

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

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Meeting Date: June 5, 2012	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/>	Regular
	<input type="checkbox"/> Workshop	<input type="checkbox"/>	Public Hearing

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Department:

Submitted By:     **Engineering and Public Works**  
Submitted For:     **Construction Coordination Division**

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**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to approve:** Change Order No. 7 in the amount of \$238,061 and a 40 day time extension to the construction contract (Resolution No. R2011-0349) with Ranger Construction Industries, Inc., for the Westgate North Infrastructure Improvements, Phases 4, 5, and 6.

**SUMMARY:** Approval of Change Order No. 7 is for the removal of two feet of trash and concrete debris at retention area R-10 and replacement with two feet of clean fill material.

District 9 (MRE)

**Background and Justification:** The removal of an additional two feet of existing trash and concrete debris will allow for growth of the proposed plantings and for proper maintenance of retention R-10. Change Order no. 7 is fully funded by the Department of Economic Stability through a CDBG Grant.

**Attachments:**

1. Location Map
  2. Change Order No. 7
  3. Change Order No. 7 Attachment A
  4. Change Order No. 7 Attachment B
  5. Change Order No. 7 Attachment C
  6. Change Order History
  7. Schedule I
  8. Budget Availability Statements.
- 

Recommended By: *Ellis L. Brown*  

Division Director

4-24-12 *[Signature]*  
Date

Approved By: *S. T. Webb*  

County Engineer

5/2/12  
Date

## II. FISCAL IMPACT ANALYSIS

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

<b>Fiscal Years</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Capital Expenditures</b>	<u><b>\$238,061</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>
<b>Operating Costs</b>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>
<b>External Revenues</b>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>
<b>Program Income (County)</b>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>
<b>In-Kind Match (County)</b>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>
<b>NET FISCAL IMPACT</b>	<u><b>\$238,061</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>
<b># ADDITIONAL FTE</b>					
<b>POSITIONS (Cumulative)</b>					

Is Item Included in Current Budget?      Yes **X**      No

**Budget Account No:**

Fund 1101 Dept 143 Unit 1431 Object *var.* BG50-GY07


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

Housing & Community Development  
CDBG - Westgate Belvedere Homes

C. Departmental Fiscal Review: Shall be

### III. REVIEW COMMENTS

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

  
 OFMB  
 SN 5/8/12 5/8/12  
 cc  
 5/8/12  
 5/8/12

Comments:

