

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

Meeting Date: November 21, 2017

☒ **Consent**

☐ **Regular**

☐ **Workshop**

☐ **Public Hearing**

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve Change Order No. 9 to the contract with The Weitz Company, LLC (R-2012-1001) decreasing the Guaranteed Maximum Price (GMP) for the Library Annex project in the amount of \$144,193.07.

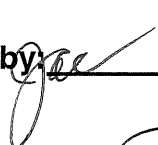
Summary: On February 4, 2014, the Board approved Amendment No. 3 to the contract (R-2012-1001) with The Weitz Company, LLC in the amount of \$4,311,056 for construction management services to construct a new 29,000 sq. ft. library annex. There is \$144,193.07 remaining in the contingency as a result of buyout savings, unused allowances, and unused contractor contingency. The project was funded through 30.5M GO 03 Library District Improvement Fund, 22.3M GO 06 Library District Improvement Fund, Library Expansion Program Fund and the Library Impact Fees Fund. All savings will be returned to the Library Expansion Program Fund. Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. The cumulative final SBE participation for this contract is 19.9%. The Weitz Company, LLC is a Palm Beach County business. **(Capital Improvements) CountyWide/District 7 (LDC)**

Background and Justification: On February 4, 2014, the Board approved Amendment No. 3 to the contract with The Weitz Company, LLC in the amount of \$4,311,056 for construction management services to construct a new 29,000 sq. ft. library annex with public parking, loading dock and site utilities. This project is now complete and the balance of the unused construction contingency, a credit of \$144,193.07 is being returned to the County.

Attachments:

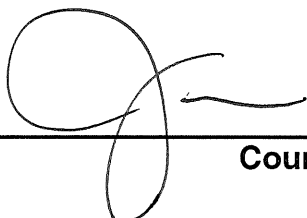
1. Location Map
2. Budget Availability Statement
3. Change Order No. 9

Recommended by:

 **Army Wilf**
Department Director

10/30/17
Date

Approved by:

 **County Administrator**

11/14/17
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

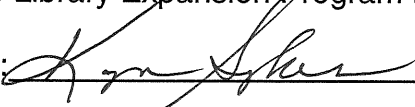
Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	(\$144,193)	0	0	0	0
Operating Costs		0	0	0	0
External Revenues		0	0	0	0
Program Income (County)		0	0	0	0
In-Kind Match (County)					
NET FISCAL IMPACT	(\$144,193.)				
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes X No
Does this item include the use of federal funds? Yes No X

Budget Account No: Fund 3751 Dept 321 Unit L066 Object 6502

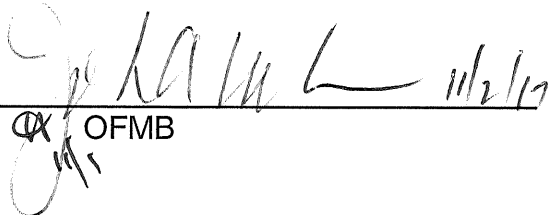
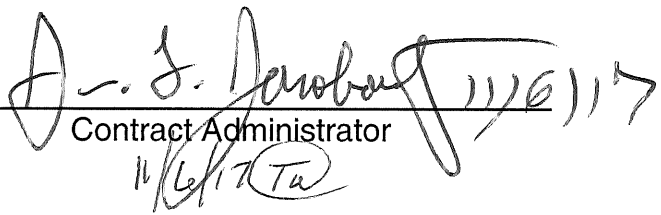
B. Recommended Sources of Funds/Summary of Fiscal Impact:

Funds are being returned to the Library Expansion Program Fund.

