

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: September 27, 2016 Consent [X] Regular []
Public Hearing []

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Change Order No. 9 with MWH Constructors, Inc. for the Water Treatment Plant (WTP) No. 2 Filter Replacement (Project) with a 105-day time extension.

Summary: On February 4, 2014, the Board of County Commissioners approved the Contract for the WTP No. 2 Filter Replacement (R2014-0150) with MWH Constructors, Inc. Change Order No. 9 provides for additional days with no cost increases to allow for unanticipated needs that occurred during the start-up, testing and placing of several pieces of equipment into service due to system demands at WTP No. 2 and the necessary demolition of existing structures onsite. Additionally, the extension incorporates the additional time required for the Health Department to release the Project. MWH Constructors, Inc. is a Palm Beach County company. (WUD Project No. 12-066) (District 7) (MJ)

Background and Justification: Change Order No. 9 is necessary to allow for the continued authorization of work under the Project in response to delays encountered as equipment was placed and tested at WTP 2. The time extension additionally allows for the demolition of structures that are no longer required as a result of the Project and required inspections by the Department of Health.

Attachments:

- 1. Two (2) Original Change Order No. 9

Recommended By: Jim Stiles 9-19-16
Department Director Date

Approved By: [Signature] 9/20/16
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
(County)					
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE					
POSITIONS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
(Cumulative)					

Budget Account No.: Fund 4011 Dept 721 Unit W002 Object 6541

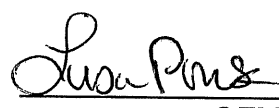
Is Item Included in Current Budget? Yes X No
Reporting Category N/A

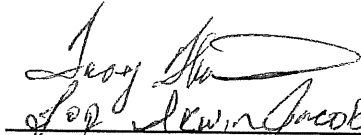
B. Recommended Sources of Funds/Summary of Fiscal Impact:
No Fiscal Impact

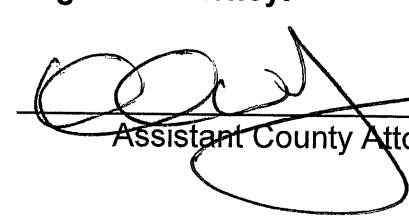
C. Department Fiscal Review: Alma M. West

III. REVIEW COMMENTS

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


OFMB 9/21/16
9/20


Contract Development and Control
9/23/16

B. Legal Sufficiency:

Assistant County Attorney 9/26/16

C. Other Department Review:

Department Director

CHANGE ORDER

PROJECT: WATER TREATMENT PLANT NO. 2 FILTER REPLACEMENT
WATER UTILITIES DEPARTMENT PROJECT NO. WUD 12-066
DISTRICT NUMBER: 2
CHANGE ORDER NO.: 9

TO (Contractor):	DOCUMENT NO.	R2014-0150
MWH Constructors, Inc,	CONTRACT DATE:	February 4, 2014
100 S. Dixie Highway	NOTICE TO PROCEED:	March 3, 2014
Suite 300		
West Palm Beach, FL 33401	BUDGET LINE ITEM:	4011-721-W002-6541

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

Increase the Substantial Completion and Final Completion date by 105 calendar days.

No change in Contract amount.

NOT VALID UNTIL SIGNED BY BOTH OWNER AND ENGINEER. SIGNATURE OF THE CONTRACTOR INDICATES HIS CONTRACT 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	<u>\$13,896,000.00</u>
Net Change by previous Change Orders	<u>\$714,606.82</u>
The Contract Sum prior to this Change Order was	<u>\$14,610,606.82</u>
The Contract Sum will be increased by this Change Order	<u>\$0.00</u>
The New Contract Sum indicating this Change Order will be.....	<u>\$14,610,606.82</u>
The Contract Time will be increased by One Hundred Five (105) days	<u>105 Days</u>
The Date of Substantial Completion including this Change Order:	<u>October 12, 2016</u>
The Date of Final Completion including this Change Order:	<u>December 11, 2016</u>

Water Treatment Plant No. 2 Filter Replacement

Project No. WUD 12-066

District Number: 2

Contract No. R2014-0150

Change Order No. 9

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.

