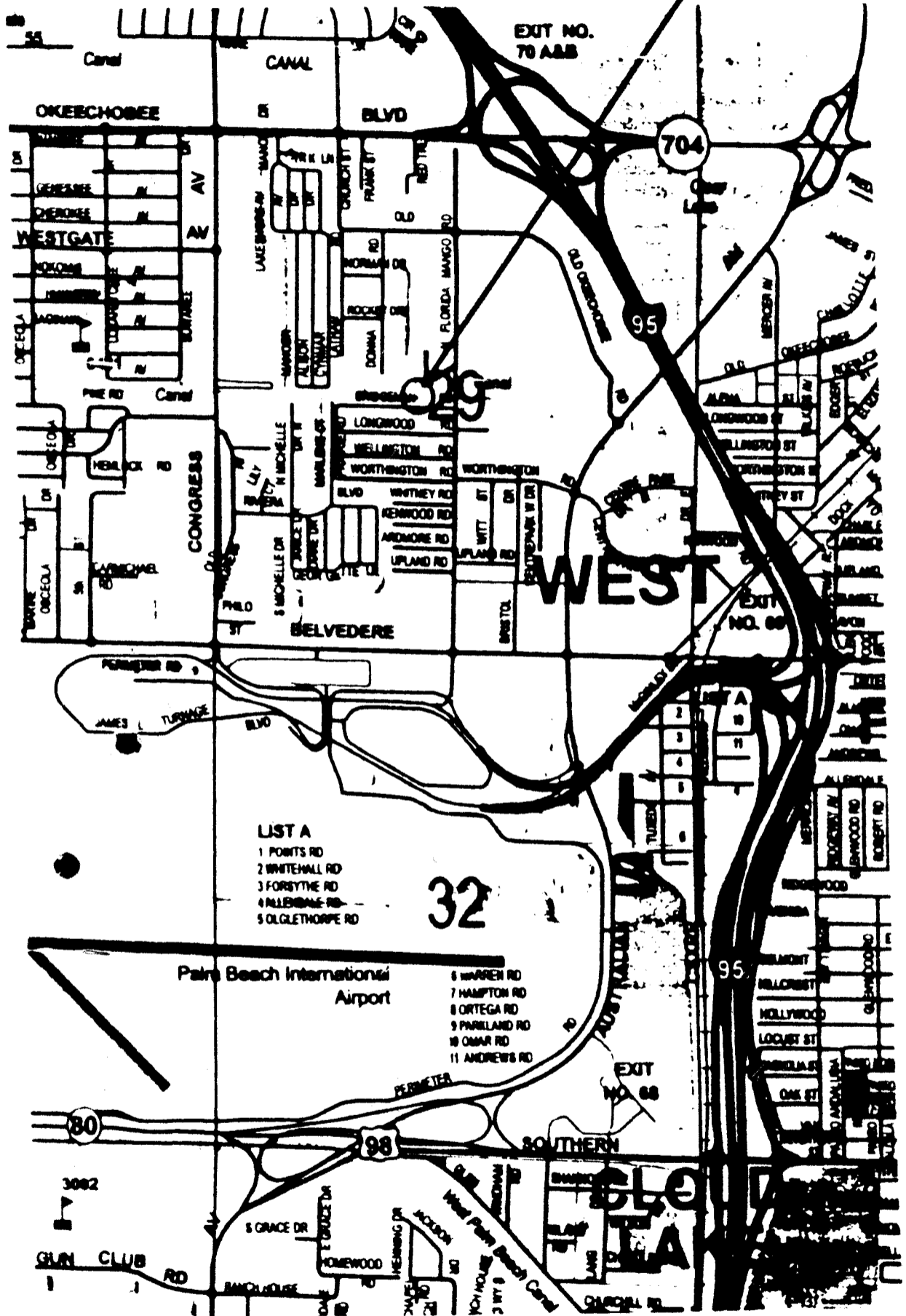






# PROJECT LOCATION LAKESIDE MOBILE HOME PARK L-2 CANAL PUMP STATION PROJECT NO. 2008910



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:
- A. Reimbursable  B. Non-Reimbursable
- By The Westgate CRA
- Other:

PROJECT: L-2 CANAL STORMWATER PUMP STATION

(Name)

TO:

(Contractor) Murray Logan Construction, Inc.

CHANGE ORDER NO: 4 (four)  
 COUNTY PROJECT NO: 2008910  
 CONTRACT DATE: 10/04/11  
 RESOLUTION NO: R2011-1227  
 DISTRICT NO: 2

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

Resolve a \$60,000.00 claim related to delays to the project by FP&L – Lump Sum \$ 60,000.00

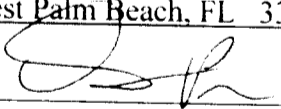
A 172 day time extension due to delays to the project by FP&L and AT&T.

Fully reimbursable by The Westgate CRA

\* See Attachment "A"

The original Contract Sum was . . . . .	\$3,226,800.00
Net change by previous Change Orders. . . . .	\$ 17,627.00
The Contract Sum prior to this Change Order was . . . . .	\$3,244,427.00
The Contract Sum will be increased by this Change Order . . . . .	\$ 60,000.00
The new Contract Sum including this Change Order will be . . . . .	\$3,304,427.00
The Contract Time will be increased by . . . . .	( 172 ) Days
The Date of Completion as of the date of this Change Order therefore is . . . . .	December 19, 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.

ENGINEER (If Applicable) Murray Logan Construction, Inc.  
 CONTRACTOR  
 Address 313 65<sup>th</sup> Trail North  
West Palm Beach, FL 33413  
 BY   
 DATE 5/7/13

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

ATTEST: Sharon R. Bock,  
Clerk & Comptroller

Approved as to Form and Legal  
Sufficiency:

(Deputy Clerk) Date

(County Attorney)

**Murray Logan Construction, Inc.**313 65<sup>th</sup> 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, 2012  
.....125 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,

*Kurt Kapsos*

Kurt Kapsos

Murray Logan Construction, Inc.

CHANGE ORDER HISTORY

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

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	11/16/2011	2,600.00	0						
2	12/16/2011	13,700.00	0						
3	5/8/2012	1,327.00	0						
	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		
	As of PPM CW-F-050 Dated February 27, 2012	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		

SCHEDULE 1

LIST OF PROPOSED SBE-M/WBE SUBCONTRACTORS

PROJECT NAME: L-2 CANAL STORMWATER PUMP STATION PROJECT NO. 200891C  
 NAME OF PRIME BIDDER: MURRAY LOGAN CONSTRUCTION, INC.  
 ADDRESS: 313 65TH TRAIL NORTH, WEST PALM BEACH, FL 33413  
 CONTACT PERSON: DAVID LOGAN, PRES. PHONE NO: 561-686-3948 FAX NO: 561-686-7465  
 BID DATE: 5/24/2011 DEPARTMENT: \_\_\_\_\_

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	Small	Black	Hispanic	Women	Other (Please Specify)
1. CR DUNN, INC 1202 POPE LANE LAKE WORTH, FL 33460 561 585-2155	<input type="checkbox"/>	<input checked="" type="checkbox"/>	0				
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 \$ 60,000 Total SBE-M/WBE Participation 0

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