

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	\$195,828	_____	_____	_____	_____
External Revenues	(177,020)	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	\$ 18,808	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget?		Yes <u>X</u>		No _____	
Budget Account No.:	Fund <u>3654</u>	Department <u>381</u>	Unit <u>E459</u>		
	Object <u>var</u>				

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

FDOT – APJ-29 Snook Island Mitigation	\$177,020
Manatee Protection – Fullerton Island	\$18,808

C. Department Fiscal Review:

[Handwritten signature]

III. REVIEW COMMENTS

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

<p><i>[Handwritten signature]</i> OFMB <i>[Handwritten initials]</i> 3/12 cc 3/12</p>	<p><i>[Handwritten signature]</i> Contract Development and Control 3-17-14 <i>[Handwritten initials]</i></p>
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B. Legal Sufficiency:

[Handwritten signature] 3/18/14
 Assistant County Attorney

C. Other Department Review:

 Department Director

CHANGE ORDER NO.: 3

(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: FDOT & County Wetland Mitigation
PROJECT NO.: 2012ERM02

(Contractor): Contractor's Name
Arbor Tree & Land, Inc.

CONTRACT RESOL. NO. R2012-0907
COMMISSIONER DISTRICT NO.: 1, 2, 3, 7
CONTRACT DATE: Jun 19, 2012
NOTICE TO PROCEED DATE: Jul 13, 2012
COMMENCEMENT DATE: Jul 26, 2012
BUDGET LINE ITEM: 3654-381-E459-various

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

Additional contractor costs for fill transport from Fullerton Island to Bryant Park resulting from differing site conditions that limited barge transport of fill over a shoal in the vicinity of the Intracoastal Waterway. This Change Order also covers the removal of bridge material at Snook Islands that has created a potential navigation hazard, planting a portion of Fullerton Island to stabilize side slopes of the excavated areas and remobilization and survey/turbidity/maintenance of traffic/permitting costs to generate additional fill at the Okeehetee Park South.

Section 01150 – Measurement and Payment, Part 1 – General, Paragraph 1.1B, Contractor Staging Area, 1 Lump Sum (LS) (Line Item 2) is hereby modified. The original language of the paragraph is hereby stricken, and shall be replaced by the following language: "The Contractor shall be reimbursed \$58,500 for the use of the Bryant Park Staging Site upon proof of receipt of payment by the City of Lake Worth and submittal of pay request to the County. An additional \$6,500 shall be reimbursed upon written release of obligation by the City indicating that the site restoration work at the Bryant Park Staging Site has been completed to the City's satisfaction."

SUBTOTAL \$210,827.92

Reductions in fill quantities from Fullerton Island Line Items #18 (Fullerton fill excavate/partial barge @ \$16.65/CY) and #22 (Bryant Park fill final barge/grade @ \$19.35/CY) by 5,000 cubic yards at a cost of (\$180,000)

Additions in fill quantities from Okeehetee Park Line Items #6 (Okeehetee fill excavate/transport/Bryant Park place @ \$16.00/CY) and #7 (Bryant Park final grade @ \$0.50/CY) by 10,000 cubic yards at a cost of \$165,000.

SUBTOTAL (\$ 15,000.00)

Net Authorized Amount of Change Order No. 3 \$ 195,827.92

NOT VALID UNTIL SIGNED BY COUNTY. 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	\$ 4,431,641.00
Net Change by previous Change Orders	\$ 2,672,652.43
The Contract Sum prior to this Change Order was	\$ 7,104,293.43
The Contract Sum will be increased by this Change Order	\$ 195,827.92
The New Contract Sum including this Change Order will be	\$ 7,300,121.35
The Contract Time will be increased/decreased by	0 days
The Date of Substantial Completion including this Change Order	June 01, 2014
The Date of Final Completion including this Change Order	July 01, 2014

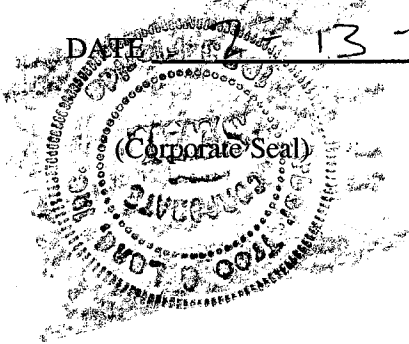
Execution of this Change Order acknowledges final settlement of, and releases, all claims for costs and time associated, directly or indirectly, with the above stated modification(s), including all claims for cumulative delays or disruptions resulting from, caused by, or incident to such modification(s), and including any claim that the above stated modification(s) constitutes, in whole or part, a cardinal change to the contract.