Palm Beach County Water
Utilities Department

PROJECT MANAGER

P.O. Box 16097

West Palm Beach, FL 33416

Address



Signature

Vincent M. Riccobono, P.E.

8-18-16

DATE

MWH Constructors, Inc.

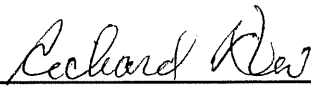
CONTRACTOR

100 S. Dixie Highway

Suite 300

West Palm Beach FL 33401

Address



Signature

Richard Dei

Project Director

8/18/16

DATE

Palm Beach County

Board of County Commissioners

OWNER

301 N. Olive Avenue

West Palm Beach, FL 33401

Signature

Mary Lou Berger, Mayor

DATE

JCS

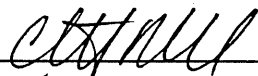
Carollo Engineers

PROJECT MANAGER

9897 Lake Worth Road, Ste. 302

Lake Worth, FL 33467

Address



Signature

Christopher Reinbold, P.E.

8/18/16

DATE

Approved as to Form and Legal Sufficiency

By:

County Attorney

Attest: Sharon R. Bock, Clerk and Comptroller

BY:

Deputy Clerk

(EXCLUDING OWNER
INITIATED ITEMS)

Change Order No. 9 Summary and Categorization

WUD Project No. 12-066: Water Treatment Plant No. 2 Filter Replacement

Contract No. R2014-0150

C.O.	C.O.	Scope of Work	Additions	(Deletions)	Net Change
#	Code				
9	O	Time extension of 105 calendar days only - Contractor was delayed in the start up, testing and placing of several pieces of equipment into service due to operational concerns of plant staff in light of system demands. There were delays to the contractor in being able to make plant shutdowns and obtaining the water supply needed to perform testing. In addition after work was completed the Health Dept.then needed review time to review record documents and make a site visit before granting permission to place the system into operation.	\$0.00		\$0.00
Total			\$0.00		\$0.00

CHANGE ORDER CATEGORIZATION CODE

0 Owner Initiated

CHANGE ORDER ADDITIONS/DELETIONS SUMMARY

PROJECT:	Water Treatment Plant No. 2 Filter Replacement	APPROVAL LIMITS:						
CONTRACTOR:	MWH Constructors, Inc.	DEPARTMENT HEAD		CONTRACT REVIEW COMMITTEE		DEPARTMENT HEAD PLUS CONTRACT REVIEW COMMITTEE		
PROJECT NO.:	WUD 12-066							
RESOLUTION NO.:	R2014-0150	(Amount)	(Days)	(Amount)	(Days)	(Amount)	(Days)	
DATE APPROVED:	February 4, 2014	INDIVIDUAL C.O.	\$50,000.00	30 Days	\$100,000.00	90 Days	\$100,000.00	N/A
CONTRACT AMOUNT:	\$13,896,000.00	CUMMULATIVE C.O.	\$100,000.00	30 Days	\$200,000.00	120 Days	\$200,000.00	N/A

