Agenda Item #: 3-C-1

PALM BEACH COUNTY **BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Submitted By: Construction Coordination Division LEXECUTIVE BRIEF Motion and Title: Staff recommends motion to approve: Change Order No. 4 in the L-2 Canal Stormwater Pump Station project R2011-1227. SUMMARY: Approval of Change Order No. 4 will compensate for costs associated with the L-2 Canal Stormwater Pump Station project R2011-1227. SUMMARY: Approval of Change Order No. 4 will compensate for costs associated with the use of the adjacent property necessary for construction of a by-pass canal to preve flooding of the communities west of the L-2 Canal Stormwater Pump Station project, at for the additional time extension associated with Florida Power & Light and AT&T delay The lengthy time extension requires the Board of County Commissioners to approve the change order. The Westgate CRA has agreed to use a federal grant to fully reimbure Palm Beach County the full amount of \$60,000. District 2 (MRE) Background and Justification: Substantial completion of the L-2 Canal Stormwater Pump Station project (Project) was achieved on December 19, 2012. The Notice the Proceed was issued on October 4, 2011 and the Project's completion date was scheduled the June 30, 2012. However, the utility agreement with Florida Power & Light was not finalized by the Board of County Commissioners until October 16, 2012 to furnish the Project with power, which delayed the computer system installation and testing of the facility according to Attachment 2 "A" of the attached change order. Attachments: 1. Location Sketch 2. Change Order No. 4 3. Change Order History 4. Schedule 1 Division Director Date Approved By: Division Director Date	Meeting Date: July 2,		[X] Consent [] Workshop	[]	======================================
Submitted For: Construction Coordination Division I. EXECUTIVE BRIEF Motion and Title: Staff recommends motion to approve: Change Order No. 4 in t amount of \$60,000 and a 172 day time extension with Murray Logan Construction, Inc. 1 the L-2 Canal Stormwater Pump Station project R2011-1227. SUMMARY: Approval of Change Order No. 4 will compensate for costs associated with the use of the adjacent property necessary for construction of a by-pass canal to preve flooding of the communities west of the L-2 Canal Stormwater Pump Station project, are for the additional time extension associated with Florida Power & Light and AT&T delay The lengthy time extension requires the Board of County Commissioners to approve the change order. The Westgate CRA has agreed to use a federal grant to fully reimburst Palm Beach County the full amount of \$60,000. District 2 (MRE) Background and Justification: Substantial completion of the L-2 Canal Stormwater Pump Station project (Project) was achieved on December 19, 2012. The Notice the Proceed was issued on October 4, 2011 and the Project's completion date was scheduled the June 30, 2012. However, the utility agreement with Florida Power & Light was not finalized by the Board of County Commissioners until October 16, 2012 to furnish the Project with power, which delayed the computer system installation and testing of the facility according to Attachment 2 "A" of the attached change order. Attachments: 1. Location Sketch 2. Change Order No. 4 3. Change Order No. 4 3. Change Order History 4. Schedule 1 Division Director Date	Department:				
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Approved By: 5, J. WW 6/5/13	Attachments: 1. Location Sketch 2. Change Order No. 4 3. Change Order History			J * ********	
Approved By: 5, J. WW 6/5/13	Recommended By:	·	=======================================	=====	 /
		Division Dir	ector	Da	te
LANGUE FINITEDER PLANT	,		inger	6,	15/13

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County) NET FISCAL IMPACT # ADDITIONAL FTE	2013 \$60,000 -0- (\$60,000) -0- -0- -0-	2014 -0- -0- -0- -0- -0- -0-	2015 -0- -0- -0- -0- -0-	2016 -0- -0- -0- -0- -0- -0-	2017 -0- -0- -0- -0- -0-	
POSITIONS (Cumulative)					-	

Is Item Included in Current Budget?

Yes X No

Budget Account No:

Fund 3900 Dept 361 Unit 1191 Object 8201

Recommended Sources of Funds/Summary of Fiscal Impact:

Capital Outlay Fund (3900)
Westgate/Belev CRA-Lakeside Mobile Home Pk Drainage

Change Order #4

\$60,000.00

This change order is fully reimbursable by the FEMA Hazard Mitigation $\mbox{\it Grant}$ and the Westgate CRA as budgeted.

