PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:

May 7, 2013

Consent [X]
Public Hearing []

Regular []

Department:

Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Change Order No. 1 to a Contract with Electron Corp of South Florida (R2012-1894) for the Southern Region Water Reclamation Facility (SRWRF) Phase II Electrical Reliability Improvements in the amount of \$331,321 and a time extension of 110 days to the contract.

Summary: On December 18, 2012, the Palm Beach County Board of County Commissioners (BCC) approved a contract with Electron Corp of South Florida (R2012-1894) for the SRWRF Phase II Electrical Reliability Improvements. Change Order No. 1 is to add the three (3) bid alternate items listed in the contract. These bid alternates will provide portable generator termination boxes to be used during maintenance or failure of the SRWRF electrical system. The change order prices were negotiated less than the original bid alternate prices based on the current cost of copper and will provide a \$21,000 savings. Change Order No. 1 also provides for a 110 day time increase for purchasing and installation of materials. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. This Change Order with Electron Corp of South Florida provides for 100% SBE participation overall. The cumulative SBE participation, including this change order is 98.6% overall. Electron Corp of South Florida is a Palm Beach County company. (WUD Project No. 11-020) District 5 (JM)

Background and Justification: On December 18, 2012, the BCC approved a contract with Electron Corp of South Florida for the SRWRF Phase II Electrical Reliability Improvements in the amount of \$727,734 (R2012-1894).

Attachments:

- 1. Two (2) Original Change Orders No. 1
- 2. Location Map

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures External Revenues Program Income (County) In-Kind Match County	\$331,321.00 0 0 0 0	<u>0</u> <u>0</u> <u>0</u>	<u>0</u> <u>0</u> <u>0</u>	<u>O</u> <u>O</u> <u>O</u>	<u>0</u> <u>0</u> <u>0</u>
NET FISCAL IMPACT	\$331,321.00	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account No.: Fund 4011 Dept 721 Unit W010 Object 6545

Is Item Included in Current Budget? Yes X No ____

Reporting Category N/A

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

One (1) time capital expenditure to be funded from user fees and balance brought forward.

III. REVIEW COMMENTS

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

OAMB 4/4/2013

Contract Development and Control

B. Legal Sufficiency:

Assistant County Afforney

C. Other Department Review:

Purchasing Department Director

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

Contractor:

Electron Corp of South Florida 6421 Winding Lake Drive Jupiter, Florida 33458

CONTRACT NO. R2012-1894

CONTRACT DATE:

12/18/2012

NOTICE TO PROCEED: 1/21/2013

BUDGET LINE ITEM: 4011-721-W010-6545

DISTRICT NUMBER 5

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

1. Add scope of work defined in contract documents for the following facilities:

\$331,321.00

Anaerobic Digester Group No. 2 Building, Chlorine Facilities, and Blower Building No. 2

Work is shown on drawing sheet nos.: E-12- E-15, and E-26 - E28.

Total Additional Cost for Work Directive

\$331,321.00

Total

\$331,321.00

NOT VALID UNTIL SIGNED BY BOTH OWNER AND ENGINEER. SIGNATURE OF THE CONTRACTOR INDICATES HIS AGREEMENT HEREWITH INCLUDING ANY ADJUSTMENT IN THE CONTRACT SUM OR CONTRACT TIME, AND NO ADDITIONAL COST OR TIME INDICATED HEREIN WILL BE RELATED TO THIS CHANGE

The original Contract Sum was:	\$727,734.00
Net change by previous Change Orders:	(\$0.00)
The Contract Sum prior to this Change Order was:	\$727,734.00
The Contract Sum will be increased by this Change Order:	\$331,321.00
The new Contract Sum including this Change Order will be:	\$1,059,055.00
The Contract time will be increased by:	110 Days
The Date of Substantial Completion including this Change Order	January 6, 2014
The Date of Final Completion including this Change Order:	February 5, 2014

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 DISRRUPTIONS RESULTING FROM, CAUSED BY, OR INCIDENT TO SUCH MODIFICATIONS AND INCLUDING ANY CLAIM THAT THE ABOVE STATED MODIFICATION(S) CONSTITUTES IN WHOLE OR PART, A CARDINAL CHANGE TO THE CONTRACT.