C.O. #	DATE APPROVED	NET CHANGE	DEPARTMENT HEAD		CONTRACT REVIEW COMMITTEE		TOTAL DEPT. HEAD & CONTRACT REVIEW COMM.		BOARD OF COUNTY COMMISSIONERS		TOTALS
			(ADDS PLUS DEDUCTS) AMOUNT	DAYS	(ADDS PLUS DEDUCTS) AMOUNT	DAYS	(ADDS PLUS DEDUCTS) AMOUNT	DAYS	(ADDS PLUS DEDUCTS) AMOUNT	DAYS	
01	04-07-15	\$282,612.05	\$0	0	\$0	0	\$0	0	\$282,612.05	45	\$282,612.05
02	08-18-15	\$175,669.30	\$0	0	\$0	0	\$0	0	\$175,669.30	75	\$175,669.30
03	12-15-15	\$77,120.12	\$0	0	\$0	0	\$0	0	\$77,120.12	45	\$77,120.12
04	1-12-16	\$9,961.48	\$9,961.48	20	\$0	0	\$9,961.48	20	\$0	0	\$9,961.48
05	2-3-16	\$18,993.85	\$0	0	\$18,993.85	40	\$18,993.85	40	\$0	0	\$18,993.85
06	4-5-16	\$119,543.99	\$0	0	\$0	0	\$0	0	\$119,543.99	90	\$119,543.99
07	6-27-16	\$0	\$0	25	\$0	0	\$0	25	\$0	0	\$0
08	7-13-16	\$30,706.03	\$0	0	\$30,706.03	29	\$30,706.03	29	\$0	0	\$30,706.03
09		\$0	0	0	\$0	0	\$0	0	\$0	105	\$0
		\$714,606.82	\$9,961.48	45	\$49,699.88	69	\$59,661.36	114	\$654,945.46	360	\$714,606.82

Notes:
1. Net Change reflects the net amount of additions plus deductions.
2. Adds plus Deducts reflects the net value of unrelated changes for use in determining the approval authority for the Change Order.
3. Liquidated Damages = \$ 2,000 (Prior to Substantial Completion) and = \$ 1,000 (After Substantial Completion).

