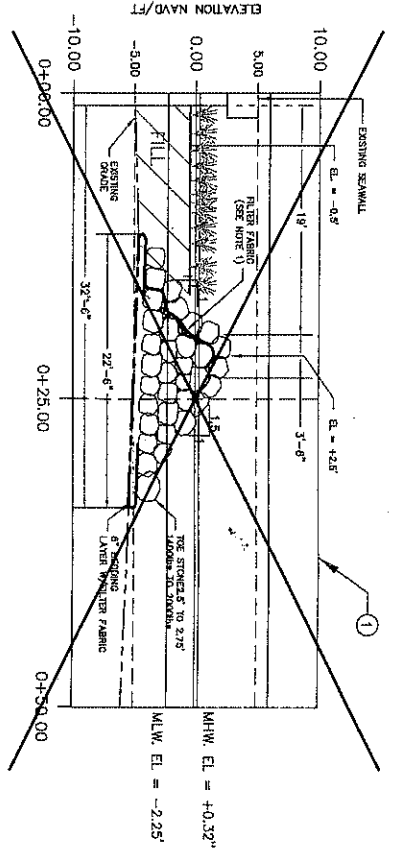
Scale: AS NOTED  
 Approved: HRC  
 Drawn: HRC  
 Checked: EA  
 Date: 03/17/2001  
 SEAL

Project: **SOUTH COVE RESTORATION**  
**TYPICAL CROSS-SECTION**

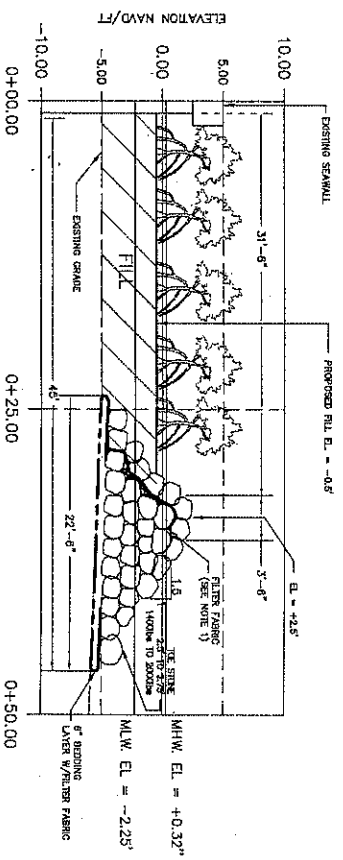
Sheet: **4**  
 Of: **7**



2 P1 & P2 MANGROVE PLANTER  
SCALE = 1" = 10'



3 P3 SPARTINA PLANTER  
SCALE = 1" = 10'



4 P4 MANGROVE PLANTER  
SCALE = 1" = 10'

**NOTES**

1. A LAYER OF BEDDING STONE SHALL BE PLACED ALONG WITH THE FILTER FABRIC TO PREVENT THE FILTER FABRIC FROM SLIDING A DOUBLE LAYER OF BEDDING SHALL BE PLACED ALONG WITH THE FILTER FABRIC AT JOINTS AND B ALONG WALL WHERE ROCK REMAINS IN PLACE.

Sheet <b>5</b> Of: 7	Project <b>SOUTH COVE RESTORATION</b>	SEAL	Scale: AS NOTED Approved: CI Drawn: HLE Checked: EA Date: 03/17/2011	Revised: Removed planters	By: HWE Date: 3/2/2011	<b>PALM BEACH COUNTY</b> DEPARTMENT OF <b>ENVIRONMENTAL RESOURCES MANAGEMENT</b> 2300 NORTH JOG ROAD, 4th FLOOR WEST PALM BEACH, FLORIDA 33411 (561) 233-2400
Project <b>PLANTER CROSS-SECTION</b>						



**SCHEDULE 1 FOR CHANGE ORDER NO. 2**  
**LIST OF PROPOSED SBE-M/WBE PRIME AND/OR SUBCONTRACTOR PARTICIPATION**

PROJECT NO.: 2011ERM02 PROJECT NAME: South Cove Natural Area  
 NAME OF PRIME BIDDER: Brang Construction Incorporated ADDRESS 4300 Oak Circle, Boca Raton, FL 33431  
 CONTACT PERSON: James R. Fedele PHONE NO: 561-368-3180 FAX NO: 561-368-3188  
 BID OPENING DATE: April 26, 2011 DEPARTMENT: Environmental Resources Management

**Please list the dollar amount or percentage of work to be completed by the prime on this project.**  
**Please also list the dollar amount or percentage of work to be completed by all subcontractors on the project.**