CONTRACTOR
Arbor Tree & Land, Inc.
5796 Western Way
Lake Worth, FL 33463

OWNER
Palm Beach County, Florida
A Political Subdivision of the State of Florida
Board of County Commissioners

BY William Hodges
William Hodges, President

BY _____
Priscilla A. Taylor, Mayor

DATE 6-13-14
 (Corporate Seal)

ATTEST:
Sharon R. Bock, Clerk & Comptroller

Deputy Clerk

APPROVED AS TO FORM & LEGAL SUFFICIENCY:
James C. [Signature]
Chief Assistant County Attorney

APPROVED AS TO TERMS & CONDITIONS:
Daniel Bates
Daniel Bates, Deputy Director
Dept. of Environmental Resources Management

SCHEDULE 1 FOR CHANGE ORDER NO. 3

LIST OF PROPOSED SBE-M/WBE PRIME AND/OR SUBCONTRACTOR PARTICIPATION

PROJECT NAME OR BID NAME: FDOT & COUNTY WETLAND MITIGATION PROJECT

PROJECT NO. OR BID NO: 2012ERM02

NAME OF PRIME BIDDER: Avron Tree + Land

ADDRESS: 5796 Western Way Lake Worth FL

CONTACT PERSON: William Hodges

PHONE NO.: 904 965 2198 FAX NO.: 904 965 9777

BID OPENING DATE: _____

USER DEPARTMENT: Environmental Resources Management

THIS DOCUMENT IS TO BE COMPLETED BY THE PRIME CONTRACTOR AND SUBMITTED WITH BID PACKET. PLEASE LIST THE NAME, CONTACT INFORMATION AND DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY ALL SBE -M/WBE SUBCONTRACTORS ON THIS PROJECT. IF THE PRIME IS AN SBE-M/WBE, PLEASE ALSO LIST THE NAME, CONTACT INFORMATION AND DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY THE PRIME ON THIS PROJECT. THE PRIME AFFIRMS THAT IT WILL MONITOR THE SBES LISTED TO ENSURE THE SBES PERFORM THE WORK WITH ITS OWN FORCES.

Name, Address and Phone Number	(Check one or both Categories)		DOLLAR AMOUNT OR PERCENTAGE OF WORK				
	M/WBE	SBE	Black	Hispanic	Women	Caucasian	Other (Please Specify)
1. Avron + Assoc Inc 50 SW 2nd Ave #162 Boca Raton FL 33432 (904) 392 2594	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____	5,000.-	_____
2. OC Unlimited Inc P.O. Box 10635 Riviera Beach FL 33419 (904) 842 1335	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	37,808.-	_____	_____	_____	_____
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)

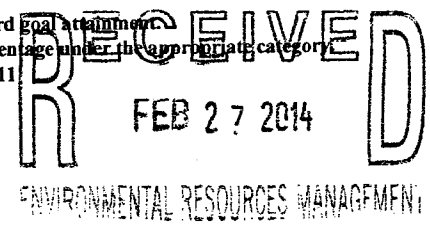
Total _____

Total Bid Price \$ 195,827.90

Total SBE-M/WBE Participation Dollar Amount or Percentage of Work \$ 42,808. / 21.86%

I hereby certify that the above information accurate to the best of my knowledge: [Signature] President
Signature Title

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 and M/WBE. If firms are certified as both an SBE and M/WBE, please indicate the dollar amount or percentage under the appropriate category.
3. M/WBE information is being collected for tracking purposes only.



OSBA SCHEDULE 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 bid packet. 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 Subcontractor is SBE certified to perform. Failure to properly complete Schedule 2 may result in your SBE participation not being counted.

PROJECT NUMBER: 2013ERM02 PROJECT NAME: FDOT & COUNTY WETLAND MITIGATION PROJECT

TO: Arbor Tree & Land, Inc.
(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 August 26, 2013

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
<u>Construction Surveying</u>	<u>1</u>	<u>\$5,000.00</u>	<u>\$5,000.00</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

at the following price or percentage

_____ (Subcontractor's quote)

and will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If undersigned intends to subcontract any portion of this job to a certified SBE or a non-SBE subcontractor, please list the name of the subcontractor and the amount below.

Price and/or Percentage 0 - Zero
_____ (Name of Subcontractor)

The undersigned affirms that it has the resources necessary to perform the work listed without subcontracting to non-certified SBE or any other certified SBE subcontractors except as noted above.

The undersigned subcontractor understands that the provision of this form to Prime Bidder does not prevent Subcontractor from providing quotations to other bidders.

Avirom & Associates, Inc.

(Print name of SBE-M/WBE Subcontractor)
By: Michael D. Avirom

(Signature)
Michael D. Avirom / President

(Print name, title of person executing on behalf of SBE-M/WBE Subcontractor)

Revised 12/2011

Date: February 11, 2014

**OSBA SCHEDULE 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 bid packet. 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 Subcontractor is SBE certified to perform. Failure to properly complete Schedule 2 may result in your SBE participation not being counted.