Dr. J. Lawrence 5/18/12

Contract Dev. and Control

5-17-12 B. Becker

**B. Approved as to Form  
and Legal Sufficiency:**

Mark R. Bell 5/22/10  
Assistant County Attorney

**C. Other Department Review:**

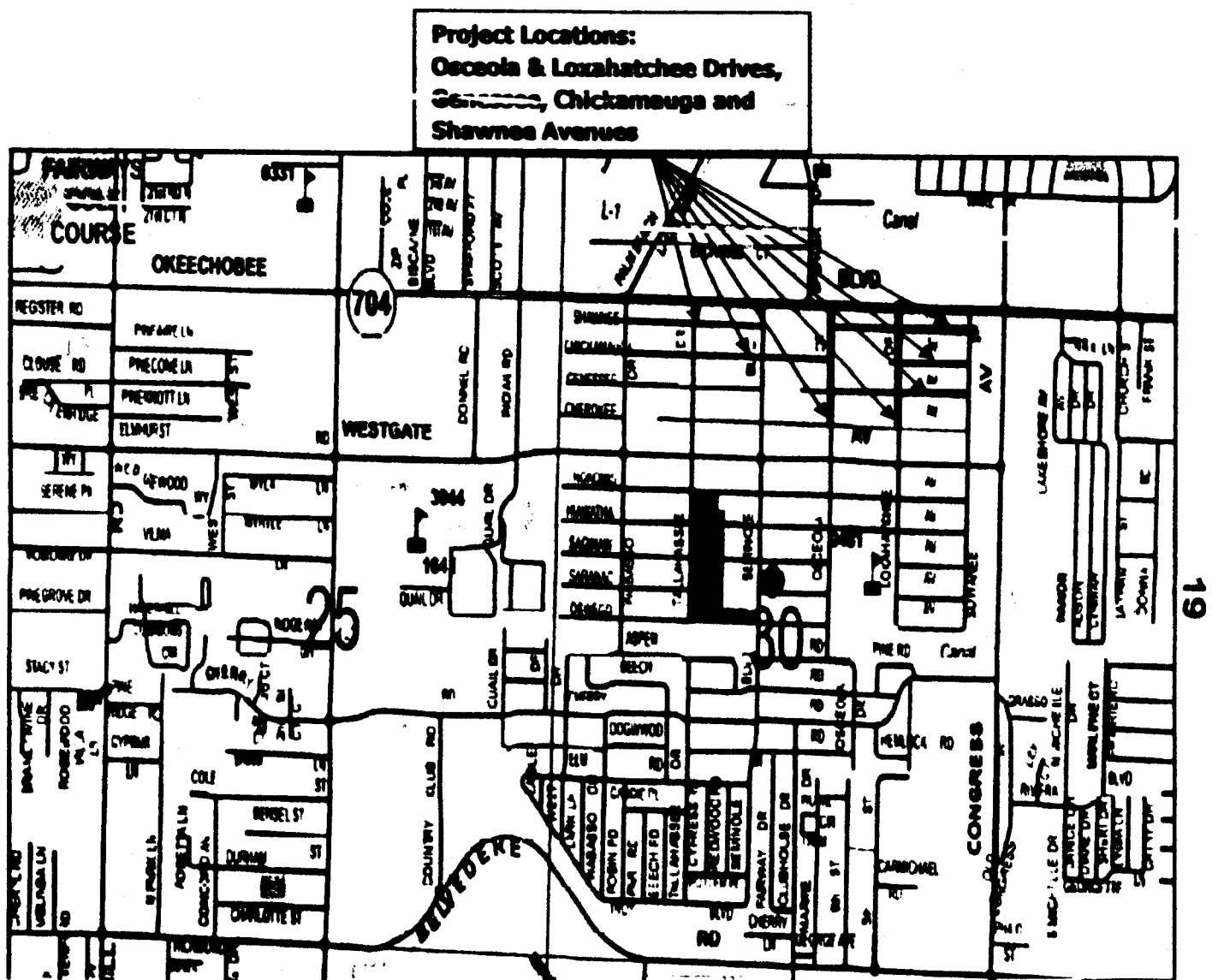
**Department Director**

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

# WESTGATE NORTH INFRASTRUCTURE IMPROVEMENTS

## PHASES 4, 5 & 6

2008061



**LOCATION SKETCH**

CHANGE ORDER

ORIGINAL

Attachment 2

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

PROJECT: WESTGATE NORTH INFRASTRUCTURE  
(Name) IMPROVEMENTS, PHASES 4, 5 & 6  
TO:  
(Contractor) Ranger Construction Industries, Inc.

CHANGE ORDER NO: 7 (seven)  
COUNTY PROJECT NO: 2008061  
CONTRACT DATE: 03/15/11  
RESOLUTION NO: R2011-0349  
DISTRICT NO: 2

You are directed to make the following changes in this Contract:

Removal of 2 feet of trash and concrete debris at retention area R-10  
and replace with 2 feet of clean fill material.

\$ 238,061.00

\*THIS IS FULLY FUNDED BY THE DEPARTMENT OF ECONOMIC STABILITY  
THROUGH A CDBG GRANT.

The original Contract Sum was	\$2,640,178.90
Net change by previous Change Orders	\$ 28,758.43
The Contract Sum prior to this Change Order was	\$2,668,937.33
The Contract Sum will be increased by this Change Order	\$ 238,061.00
The new Contract Sum including this Change Order will be	\$2,906,998.33
The Contract Time will be unchanged by	( 40 ) Days
The Date of Completion as of the date of this Change Order therefore is	June 9, 2012

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 MODIFICATION(S), AND INCLUDING ANY CLAIM THAT THE ABOVE-STATED MODIFICATION(S) CONSTITUTES, IN WHOLE OR PART, A CARDINAL CHANGE TO THE CONTRACT.