Name, Address and Phone Number	(Check one or both Categories)		Dollar Amount or Percentage of Work				
	M/WBE Minority Business	SBE Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)
1. Brang Construction Incorporated 4300 Oak Circle Boca Raton, FL 33431 561-368-3180	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ 3,706.29	\$ _____
2. Aviom & Associates, Inc. 350 SW 2nd Avenue #102 Boca Raton, Florida 33432 561-392-2594	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ 0.00	\$ _____
4. _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
5. _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
(Please use additional sheets if necessary)		<b>Total</b>	\$ _____	\$ _____	\$ _____	\$ 3,706.29	\$ _____

Total Change Order Price \$ (143,427.71) Total Value of SBE-M/WBE Participation on Change Order \$3,706.29

NOTE: 1. The amount listed on this form for a subcontractor must be supported by price or percentage listed on the signed Schedule 2 or signed proposal in order to be counted toward goal attainment.  
 2. Firms may be certified by Palm Beach County as an SBE and/or an M/WBE. If firms are certified as both an SBE and M/WBE, please indicate the dollar amount under the appropriate category.  
 3. M/WBE information is being collected for tracking purposes only.

**SCHEDULE 2 FOR CHANGE ORDER NO. 2**  
**LETTER OF INTENT TO PERFORM AS AN SBE-M/WBE SUBCONTRACTOR**

This document must be completed by the SBE-M/WBE Subcontractor and submitted with Change Order. Specify in detail, the particular work items to be performed and the dollar amount and/or percentage for each work item. SBE credit will only be given for items which the SBE-M/WBE Subcontractors are SBE certified to perform. Failure to properly complete Schedule 2 may result in your SBE participation not being counted.

PROJECT NO.: 2011ERM02 PROJECT NAME: South Cove Natural Area

TO: Brang Construction Incorporated  
 (Name of Prime Bidder)

The undersigned is certified by Palm Beach County as a - (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: 3/16/2009 to 3/15/2012

The undersigned is prepared to perform the following described work in connection with the above project. Additional sheets may be used as necessary.

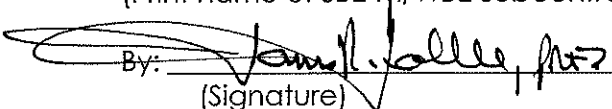
Line Item/ Lot No.	Item Description	Qty/Units	Unit Price	Total Price/Percentage
	5/8" flat washers 2 1/2+ OD in stainless steel	1,350	\$2.9256	\$3,949.56
	5/8" flatwasher 316 ss	(1,350)	\$.1802	(\$ 243.27)

at the following price or percentage 0.00  
 (Subcontractor's quote)

which represents a \$3,706.29 increase/~~reduction~~ (circle one) from the original \$ 524,300.00 price, and will enter into a formal agreement for work with you conditioned upon the County's and Prime Contractor's execution of the Change Order.

If undersigned intends to sub-subcontract any portion of this subcontract to a non-certified SBE subcontractor, the amount of any such revised subcontract must be stated. Price or Percentage: 0.00  
 The undersigned subcontractor understands that the provision of this form to Prime Bidder does not prevent Subcontractor from providing quotations to other Bidders.

Brang Construction Incorporated  
 (Print name of SBE-M/WBE Subcontractor)

By:   
 (Signature)  
James R. Fedele, President

Print Name/Title of person executing on behalf  
 of SBE-M/WBE Subcontractor)

Date: 1/18/2012

**CONTRACT HISTORY FOR  
Brang Construction  
South Cove Natural Area  
Project # 2011ERM02**

Contract Resol. No. R2011-1042

Contract Date: July 19, 2011

Original Contract

SBE Participation: 22.91% SEE NOTE BELOW

\$572,500.00

Original Contract:

\$2,498,035.00

AMENDMENT/ CHANGE ORDER NUMBER	TOTAL/ SBE AMOUNT	AMENDMENT & CHANGE ORDER DESCRIPTION	APPROVED BY/DATE
Change Order 1	\$3,826.00 \$880.00	Relocate staging within Currie Park; 1 day extension	ERM 11/4/11
Change Order 2	(\$143,427.71) \$3,706.29	Provide engineering calcs & washers; remove mangrove planters & section of oyster reef; 3 day extension	ERM 3/6/12