Palm Beach County Water Utilities Department	Electron Corp of South Florida	PALM BEACH COUNTY, FLORIDA, A POLITICA SUBDIVISION OF THE STATE OF FLORIDA BOARD OF COUNTY COMMISSIONERS	٩L
ENGINEER	CONTRACTOR	OWNER	
P.O. Box 16097 W. Palm Beach, FL 33416 Address	6421 Winding Lake Drive Jupiter, Florida 33458 Address	P.O. Box 16097 W. Palm Beach, FL 33416 Address	
Signature	0		
Diana M. Rivera, P.E.	Signature Albert Laessig, President	Signature Steven L. Abrams, Mayor	B
3/15/13	3/14/13		
DATE	DATE /	DATE	
Approved as to Form and L	₋egal Sufficiency		
Ву:			
County Attorney			
Attest: Sharon R. Brock,	Clerk and Comptroller		
Ву:			
Deputy Clerk			

CHANGE ORDER CATEGORIZATION

X OWNER INITIATED	QUANTITY OVERRUNS/UNDER-RUNS
DIFFERING SITE CONDITIONS	REQUEST BY ANOTHER AGENCY
ZONING/CODE/ORDINANCE CHANGES	REIMBURSABLE
ERRORS/OMISSIONS IN DESIGN	NON-REIMBURSABLE

SCHEDULE 1

PARTICIPATION OF SBE/MWBE CONTRACTORS

PROJECT NAME: SRWRF PHASE II ELECTRICAL SYSTEM RELIABILITY IMPROVEMENTS PROJECT NO. WUD 11-020

NAME OF PRIME CONTRACTOR: <u>Electron Corp of South Florida</u> CHANGE ORDER NO. <u>1</u>					
CONTACT PERSON: Albert	PHONE N	NO: <u>561-74</u>	<u>4-1388</u>	FAX NO: <u>561-718-7679</u>	
CONTRACT DATE: <u>December 18, 2012</u> DEPARTMENT: <u>Water Utilities</u>					 -
Name, Address and Phone Number of M/WBE	Type of Work To Be Performed	Black		ct Amount Women	Other(Please Specify)
1. Electron Corr	3.0F S. P.A.	\$	\$	\$	\$ <u>331,321.00</u>
2.		\$	\$	\$	\$0
3.		\$	\$	\$	\$ <u>0</u>
4.		\$	\$	\$	\$ <u>0</u>
5.		\$	\$	\$	\$ <u>0</u>
	TOTALS	\$ <u>0</u>	\$_0_	\$_0_	\$ <u>0</u>
PRIME CONTRACTOR TO COMPL	LETE:				

ORIGINAL CONTRACT PRICE:

<u>\$727,734.00</u> ORIGINAL PARTICIPATION: <u>\$713,179.32</u> % PARTICIPATION: <u>98%</u>

ADJUSTED CONTRACT PRICE:

\$1,059,055.00 ADJUSTED PARTICIPATION: \$1,044,500.32

% PARTICIPATION: 98.6%

COST SUMMARY

<u>C.O. #</u>	DESCRIPTION	<u>ADDITIONS</u>	(DELETIONS)	NET CHANGE
1	Add scope of work defined in contract documents for the following facilities: Anaerobic Digester Group No. 2 Building, Chlorine	\$331,321.00	(\$0.00)	\$331,321.00
	Facilities, and Blower Building No. 2			
	Work is shown on drawing sheet nos.: E-12- E-15, and E-26 – E28.			
			•	

\$331,321.00

(\$0.00)

\$331,321.00

Total

SCOPE OF WORK

1. Add scope of work for Anaerobic Digester Group No. 2 Building

Furnish and install new breaker and new kirk-key interlock system in existing integral power center 7-3; new conduit and cable; new portable generator termination box; and new grounding systems as described in the drawings and specifications for a complete working system in place. Provide all miscellaneous electrical including terminations, fittings, wiring, conduit, junction boxes, etc. necessary for a complete working system in place.

Add scope of work for Chlorine Facilities Building

Furnish and install new breaker, new extension section and new kirk-key interlock system in existing switchgear; new conduit and cable; new portable generator termination box; and new grounding systems as described in the drawings and specifications for a complete working system in place. Provide all miscellaneous electrical including terminations, fittings, wiring, conduit, junction boxes, etc. necessary for a complete working system in place.

Add scope of work for Blower Building No. 2

Furnish and install new breaker and new kirk-key interlock system in existing power center #3-5; new conduit and cable; new portable generator termination box; and new grounding systems as described in the drawings and specifications for a complete working system in place. Provide all miscellaneous electrical including terminations, fittings, wiring, conduit, junction boxes, etc. necessary for a complete working system in place.

