

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date:	March 14, 2017	Consent <input checked="" type="checkbox"/>	Regular <input type="checkbox"/>
		Public Hearing <input type="checkbox"/>	
Department:	Water Utilities Department		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: executed Agreements received during the month of November and December 2016, as well as January 2017.

- A) Standard Potable Water and Wastewater Development Agreement with Divosta Homes, L.P., #02-01146-001 (District 6) (OR BK 28708 PG 0967-975);
- B) Potable Water and Wastewater Development Agreement with Off Lease Only Inc., #01-01249-000 (District 2) (OR BK 28744 PG 1383-1394); and
- C) Change Order No. 3 for Water Treatment Plant No. 9 Emergency Generator Replacement with TLD Diversified, Inc. (District 5).

Summary: In accordance with County PPM CW-0-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Water Utilities Department (WUD) in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. (MJ)


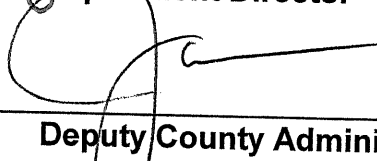
Background and Justification: Water Utilities Department's Uniform Policies and Procedures require Standard Development Agreements to obtain concurrency for water and/or wastewater service. The terms and conditions for Standard Development Agreements are outlined in the WUD Uniform Policies and Procedures Manual. The BCC delegated the authority to execute various types of Standard Development Agreements, and related documents including Standard Indemnity Agreements to the Department Director including potable water and wastewater agreements (R93-1619); reclaimed water agreements (R96-0228); and additional conditions for potable water, wastewater, and reclaimed water agreements (R2003-0539).

The Agreements have been executed on behalf of the BCC by the Director of WUD in accordance with the authority delegated by the BCC, and are now being submitted to the BCC to receive and file.

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Attachments:

- 1. Change Order No. 3

Recommended By:	 Department Director	1-23-17 Date
Approved By:	 Deputy County Administrator	2-2-17 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	<u>\$36,750</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>(\$14,407)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<u>\$22,343</u>	<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>

a

Budget Account No.: Fund 4011 Dept. 721 Unit W005 Object 6541

Is Item Included in Current Budget? Yes No

Reporting Category N/A

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

Mandatory Agreement Payment (MAP) has been paid in full and service installation fees will be collected at the time of connection.

C. Department Fiscal Review: *Sulra m vriet*

III. REVIEW COMMENTS

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

[Signature]
OFMB *Jan 1/3/17*

[Signature]
Contract Development and Control *1/3/17*

B. Legal Sufficiency:

[Signature] *2/1/17*
Assistant County Attorney

C. Other Department Review:

Department Director

Continued from Page 1

A) Standard Potable Water and Wastewater Development Agreement with Divosta Homes, L.P., #02-01146-001. The Agreement authorizes the Property Owner located south of Lake Worth Road, west of the Florida Turnpike to reserve 728 Equivalent Residential Connections (ERC's) for both water and wastewater for five (5) years. (District 6)

B) Potable Water and Wastewater Development Agreement with Off Lease Only Inc., #01-01249-000. The Agreement authorizes the property owner located on the east side of Congress Avenue, across from Riddle Road to reserve 26.3 ERC's for both water and wastewater for five (5) years. (District 2)

C) Change Order No. 3 for Water Treatment Plant No. 9 Emergency Generator Replacement with TLD Diversified, Inc. Change Order No. 3 provides for the utilization of a temporary generator at the project site for an additional one and one-half months. The extended use of the generator was necessary due to extension of the project schedule. No additional time is needed under the contract to finalize the project. The additional amount required exceeds the authorized limit under PPM #CW-F-050. Pursuant to the terms of the PPM, the item that causes the limitation to be reached shall be filed with the BCC as a Receive and File item. (District 5)

CHANGE ORDER

PROJECT: Water Treatment Plant No. 9 Emergency Generator Replacement
WATER UTILITIES DEPARTMENT PROJECT NO. WUD 14-025
DISTRICT NUMBER: 5
CHANGE ORDER NO.: 3

TO (Contractor):
TLC Diversified, Inc.
2719 17th Street East
Palmetto, FL 34221

DOCUMENT NO.
CONTRACT DATE:
NOTICE TO PROCEED:
BUDGET LINE ITEM:

R2015-0716
June 2, 2015
July 27, 2015
4011-721-W005-6541

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

- 1. Increase contract Line Item 2 (Temporary Generator) by One and One-Half (1-1/2) months @ \$24,500 per month. The fuel lines are now connected to the WUD diesel tanks and the price has been discounted \$1,500 per month. \$36,750.00

Total: \$36,750.00

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>\$1,596,777.00</u>
Net Change by previous Change Orders	<u>\$81,989.82</u>
The Contract Sum prior to this Change Order was	<u>\$1,678,766.82</u>
The Contract Sum will be increased by this Change Order	<u>\$36,750.00</u>
The New Contract Sum including this Change Order will be.....	<u>\$1,715,516.82</u>
The Contract Time will be increased by zero (0) days	<u>0 Days</u>
The Date of Substantial Completion including this Change Order:	<u>November 21, 2016</u>
The Date of Final Completion including this Change Order:	<u>January 20, 2017</u>