C.	Departmental Fiscal Review:	. Ahrelhi-	te
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III. REVIEW COMMENTS

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

OFMB Wy 2018

Contract Dev. and Control

B. Approved as to Form and Legal Sufficiency:

Assistant County Attorney

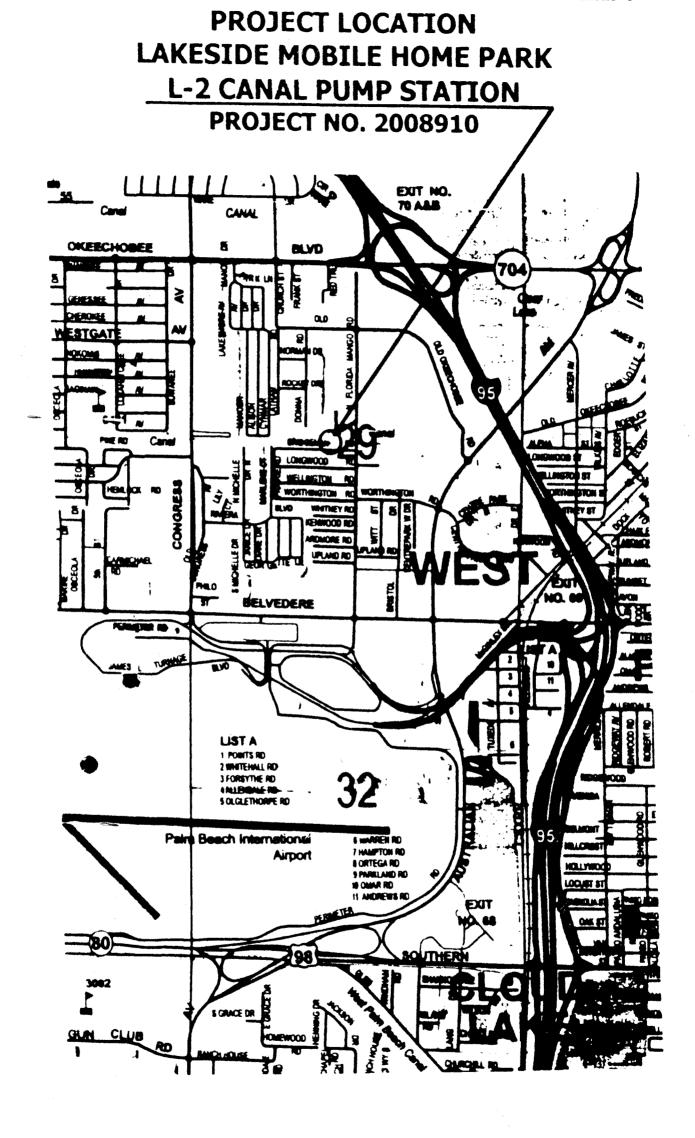
C. Other Department Review:

Department Director

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

2

I:\WP\AGENDAPAGE2\AGNPGTWO2013\00.189.DOC



LOCATION SKETCH

CHANGE ORD	ER					Attachment 2	
X Owner Initiated		La bear	Quantity	Werrune	/Lindows	mo	
Differing Site Condi	tions		Request B	Sverruns Sv. Anoth	er Agan	uns cy/Outside Party:	
Zoning/Code/Ordina	ince Changes	***************************************	X A Rei	nhurcahi	ci Ageno	by/Outside Party: B. Non-Reimbursabl	
Errors/Omissions/In	Design		By The W	estoate (TRA	. Non-Reimbursabi	9
			Other:	esignie (CICA		
PROJECT: L-2 CANAL	STORMWATER PUMF	PSTATION	CI	LANCE	ODDED		
(Name)	STORMWATER TUNIF	STATION			ORDER		
TO:					PROJEC CT DAT		
(Contractor) Murray Loga	n Construction, Inc.				ION NO		
				STRICT		: R2011-122 2	.7
You are directed to make the	e following changes in this	Contract:	Δ.	oride i	110.	<u> </u>	
Resolve a \$60,000.00 claim	related to delays to the pro-	ject by FP&	L – Lump	Sum		\$ 60,000.00	
A 172 day time extension du	ue to delays to the project b	y FP&L and	AT&T.				
Fully reimbursable by The V	Vestgate CRA						
* See Attachment "A"							
The original Contract Sum v	vas					\$3 226 800 00	
Net change by previous Char	nge Orders		• •	•	•	\$3,226,800.00 \$ 17,627.00	
The Contract Sum prior to the	nis Change Order was		•	•	•	\$ 17,627.00 \$3,244,427.00	
The Contract Sum will be in-	creased by this Change Ord	der		•	•	\$ 60,000.00	
The new Contract Sum inclu	ding this Change Order wi	ll be		•	•	\$3,304,427.00	
The Contract Time will be in	icreased by .			•	•	(172) Days	
The Date of Completion as o	of the date of this Change C	Order therefo	re is .			December 19, 20	12
EXECUTION OF THIS CHARLES CANNEL CLAIMS FOR, COSTS AND MODIFICATION(S). INCLUSED BY, OR INCLUSED MODIFICATION MODIFICATION OF THE CONTRACT.	D TIME ASSOCIATED, D UDING ALL CLAIMS FO NCIDENT TO, SUCH MOI	DIRECTLY (R CUMULA DIFICATION	DR INDIRI TIVE DEI	ECTLY, LAYS OI	WITH T R DISRU	HE ABOVE-STAT JPTIONS RESULTI SIX CLAIM THAT	ED
ENGINEER (If Applicable)	Murray Logan Constructi CONTRACTOR	on, Inc.	<u>P.B</u>	.Co. Boa	ard of Co	ounty Commissione	<u>rs .</u>
	313 65 th Trail North). Box 21	1229		
Address	Address			dress	· /		
	West Palm Beach, FL 33	3413			Beach, F	L 33416-1229	•
BY	BY		BY				
DATE	DATE 5/7/13		DA	TE		-	· · · · · · · · · · · · · · · · · · ·
ATTEST: Sharon R. Bock Clerk & Comptroller	,			proved a		m and Legal	
(Deputy Clerk) Date			(Co	ounty At	torney)		

Attachment 2
"A" Page 1 of 2

Murray Logan Construction, Inc.

313 65th Trail N.

West Palm Beach, FL. 33413 Phone: 561-686-3948 Fax: 561-686-7465

October 31, 2012

Mr. Ralph Davis, III Keshavarz & Associates, Inc. 711 North Dixie Hwy, Suite 201 West Palm Beach, FL 33401

REF: L-2 Canal Storm Water Pump Station-FP&L Easement Claim Contract #2011-1227

Dear Ralph,

I would like to request a time extension /cost claim to our contract due to the delays caused by FP&L, over easement issues. A claim could not have been made at an early date due to the unknown date of a resolution. On October 16, 2012, Palm Beach County Board of County Commissioners agreed to grant FPL an easement; on October 18, 2012 an agreement was made between Palm Beach County and FP&L regarding the easement; and on October 31, 2012 FP&L installed transformer.

Contract expired on June 29, 2012 and FP&L installed transformer on October 31, 2012.....a 125 day delay.

Only after the Agreement was made and FP&L releases the balance of material for installation could Murray Logan Construction, Inc. proceed with the following features of work:

- FPL releases material for installation, by Contractor. (10/23/12)
- Murray Logan Construction, Inc. installed, FPL furnished, transformer pad. (Installed 10/24/12)
- Final electrical service: transformer and wire. (Installed 10/31/12)
- Temporary electrical power inspection.
- FPL energize /set meter
- Start-up equipment

The time required to complete the above listed features of work is 17 days.

Due to the nature of the project and contractual restrictions (by-passing requirements) a fair portion of the work cannot be completed until the electrical is released for temporary power and the equipment has been started—up and accepted by the Engineer of Record. The features of work that need to start after the pump station is operational are as follows:

- Backfill by-pass canal
- Install upstream stilling well
- Complete control wiring between stilling wells and building.
- Test & program equipment
- Final electrical inspection.
- Complete rock revetment within limits of by-pass canal.
- Install gravel around fuel tank
- Final site grading
- Install north side security fence
- Sod

The time required to complete the above features of work and to close out the project is 30 days.