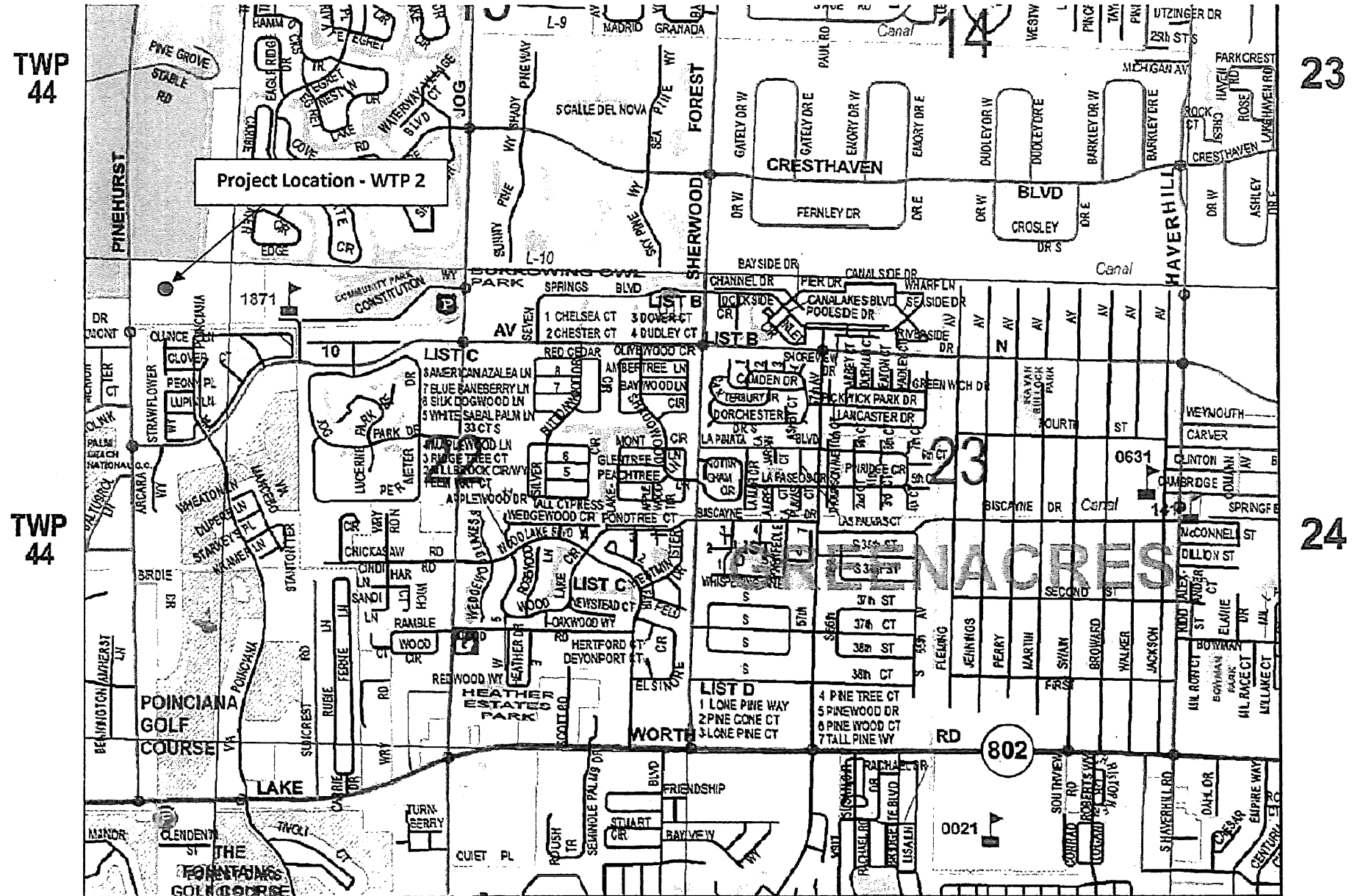
PARTICIPATION BY M/WBE SUBCONTRACTORS

Name, Address and Phone Number of SBE / MWBE	Type of Work To Be Performed	Subcontract Amount			
		Black	Hispanic	Women	Other (Please Specify)
NONE		<u> </u>	<u> </u>	<u> </u>	<u>\$0.00</u>
Totals		<u>\$ 0.00</u>	<u>\$0.00</u>	<u>\$ 0.00</u>	<u>\$0.00</u>

Original Contract Amount	\$13,896,000.00	Original Participation	\$2,478,000.00	Percent Participation	17.83%
Current Contract Amount	\$14,579,900.79	Current Participation	2,528,598.94	Percent Participation	17.34%
Adjusted Contract Amount	\$14,610,606.82	Adjusted Participation	\$2,528,598.94	Adjusted Percent Participation	17.30%

M/WBE

WTP 2
Location Map





MWH®

CONSTRUCTORS

August 25, 2016

Palm Beach County, Water Utilities
8100 Forest Hill Blvd.
West Palm Beach, FL 33416

Attn: Vincent M. Riccobono, P.E.

Re: WTP No. 2 Filter Replacement, MWHC Job No. 30500465

Dear Mr. Riccobono:

We respectfully request a Contract Time Adjustment of 105 calendar days for Substantial and Final Completion. This request is made pursuant to SECTION 01324A, Article 1.8, paragraph A.2, Excusable Delays.

Our efforts to achieve Substantial and Final completion were hindered due to operational considerations at WTP 2, specifically the lack of availability of an adequate water supply to perform filter backwashing and checkout, and due to the greater than anticipated time required to obtain partial system clearances from the health department.

Our revised request is predicated upon a longer than expected time to fully integrate operation of the new filter facility into WTP 2 operations.

We understand that this request is a significant increase, but believe that it:

- Provides adequate time for PBCWUD to fully integrate the new filters into its operations; and
- Provides an appropriate time period to complete demolition and final construction activities.

Upon your favorable consideration of this request, the revised Substantial Completion Date would be October 12, 2016 and the Final Completion date would be December 11, 2016.

Sincerely,

Mario Gimma Jr.
Assistant Project Manager

370 Interlocken Boulevard
Suite 300
Broomfield, CO 80021

TEL 954 846 0401
FAX 954 846 0424
www.mwhglobal.com