Total \$ Changes: -\$139,601.71

Revised K \$: \$2,358,433.29

SBE \$ Changes: \$4,586.29

Revised SBE K \$: \$577,086.29

Revised SBE K %: 24.46%

Report File Date: February 22, 2012

Commencement Date 8/29/2011

Original Contract Time 190 Days

Additional Calendar Days Authorized by Change Order(s) 4

Revised Contract Time 194 Days

Revised Date of Substantial Completion 3/10/2012

Note: Original Contract SBE Participation of 22.91% (\$572,500) reduced to 21.96% (\$548,800) by PBC Office of SBA on 12-08-11

ATTACHMENT 2

**CONTRACT**

**R 2011 10 42**

THIS CONTRACT, made and entered into this \_\_\_\_\_ day of JUL 19 2011, 20\_\_\_\_, between PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as the "County" and Brang Construction Incorporated, hereinafter referred to as the "CONTRACTOR".

WITNESSETH:

That the said Contractor having been awarded the Contract for the:

**PROJECT NAME:** South Cove Natural Area  
**PROJECT NO.:** 2011ERM02

in accordance with the Bid therefore and for and in consideration of the promises and of the covenants and agreements, and of the payments herein specified, to be made and performed by the Contractor and the County, the Contractor hereby covenants and agrees to and with the County to undertake and execute all of the said named work, in a good, substantial and workmanlike manner, and to furnish and pay for all materials, labor, supervision, equipment, supplies, fees, expertise, and services necessary to fully complete all work in accordance with all requirements of the Contract Documents and in accordance with all applicable codes and governing regulations, within the time limit specified in the Bid Form. The Contract Documents consist of the following documents which are incorporated herein by reference.

- A - Invitation for Bid, Instructions to Bidders, Bid Form and Attachments 1 through 10
- B - Completed Bonds and Insurance Forms
- C - General Conditions, Supplemental General Conditions and Appendices A, B
- D - Technical Specifications, including Figures, Attachments and Appendices
- E - Addenda
- F - Permits
- G - Drawings/Plans

Contractor agrees to accept as full compensation for the satisfactory performance of this Contract the sum of \$2,498,035.00 (two million four hundred ninety-eight thousand thirty-five dollars and no cents). The prices named in the Bid are for the completed work and all expenses, direct or indirect, connected with the proper execution of the work and of maintaining the same until it is accepted by the Board of County Commissioners. It is understood that the Contractor holds and will maintain current appropriate certification(s) and/or license(s) for performing the specified work pursuant to this Contract. The time limit for the Substantial Completion of all work under this Contract shall be as stated in the Bid Form. The date fixing the beginning of this period upon the calendar shall be established and stated in the Notice to Proceed.

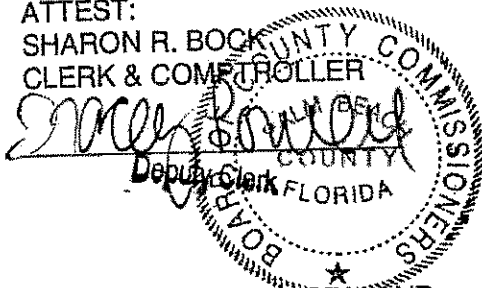
IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, has made and executed this Contract on behalf of the said County and caused the seal of the said County to be affixed hereto, and the Contractor has hereunto set its hand and seal the day and year written. The Contractor represents that it is authorized to execute this contract on behalf of itself and its Surety.

R 2011 10 42 JUL 19 2011

PALM BEACH COUNTY, FLORIDA, A  
Political Subdivision of the State of Florida  
BOARD OF COUNTY COMMISSIONERS

ATTEST:

SHARON R. BOCK  
CLERK & COMPTROLLER



By: [Signature]  
Karen T. Marcus, Chair

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

[Signature]  
Assistant County Attorney

APPROVED AS TO TERMS AND  
CONDITIONS:

[Signature]  
Richard E. Walesky, Director  
Department of Environmental Resources Management

CONTRACTOR:

Brang Construction Incorporated  
(Corporate Name)

a Florida corporation  
(Insert state of corporation)

[Signature]  
(witness signature)

Carol Beckman  
(witness name printed)

By: [Signature]  
(signatory)

James R. Fedele  
(print signatory's name)

Its: President  
(print title)

May 31, 2011  
(date of execution)

4300 Oak Circle  
(Contractor's Official Address)

Boca Raton, FL 33431  
(Contractor's City, State, Zip Code)

59-2704044  
(Federal Tax No.)

VC0000111521  
Palm Beach County Vendor #  
4300 Oak Circle, Boca Raton, FL 33431  
Payment Remittance Address

(Corporate Seal)