Westgate CRA  
ENGINEER (If Applicable)  
1280 N Congress  
Address  
West Palm Beach FL  
Ranger Construction Industries, Inc.  
CONTRACTOR  
P. O. Box 15065  
Address  
West Palm Beach, FL 33416

P.B.Co. Board of County Commissioners  
OWNER  
P.O. Box 21229  
Address  
West Palm Beach, FL 33416-1229

BY Elisee Michel  
DATE 4-11-12  
BY [Signature]  
DATE 4-17-12

BY  
DATE

ATTEST: Sharon R. Bock,  
Clerk & Comptroller

Approved as to Form and Legal  
Sufficiency:

(Deputy Clerk) Date

(County Attorney



101 Sansbury's Way  
West Palm Beach, FL 33411  
Phone: (561) 793-9400  
Fax: (561) 790-4332  
www.rangerconstruction.com

## REV CHANGE ORDER No. 17

<b>Submitted T Palm Beach County</b> Engineering and Public Works  <b>Address:</b> PO Box 21229 West Palm Beach, FL 33416  <b>Contact:</b> John Kopelakis	<b>Date:</b> 23-Apr-12 <b>Phone:</b> (561) 684-4180 <b>Fax:</b> (561) 684-4165 <b>Job Name:</b> Westgate North Ph 4-5-6  <b>Job Location:</b> Westgate North Ph 4-5-6 <b>Prop. Owned By:</b> PB County - FDOT
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## Trash Removal and Fill Replacement from Retention Area - R10 and Roadway


ITEM No.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
10	Trash Removal	12,878.81	CY	\$16.00	\$206,061.00
10	Backfill to replace trash 2 ft Aprox.	4,000.00	CY	\$8.00	\$32,000.00

ESTIMATED TOTAL = **\$238,061.00**

Additional Contract Days 40.00

## NOTE:

Trash Removal includes 8,876 CY already removed R-10 and Roadway plus 4,000 CY to be removed from R-10  
We assumed 4,000 CY of fill will have to be hauled in to replace trash. Final quantity to be field measured.  
Project completion depends on the prompt approval of this proposal.  
Proposal submitted under the assumption that 2ft will be removed from the bottom of R-10

<b>ACCEPTED:</b> The above prices, specifications and conditions are satisfactory and are hereby accepted.  <b>Owner</b> _____ <b>Signature</b> _____ <b>Date of Acceptance</b> _____	<b>CONFIRMED:</b> Ranger Construction Industries, Inc.  <b>Authorized Signature</b>  <b>Name &amp; Title</b> <u>Alejandro Uribe, Project Manager</u>
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# Ranger

Construction  
Industries, Inc.

Attachment 4  
"B"

December 18, 2011

**Mr. Ellis Ross, Director**  
Construction Coordination Division  
Palm Beach County  
2300 Jog Road, Suite 3 West 57  
West Palm Beach, FL 33411  
FAX No. (561) 684-4165

**Re:**   **Contract No:**       2008061  
         **County:**           Palm Beach  
         **Project Name:**   Westgate Infrastructure Improvements  
         **RCI No:**           300-0326

**Subject: Notice of Intent to Claim No. 2 – Removal of Trash from Pond on Chickamauga Ave**

Dear Ellis,

Ranger Construction is presenting this Notice of Intent to Claim for additional work for unforeseen circumstances at the pond on the south side of Chickamauga Ave between Tallahassee Dr and Seminole Dr. Once we started the excavation of said pond we encountered an immense amount of trash (tires, concrete poles, refrigerators, construction debris, concrete, steel, etc) which we did not anticipate at time of bidding and was not identified in the contract documents. We have to separate the trash in different piles and haul it to specific dump sites to dispose of it with the consequent extra costs.