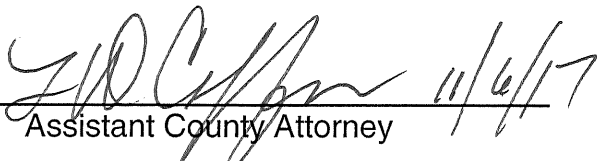
C. Departmental Fiscal Review: 

III. REVIEW COMMENTS:

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

 11/2/17
OFMB
 11/6/17
Contract Administrator
11/6/17 Ta

B. Legal Sufficiency:

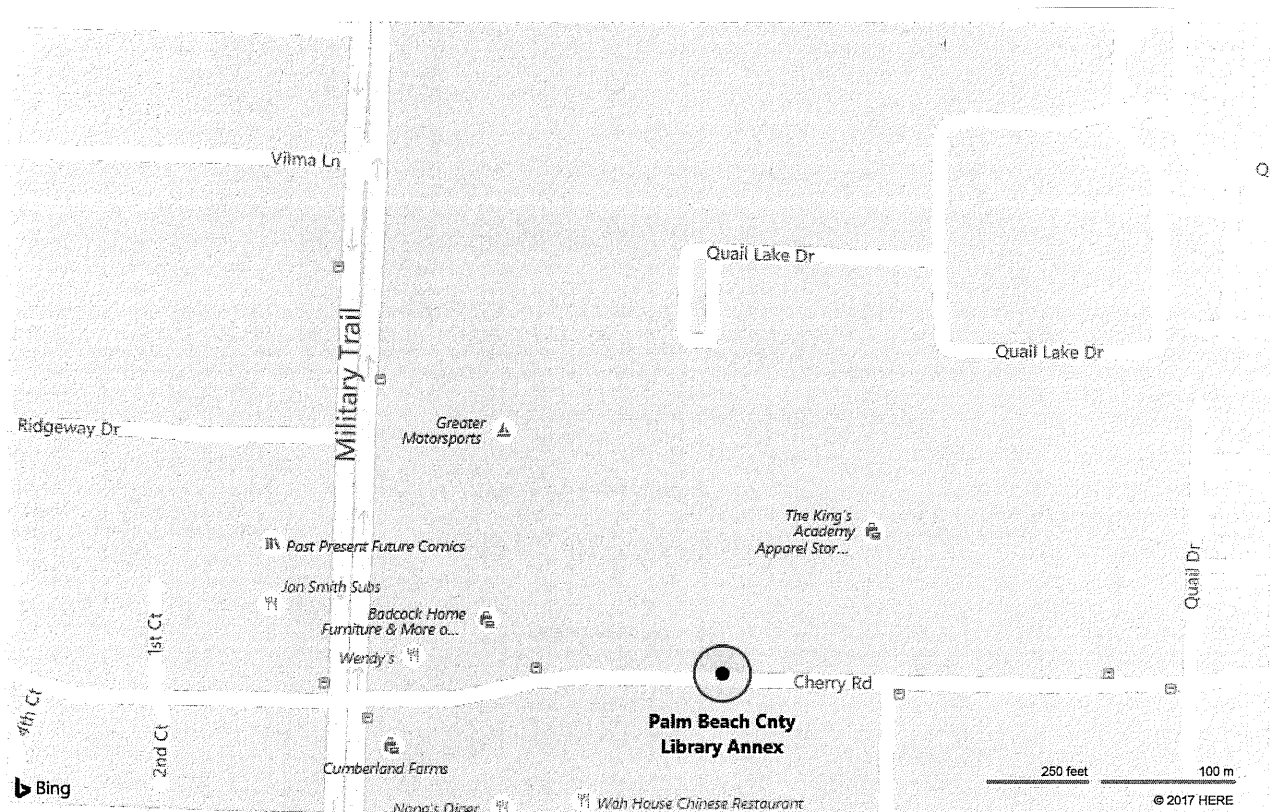
 11/6/17
Assistant County Attorney

C. Other Department Review:


Department Director

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

LOCATION MAP



BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 10/06/17 REQUESTED BY: Mike McPherson PHONE: 233-0278

PROJECT TITLE: Library Annex
(Same as CIP or IST, if applicable)

ORIGINAL CONTRACT AMOUNT: \$4,311,056 (Amendment #3) IST PLANNING NO.:

REQUESTED AMOUNT: (\$144,193.07) BCC RESOLUTION#: R2014-0139
DATE: 02/04/14

CSA or CHANGE ORDER NUMBER: Change Order #9

LOCATION: BUILDING NUMBER:

DESCRIPTION OF WORK/SERVICE LOCATION:

PROJECT/W.O. NUMBER: 13201

CONSULTANT/CONTRACTOR: The Weitz Company

PROVIDE A BRIEF STATEMENT OF THE SCOPE OF SERVICES TO BE PROVIDED BY THE CONSULTANT/CONTRACTOR:

1. CCP #48: Return of unused contingency to PBC.....(\$144,193.07)

Table with 2 columns: Item, Amount. Rows include CONSTRUCTION (\$144,193.07), PROFESSIONAL SERVICES \$, STAFF COSTS*, EQUIP. / SUPPLIES \$, CONTINGENCY \$, and TOTAL (\$144,193.07).

* By signing this BAS your department agrees to these CID staff charges and your account will be charged upon receipt of this BAS by FD&O. Unless there is a change in the scope of work, no additional staff charges will be billed. If this BAS is for construction costs of \$250,000 or greater, staff charges will be billed as actual and reconciled at the end of the project. If the project requires Facilities Management or ESS staff your department will be billed actual hours worked upon project completion.

BUDGET ACCOUNT NUMBER(S) (Specify distribution if more than one and order in which funds are to be used):

FUND: 3751 DEPT: 321 UNIT: L066 OBJ: 650 2

IDENTIFY FUNDING SOURCE FOR EACH ACCOUNT: (check and provide detail for all that apply)

- Ad Valorem (Amount \$) Infrastructure Sales Tax (Amount \$)
- State (source/type: Amount \$) Federal (source/type: Amount \$)
- Grant (source/type: Amount \$) Impact Fees: (Amount \$)
- Other (source/type: Amount \$)

Department: Library

BAS APPROVED BY: Alicia Larrow DATE 10/24/17

ENCUMBRANCE NUMBER:

CHANGE ORDER BRIEF
LIBRARY ANNEX
PROJECT NO. 13201
October 4, 2017

Prime Contractor..... The Weitz Company

Change Order No..... 9

Change Order Amount(\$144,193.07)

Changed Contract Time..... 0 calendar days

Description of CCP's:

\

1. CCP #048: Return of unused contingency funds.....(\$144,193.07)

Description and Reason-for-Change Code:

1. CCP #048: (X) Return of unused contingency funds reconciled from project close out.

Reason-for-change codes:

D = Differing Site Conditions
E = Errors/Omissions in Design
O = Owner-Initiated
Q = Quantity Adjustments

R = Request by another Agency/Outside Party
X = Other (Specify: Sales Tax Recovery)
Z = Zoning/Code/Ordinance Change

Estimated premium value of errors/omissions for this change order: \$0.00

SUBMITTED:

Mike McPherson, P.M. 10/25/17
Mike McPherson, Project Manager Date
Capital Improvements Division

00

CHANGE ORDER HISTORY
LIBRARY ANNEX
PROJECT #13201

CO #	Description	Date Approved	Sales Tax Recovery	Amount Approved by Director	Amount Approved by CRC	Amount Approved by BCC	Days Approved by Director	Days Approved by CRC	Days Approved by BCC	\$ SBE
1	CCP #1 Roof Joists & Deck CCP #2 Storm Drainage Materials CCP #3 Water & Sewer Pipe CCP #4 HVAC CCP #5 Rebar CCP #6 Concrete	5/5/2014	-\$435,419.49							
2	CCP #8 Fire Sprinkler Piping	8/12/2014	-\$19,050.14							
3	CCP #10 - Framing, Insulation & Sheetrock	9/13/2014	-\$33,920.00							\$ (33,920.00)
4	CCP #7R1, 8 & 11 - Reduce construction contingency by \$11,195.60) (CUD #1)	10/15/2014		\$0.00						\$ 1,140.00
5	CCP #12 Misc. Electric, CCP #13 Lighting and CCP #14 Asphalt	10/15/2014	-\$185,367.66							\$ (128,356.62)
6	CCP #18 - VCT Flooring	11/13/2014		\$9,888.00						\$ 16,400.40
7	CCP #15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26R1, 27, 28, 29, 30, 31, 32, 33R1, 34, 35, 36 & 44 - Reduce construction contingency by \$64,769.62	6/14/2015		\$0.00			5			\$ 30,818.81
8	CCP #37, 38, 39, 40, 41, 42 & 46.	Pending		\$41,865.65			0			\$ -
9	CCP #48	Pending				-\$144,193.07			0	
		Totals	-\$673,757.29	\$51,753.65	\$0.00	-\$144,193.07	5	0	0	\$ (113,917.41)
				DIR + CRC DOLLARS TO DATE			DIR + CRC TOTAL DAYS TO DATE			
				\$51,753.65			5			