A delay of this magnitude imposes additional responsibilities on to the General Contractor, responsibilities include, but are not limited to: site safety & maintenance, NPDES control, flood control, rental equipment, extended lease agreements, overhead cost, bond premium, insurance premium, general overhead, and etc.... however at this time Murray Logan Construction, Inc. only wishes to make a claim for additional time and money owed to the adjacent land owner for the extended use of his property.

Due to the fact that the limits of construction were not large enough to accommodate a by-pass canal large enough to meet the flow capacity requirements, as specified in addendum #1 of Contract Documents. Murray Logan Construction, Inc. needed to acquire the use of the adjacent property for by-passing purposes. Murray Logan Construction, Inc. leased the property from the adjacent land owner at a cost of \$371.00 per day, with the expectations of the project being completed on or before June 29, 2012.

At this time Murray Logan Construction, Inc. wishes to make a claim for the cost of the lease, without mark-up, from the original completion date of June 29, 2012 to the anticipated completion date of backfilling the by-pass canal December 5, 2012, a 160 day claim.

Claim Summary:

- Contract expired June 29, 2012, FPL anticipated date to energize L-2 Pump Station, Oct. 31, 2012125 days
- Time required to complete the work thru start up involving the features of work that could not begin until after power is released
 47 days
- Total Additional Days 172
- Cost incurred due to delays: Lump Sum \$60,000.00

At this time Murray Logan Construction, Inc. requests a 172 day time extension and a cost increase of \$60,000.00 be added to our contract.

Sincerely,

Kust Kapsos

Kurt Kapsos

Murray Logan Construction, Inc.

CHANGE ORDER HISTORY

PALM BEACH COUNTY PROJECT L-2 Canal Stormwater Pump Station; Project No. 2008910

.O.#	DATE APPROVED		? ENGINEER	i		TOTAL DEPT. & C.R.		BOARD OF C	O. COMM
		AMOUNT	TIME	AMOUNT	TIME	AMOUNT	TIME	AMOUNT	TIME
1	11/16/2011	2,600.0	0 0						
2	12/16/2011	13,700.00	0						
3	5/8/2012	1,327.00	0						
drawin de menorem de Researce Pri									
	TOTAL	17,627.00	0	0.00	0	17,627	00 0		
	CUMULATIVE TOTAL	17,627.00	0	0.00	0	17,627.	00 0		
		SINGLE AMT. \$50,000.00		SINGLE AMT. \$100,000.00		MAXIMUM CUMULATIV			
	1	MAX. AMT. \$250,000,00 or 5% of contract	30 DAYS	MAX. AMT. \$250,000.00 or 5% of contract		CO. ENG. & C.R. COMM. \$250,000.00 or 5% of contra	CO.ENG.&C.R 120 DAYS		

SCHEDULE 1

LIST OF PROPOSED SBE-M/WBE SUBCONTRACTORS

PROJECT NAME: L-2 CANAL STORMWATER PUMP STATION					PROJECT NO. 2008910		
NAME OF PRIME BIDDER: MURRA	LOGAIN (BHSTR-LTION	u. Inc.				
ADDRESS: 313 GSTUTALL No	ATH WEST	Pour BEn:	A, FL 334	/3			
CONTACT PERSON: Davis Los	SAH, PAES.	PH011	E NO: 561-	686-3948 F	AX NO: 561 -686 - 7	965	A Marian.
		DEPAR					
F	Please list the	dollar amoun	t or percentag	e of work to be com of work to be compl	pleted by the prime o eted by all subcontra	— n this project. ctors on the projec	t.
Name, Address and Phone Number	(Check one o <u>M/WBE</u> Minority	r both Catagories) <u>SBE</u> Small		<u>Dollar</u>	Amount or Percentag	********	*********
CR DANN, INC	Business	Business ***********	Small	Black ************************************	Hispanic ************************************	Women	Other (Please Specify)
LAKE WOOTH FL 33460		M			***		American de la companya de la compan
541 585-2185							
2.							****
3.	0						
ł.	0						
5.							
Please use additional sheets if necessa	ary)	Total					-
otal Bid Price \$ 60,000		Total	SBE-M/WBE	Participation			

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.