Ranger has notified John Kopelakis and Marie Woolbright of this situation and they are keeping track of Time and Materials for this additional work.

If you have any questions or you require additional information please contact us at your convenience.

Sincerely,

Alejandro Uribe, PE  
Project Manager

Central Division Office & Company Headquarters: 101 Sansbury's Way, West Palm Beach, Florida 33411  
Corporate Mailing Address: P.O. Box 15065, West Palm Beach, Florida 33416 • [www.RangerConstruction.com](http://www.RangerConstruction.com)  
Phone: (561) 793-9400 • Toll-free: (800) 969-9402 • Fax: (561) 790-4332

# John Kopelakis

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**From:** John Kopelakis  
**Sent:** Thursday, March 08, 2012 3:55 PM  
**To:** Joe Greco  
**Subject:** RE: Emailing: ConstCoScanPDF-\_20120308075448

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	Joe Greco	Delivered: 3/8/2012 3:55 PM

10-4 Joe,  
I will wait for some direction.  
Thank you,

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**From:** Joe Greco  
**Sent:** Thursday, March 08, 2012 9:10 AM  
**To:** John Kopelakis  
**Cc:** Bud Cheney; Elizee Michel; Lynette Scraper  
**Subject:** RE: Emailing: ConstCoScanPDF-\_20120308075448  
**Importance:** High

John: DES must check to see the balance in the CDBG accounts designated for Westgate 4-5-6 prior to approval. Lynette is the caretaker of the CDBG accounts. I'll check with her so we can update BUD for management approval of this change order.

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**From:** John Kopelakis  
**Sent:** Thursday, March 08, 2012 8:06 AM  
**To:** Joe Greco  
**Subject:** Emailing: ConstCoScanPDF-\_20120308075448

Good morning Joe,

From Elizee,  
The removal of the trash should move forward. I have asked Joe Greco to use the balance of our CDBG grant to pay for the Change Order. Joe is probably waiting to see Payment Application #9 before finalizing the BAS. If there is not enough CDBG, I will ask the CRA Board to cover the difference.

Do you concur and if so can we proceed with the trash removal, I have attached the Change Order for you review.  
Thank you,

PALM BEACH COUNTY PROJECT Westgate North Infrastructure Improvements, Phases 4, 5 & 6; Project no. 2008061

C.O. #	DATE APPROVED	COUNTY ENGINEER		C.R. COMMITTEE		TOTAL DEPT. & C.R. APPROVALS		BOARD OF CO. COMM.	
		AMOUNT	TIME	AMOUNT	TIME	AMOUNT	TIME	AMOUNT	TIME
1	4/22/2011	0.00	0						
2	6/29/2011	0.00	14						
3	8/19/2011	18,254.50	5						
4	8/19/2011	1,485.00	1						
5	9/12/2011	2,409.00	2						
6	11/18/2011	6,609.93	0						
	TOTAL	28,758.43	22	0.00	0	28,758.43	22		
	CUMULATIVE TOTAL	28,758.43	22	0.00	0	28,758.43	22		
	As of PPM CW-F-050 Dated June 1, 2011	SINGLE AMT. \$50,000.00 MAX. AMT. \$250,000.00 or 5% of contract	MAX. TIME 30 DAYS	SINGLE AMT. \$100,000.00 MAX. AMT. \$250,000.00 or 5% of contract	MAX. TIME 90 DAYS	MAXIMUM CUMULATIVE CO. ENG. & C.R. COMM. \$250,000.00 or 5% of contract	MAX. CUM. CO.ENG.&C.R 120 DAYS		



## LIST OF PROPOSED SBE-M/WBE SUBCONTRACTORS

PROJECT NAME: WESTGATE N. INFRASTRUCTURE IMPROVEMENTS 4,5,6 PROJECT NO. 2008061  
 NAME OF PRIME BIDDER: RANGER CONSTRUCTION  
 ADDRESS: 101 SANSBURY'S WAY, W.P.B., FL. 33411  
 CONTACT PERSON: ALEJANDRO URIBE PHONE NO: 561-793-9400 FAX NO: 561-790-4332  
 BID DATE: \_\_\_\_\_ DEPARTMENT: CONSTRUCTION COORDINATION