ORIGINAL CONTRACT PRICE	\$4,311,056.00
TASK ORDER #1	\$16,650.00
PREVIOUS SALES TAX CHANGE	
ORDERS 1 - 3, 5	-\$673,757.29
PREVIOUS CHANGE ORDER (4,6 - 8)	\$51,753.65
THIS CHANGE ORDER (9)	-\$144,193.07
ADJUSTED CONTRACT PRICE	\$3,561,509.29

PALM BEACH COUNTY

CHANGE ORDER

ISSUED TO: The Weitz Company
1720 Centrepark Drive East
West Palm Beach, Florida

CHANGE ORDER NO.: 9
REFERENCE CCP NO.: 48

PROJECT: Library Annex

RESOLUTION NO.: R2014-0139 (R2012-1001)

PROJECT NO. 13201

DISTRICT NO.: 7

The completion date, contract price, and all terms, covenants, and conditions of the above referenced contract, except as duly modified by this and previous Change Orders, if any, shall remain in full force and effect.

DESCRIPTION OF CHANGE:

1. CCP #48: Return of unused contingency to PBC.....(\$144,193.07)

CONTRACT PRICE

Original Contract Price :	\$4,311,056.00
Task Order 1:	\$16,650.00
Previous Sales Tax CO #1 -3 & 5:	(\$673,757.29)
Previous CO #4, 6 - 8	\$51,753.65
This Change Order No. 9 :	(\$144,193.07)
ADJUSTED Contract Price:	\$3,561,509.29

COMPLETION DATE

Contract Completion Date will be increased by 0 calendar days
Contract Notice to Proceed Date: March 17, 2014
Contract Substantial Completion Date: January 12, 2015
ADJUSTED Substantial Completion Date: N/A

CONTRACTOR

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 modifications(s), and including any claim that the above stated modification(s) constitutes, in whole or part, a cardinal change to the contract.
The above changes are accepted:

The Weitz Company
Contractor

By: Dennis Gallagher
Print Name: Dennis Gallagher
Title: Exec. V.P. Date: 10-17-17

DESIGN PROFESSIONAL

The above changes are recommended for approval by the Owner:

Leo A. Daly
Design Professional
By: [Signature]
Print Name: MICHAEL PODERBAUM
Title: P.P.I. Date: 10-17-17

PALM BEACH COUNTY
Recommended By:

By: Mike McPherson
Title: Project Manager Date: 12/25/17
By: John Chesher
Title: Director - CID Date: 10/27/17
By: Army Wulf
Title: Director, FD&O Date: 10/27/17
By: [Signature]
Legal Sufficiency - CAO Date: 11/6/17
Approved By:
By: _____
Title: Mayor, BCC Date: _____