Work is shown on drawing sheet nos.: E-12- E-15, and E-26 - E28.

CONSENT OF SURETY TO BOND INCREASE RIDER

To be attached to and form a part of Bond No. CSB0000613, issued on behalf of Electron Corp. of South Florida,

as Principal, to Palm Beach County, as Obligee.

It is hereby understood and agreed that the bond is changed or revised in the particular manner as checked below:

Amount of Bond Changed

from: \$ 727,734.00

to:

\$1,059,055.00

As per Change Order No. 1

This rider shall become effective as of March 19, 2013.

IN WITNESS WHEREOF, Contractors Bonding and Insurance Company has caused its Corporate Seal to be hereunto affixed March 19, 2013.

Contractors Bonding and Insurance Company

Gerand J. Arch, Attorney-In-Fact



Contractors Bonding and Insurance Company 3101 Western Ave., Suite 300 Seattle, WA 98121

POWER OF ATTORNEY

Contractors Bonding and Insurance Company

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the

approving officer if desired.	
That Contractors Bonding and Insurance Company, a Washington co Joanne M. Mursell, Gerald J. Arch, James F. Murphy, Michael A. Holme	orporation, does hereby make, constitute and appoint:
The second of th	25. Jointly of Severally.
in the City of <u>Ft Lauderdale</u> , State of <u>Florida</u> power and authority hereby conferred, to sign, execute, acknowledge a bond.	its true and lawful Agent and Attorney in Fact, with full and deliver for and on its behalf as Surety, the following described
Any and all bonds, undertakings, and recognizances in an amount n Dollars (<u>\$10,000,000.00</u>) for any single obligation.	not to exceed Ten Million and 00/100
The acknowledgment and execution of such bond by the said Attorney been executed and acknowledged by the regularly elected officers of this	in Fact shall be as binding upon this Company as if such bond had s Company.
The Contractors Bonding and Insurance Company further certifie adopted by the Board of Directors of Contractors Bonding and Insura	s that the following is a true and exact copy of the Resolution nce Company, and now in force to-wit:
"All bonds, policies, undertakings, Powers of Attorney or oth corporate name of the Corporation by the President, Secretary, an such other officers as the Board of Directors may authorize. Secretary, or the Treasurer may appoint Attorneys in Fact or undertakings in the name of the Corporation. The corporate s undertakings, Powers of Attorney or other obligations of the Corporation and the Corporation image."	The President, any Vice President, or any Vice President, or by The President, any Vice President, Secretary, any Assistant Agents who shall have authority to issue bonds, policies or seal is not necessary for the validity of any bonds, policies.
IN WITNESS WHEREOF, the Contractors Bonding and Insurance C President with its corporate seal affixed this28th day of	Fahrana 2012
State of Washington County of King State	Contractors Bonding and Insurance Company Roy C. Die Vice President
On this 28th day of February 2013 perfore me, a Notary Public, personally appeared Roy C. Die who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the Contractors Bonding and insurance Company and acknowledged said instrument to be the voluntary act and deed of said corporation.	CERTIFICATE I, the undersigned officer of Contractors Bonding and Insurance Company, a stock corporation of the State of Washington, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the Contractors Bonding and Insurance Company this 19th, day of March 2013
Joseph B. Muller Notary Public	Contractors Bonding and Insurance Company
Notary Public State of Washington JOSEPH B. MULLER MY COMMISSION EXPIRES March 29, 2016 0975118	Roy C. Die Vice President 5032912 A005951

SRWRF Phase 2 Electrical System Reliability Imp. Break Down

- 1. Chlorine Building;
 - A. Switchgear \$ 84,000.00
 - B. Wiring \$ 32,000.00
 - C. Raceways & Fittings \$ 53,821.00
 - D. Total \$ 169,821.00
- 2. Blower Building;
 - E. Switchgear \$ 31,000.00
 - F. Wiring \$ 17,000.00
 - G. Raceways & Fittings \$ 28,500.00
 - H. Total \$ 76,500.00
- 3. Anaerobic Building;
 - i. Switchgear \$ 45,763.00
 - J. Wiring \$ 10,000.00
 - K. Raceways & Fittings \$ 29,237.00
 - L. Total \$ 85,000.00

Please feel free to call me should you have any questions.

Albert Laessig

President

Legend

---- MANDATORY RECLAIMED SA

Water Utilities Department

Major Facilities

Water Treatment Facility

Administration

Water Reclaimation Facility

- - · COUNTY LIMITS P.B.C.W.U.D. SA