## PLEASE IDENTIFY ALL APPLICABLE CATEGORIES OF SUBCONTRACTORS

Name, Address and Phone Number	(Check one or both Categories)		Dollar Amount				
	Minority Business	Small Business	Small	Black	Hispanic	Women	Other (Please Specify)
1. <u>TRGS DEVELOP. CORP.</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ <u>9,933.75</u>
2.	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
3.	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
4.	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
5.	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
(Please use additional sheets if necessary)		Total	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

Total Bid Price \$ 238,061.00Total Value of SBE Participation \$ 9,933.75

- NOTE:
1. 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.
  2. 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.
  3. M/WBE information is being collected for tracking purposes only.

SCHED-1

**PALM BEACH COUNTY  
INTER-OFFICE MEMORANDUM**

**DATE:** July 12, 2011

**TO:** Mark Sinkhorn, Senior Professional Engineer  
PBC Engineering Services

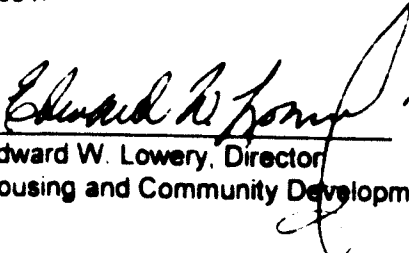
**FROM:** Edward W. Lowery, Director  
Housing & Community Development

**RE:** Budget Availability Statement  
CDBG Program Funding  
Westgate CRA Infrastructure Improvements

This represents our Budget Availability Statement (BAS) for the referenced project as follows:

Budget Account No:	Amount	Purpose
1101 -143 -1431 - 8101 - BG50 - GY06	\$107,736	Infrastructure and Site Improvements Only - Phase 6
1101 -143 -1431 - 8101 - BG50 - GY07	\$83,722	Construction Contingency Only
1101 -143 -1431 - 8101 - BG50 - GY07	\$38,542	Testing Lab Only - All Phases
//////////////////////////////////// Total	\$230,000	////////////////////////////////////

If you require any further information on the above, please contact Bud Cheney, Manager CREIS, at 233-3691.

 7/21/2011  
Edward W. Lowery, Director  
Housing and Community Development

S:\CapImp\prv\COUNTY\Westgate\NorthWestgate\Phase4 5 & 6\BAS\_CDBG\_July2011.wpd

**PALM BEACH COUNTY  
INTER-OFFICE MEMORANDUM**

**DATE:** March 15, 2012

**TO:** Mark Sinkhorn, Senior Professional Engineer  
PBC Engineering Services

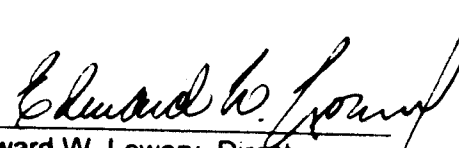
**FROM:** Edward W. Lowery, Director  
Housing & Community Development

**RE:** Budget Availability Statement  
CDBG Program Funding  
Westgate CRA Infrastructure Improvements

This represents our Budget Availability Statement (BAS) for the referenced project as follows:

Budget Account No:	Amount	Purpose
1101 -143 -1431 - 8101 - BG50 - GY07	\$177,736	Change Order # 17 - For trash removal & Backfill for Retention Area - R10
//////////////////// Total	\$177,736	////////////////////

If you require any further information on the above, please contact Bud Cheney, Manager CREIS, at 233-3691.

 3/20/2012  
Edward W. Lowery, Director  
Housing and Community Development

S:\CapImp\prv\COUNTY\Westgate\NorthWestgate\Phase4, 5 & 6\BAS\_CDBG\_Mar2012.wpd