PROJECT NUMBER: 2012ERM02 PROJECT NAME: FDOT & COUNTY WETLAND MITIGATION PROJECT

TO: Arbor Tree & Land, Inc.
(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: June 14, 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
Transport Fill (from Okeehcheelee) (minimum 10 trucks per day)	556 loads	\$68.00	\$37,808.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

at the following price or percentage

(Subcontractor's quote)

and will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If undersigned intends to subcontract any portion of this job to a certified SBE or a non-SBE subcontractor, please list the name of the subcontractor and the amount below.

Price and/or Percentage 0 - Zero

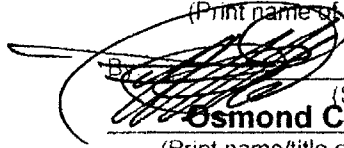
(Name of Subcontractor)

The undersigned affirms that it has the resources necessary to perform the work listed without subcontracting to non-certified SBE or any other certified SBE subcontractors except as noted above.

The undersigned subcontractor understands that the provision of this form to Prime Bidder does not prevent Subcontractor from providing quotations to other bidders.

OC Unlimited, Inc.

(Print name of SBE-M/WBE Subcontractor)



(Signature)

Osmond Clarke / President

(Print name/title of person executing on behalf of SBE-M/WBE Subcontractor)

Revised 9/7/2011

Date: February 11, 2014

Attachment 2

CONTRACT

R2012,0907

THIS CONTRACT, made and entered into this _____ day of JUN 19 2012, 20___, between PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as the "County" and Arbor Tree & Land, Inc., hereinafter referred to as the "CONTRACTOR".

WITNESSETH:

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

PROJECT NAME: FDOT & COUNTY WETLAND MITIGATION PROJECT
PROJECT NO.: 2012ERM02



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 11
- B - Completed Bonds and Insurance Forms
- C - General Conditions, Supplemental General Conditions and Appendices A, B
- D - Technical Specifications, including Figures, Tables, Attachments, Appendices
- E - Addenda
- F - Permits
- G - Drawings/Plans

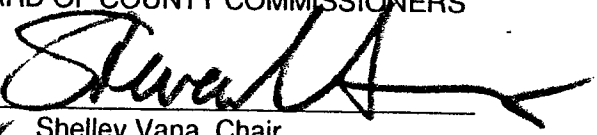
Contractor agrees to accept as full compensation for the satisfactory performance of this Contract the sum of four million four hundred thirty-one thousand six hundred forty-one dollars and zero cents (\$4,431,641.00). The prices named in the Bid are for the completed work and all expenses, direct or 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.

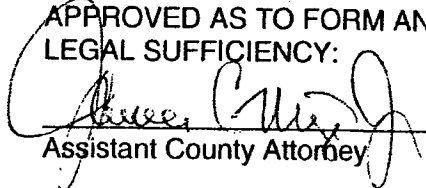
IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, has made and executed this Contract on behalf of the said County and caused the seal of the said County to be affixed hereto, and the Contractor has hereunto set its hand and seal the day and year written. The Contractor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

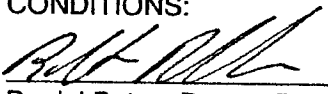
R2012.0907 JUN 19 2012

ATTEST:
SHARON R. BOOK
CLERK & COMPTROLLER

Deputy Clerk


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

By: 
for Shelley Vana, Chair
Steven L. Abrams Vice Chair

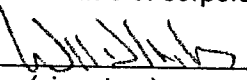
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Assistant County Attorney

APPROVED AS TO TERMS AND
CONDITIONS:

Daniel Bates, Deputy Director
Department of Environmental Resources Management

CONTRACTOR:

Arbor Tree & Land, Inc.
(Corporate Name)

a Florida corporation
(insert state of corporation)

By: 
(signatory)

William Hodges
(print signatory's name)

Its: President
(print title)

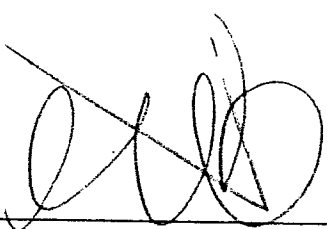
May 4, 2012
(date of execution)

5796 Western Way
(Contractor's Official Address)

Lake Worth, FL 33463
(Contractor's City, State, Zip Code)

59-2384451
(Federal Tax No.)
ARBO0003

Palm Beach County Vendor #
P.O. Box 1387, Boynton Beach, FL 33425
Payment Remittance Address


(witness signature)
Guir F. Gomez
(witness name printed)

(Corporate Seal)