**Water Treatment Plant No. 9
Emergency Generator Replacement
Project No. WUD 14-025
District Numbers: 5
Contract No. R2015-0716
Change Order No.3**

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

TLC Diversified, Inc.
Project Manager

Palm Beach County
Water Utilities Department
Director

ENGINEER

CONTRACTOR

OWNER

8100 Forest Hill Blvd.

2719 17th Street East

8100 Forest Hill Blvd.

West Palm Beach, FL 33413

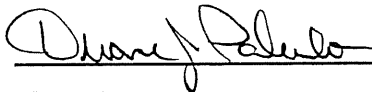
Palmetto, FL 34221

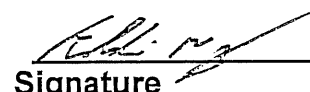
West Palm Beach, FL 33413

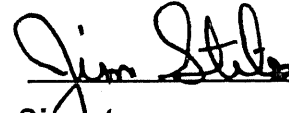
Address

Address

Address







Signature
Duane J. Palumbo, P.E.

Signature
Eddie Ney,
Project Manager

Signature
Jim Stiles, Director

1/4/2017

1-4-17

1-19-17

DATE

DATE

DATE

Change Order No. 3 Summary and Categorization

WUD Project No. 14-025: WTP No. 9 Emergency Generator Replacement

Contract No. R2015-0716

C.O. #	C.O. Code	Scope of Work	Additions	(Deletions)	Net Change
3.1	O	The temporary generator is required for 1-1/2 additional months. The fuel lines are now connected to the WUD diesel tanks so the price is discounted by \$1,500 per month.	\$36,750.00		\$36,750.00
					\$0.00
		Total	\$36,750.00	\$0.00	\$36,750.00

CHANGE ORDER CATEGORIZATION CODE

O OWNER INITIATED

S DIFFERING SITE CONDITIONS

Z ZONING/CODE/ORDINANCE CHANGES

E ERRORS/OMISSIONS/IN DESIGN

Q QUANTITY OVERRUNS/UNDER-RUNS

A REQUEST BY ANOTHER AGENCY

R REIMBURSABLE

N NON-REIMBURSABLE

SCHEDULE 1

PARTICIPATION BY M/WBE SUBCONTRACTORS

PROJECT NAME: Water Treatment Plant No. 9 Emergency Generator Replacement PROJECT NO.: WUD 14-025
 NAME OF PRIME CONTRACTOR: TLC Diversified, Inc. CHANGE ORDER NO. 3
 CONTACT PERSON: Mr. Dalas Lamberson PHONE NO: (561) 478-2025 FAX NO. (561) 478-7159
 BID DATE: February 11, 2015 DEPARTMENT: Water Utilities

Name, Address and Phone Number of SBE / MWBE	Type of Work To Be Performed	Subcontract Amount			
		Black	Hispanic	Women	Other (Please Specify)
1. _____	_____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____	_____
4. _____	_____	_____	_____	_____	_____
5. _____	_____	_____	_____	_____	_____
6. _____	_____	_____	_____	_____	_____
7. _____	_____	_____	_____	_____	_____
8. _____	_____	_____	_____	_____	_____
Totals		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

Original Contract Amount \$1,596,777.00 Original Participation \$240,450.00 Percent Participation 15.05%
 Adjusted Contract Amount \$1,715,516.82 Adjusted Participation \$248,163.00 Adjusted Percent Participation 14.47%

M/WBE

CHANGE ORDER ADDITIONS/DELETIONS SUMMARY

PROJECT:	Water Treatment Plant No. 9 Emergency Generator Replacement	<u>APPROVAL LIMITS:</u>						
CONTRACTOR:	TLC Diversified, Inc.	DEPARTMENT HEAD		CONTRACT REVIEW COMMITTEE		DEPARTMENT HEAD PLUS CONTRACT REVIEW COMMITTEE		
PROJECT NO.:	WUD 14-025							
RESOLUTION NO.:	R2015-0716	(Amount)	(Days)	(Amount)	(Days)	(Amount)	(Days)	
DATE APPROVED:	June 2, 2015	INDIVIDUAL C.O.	\$50,000.00	30 Days	\$100,000.00	90 Days	\$100,000.00	N/A
CONTRACT AMOUNT:	\$1,596,777.00	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	10/18/2016		\$14,569.70	28	0.00	0	\$14,569.70	28	0.00	0	\$14,569.70
02	11/23/2016				\$67,420.12	30	\$67,420.12	30			\$67,420.12
03	Pending		\$36,750.00	0			\$36,750.00	0			\$36,750.00
TOTAL		\$ 0.00	\$36,750.00	28	\$67,420.12	0	\$118,739.82	58	\$ 0.00	0	\$118,739.82

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 = \$ 1,000 (Prior to Substantial Completion) and = \$ 500 (After Substantial Completion).