PALM BEACH COUNTY
FACILITIES DEVELOPMENT & OPERATIONS DEPARTMENT
CONTINGENCY USE DIRECTIVE

Project No: 13201

Project Name: Library Annex

Original Contingency Amount		\$116,273.00
CUD #1	(Change Order No. 4) CCP #7R1 unsuitable fill, CCP #9 Irrigation modifications & CCP 11 roll up door modification	(\$11,195.60)
CUD #2	(Change Order No. 7) CCP #15 door bells for front entry & receiving CCP #16 Relocation existing power & data CCP 17 additional roof build up CCP #19 power and data for additional office equipment CCP #20 install primary and secondary FPL to revised location CCP #21 credit for deletion of card access from mechanical room CCP #22 change floor covering from VCT to carpet CCP #23 Provide for comments by PZB review and differing site conditions CCP #24 Remove existing tree and mitigate with 4 small species of like kind CCP #25 New hollow metal door frame for Rm. 154 CCP #26R1 Audio video system CCP #27 Irrigation at two parking lot islands CCP #28 Prune existing trees CCP #29 Revised roadway striping CCP #30 Additional power and data CCP #31 Relocate existing water line CCP #32 Install traffic domes along delivery driveway CCP 33R1 Chain link fence at maintenance storage area & vertical braces for all fenced areas CCP #34 Install wall protection and corner guards CCP #35 Provide a rated door with vision lite CCP #36 Reimbursement for permit fees CCP #44 Credit for deletion of CM fees	(\$64,769.62)
CUD #3	Return remaining project savings to contingency	\$103,885.29
	Balance of Contingency	\$144,193.07

SCHEDULE 1

LIST OF PROPOSED SBE-M/WBE PARTICIPATION
CHANGE ORDER WORK


PROJECT NAME: Library Annex PROJECT NO. : 13201
NAME OF PRIME: The Weitz Company CONTACT PERSON: Randy Shurr

THIS DOCUMENT IS TO BE COMPLETED BY THE PRIME CONTRACTOR AND SUBMITTED WITH THE CCP. PLEASE LIST THE NAME, CONTACT INFORMATION AND DOLLAR AMOUNT 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 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 WORKFORCE.

		(Check one or both Categories)			DOLLAR AMOUNT OR PERCENTAGE OF WORK				
Name, Address and Phone Number		M/WBE	SBE	SBE	Black	Hispanic	Women	Caucasian	Other (Please Specify)
1	Zaharion's Flooring 1338 South Killian Drive, Suite 11 Lake Park, FL 33403 Phone: 561-848-0454		X						
2	K&S Interiors 2000 Avenue P, Ste 15 Riviera Beach, FL 33404 Phone: 561-848-5300		X						
3	Grid-One Electrical Construction, Inc. 390 US Hwy 27 North South Bay, FL 33493 Phone: 561-996-4488	X	X						
4	A Cut Above Landscaping & Maintenance, Inc. 1686 D Road Loxahatchee, FL 33470 Phone: 561-795-1995		X						
5	Palm Beach Glass Specialties 1717 Edgar Street West Palm Beach, FL 33401 Phone: 561-655-3344		X						
(Please use additional sheets if necessary)			Total		\$ -	\$ -	\$ -	\$ -	\$ -

Total CCP #48 Price: \$ (144,193.07) Total SBE Participation Dollar Amount: \$ -

I hereby certify that the above information accurate to the best of my knowledge:

 PM.
Signature Title
Doug Strathie

Note:
1 The amounts listed on this form for a SBE-M/WBE prime or subcontractor must be supported by prices or percentages 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 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

This document must be completed by ALL SBE-M/WBE’s and submitted with your proposal. 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’s is certified to perform. Failure to properly complete Schedule 2 will result in your SBE participation not being counted.

PROJECT NUMBER: 13201 PROJECT NAME: Library Annex

TO: The Weitz Company, LLC

(Name of Prime Consultant)

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:

The undersigned is prepared to perform the following described work in connection with the above project. Additional Sheets May Be Used As Necessary

Item Description	Qty/Units	Unit Price	Total Price/ Percentage

at the following price or percentage N/A

(SBE Prime or Subconsultant’s Quote)

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

If undersigned intends to sub-subcontract any portion of this job to a certified SBE-M/WBE or a non-SBE Subconsultant, please list the name of that Subconsultant and the amount below.

Price or Percentage N/A

(Name of Subconsultant)

The Prime affirms that it will monitor the SBE-M/WBE listed to ensure the SBE-M/WBE perform the work with their own work force. The undersigned SBE-M/WBE Prime or SBE-M/WBE Subconsultant affirms that it has the resources necessary to perform the work listed without subcontracting to a non-certified SBE or any other certified SBE Subconsultants except as noted above.

The undersigned Subconsultant understands that the provision of this form to Prime Consultant does not prevent Subconsultant from providing quotations to others.

Print name of
SBE-M/WBE Company

By: (Signature)

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

Revised 7/2/2013 Date: