

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

<b>Meeting Date:</b>	December 19, 2017	<b>Consent [X]</b>	<b>Regular [ ]</b>
		<b>Public Hearing [ ]</b>	
<b>Department:</b>	Water Utilities Department		

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to receive and file: executed Agreements received during the month of August 2017.

- A) Standard Potable Water and Wastewater Development Agreement with D.R. Horton, Inc., #01-01242-001 (District 2), Recorded in OR BK 29337 PG 0383.
- B) Standard Potable Water and Wastewater Development Agreement with Willie H. Day and Frankie J. Day, #11-01016-000 (District 6), Recorded in OR BK 29132 PG 0188-0196.
- C) Change Order No. 3 for the Contract for Water Treatment Plant #3 and #9 Wellfield Improvements (WUD Project No. 15-035) with Florida Design Drilling Corporation (District 6).

**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).


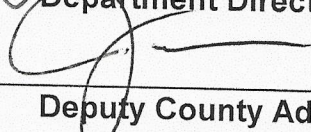
**Background and Justification:** WUD's Uniform Policies and Procedures require Standard Development Agreements to obtain concurrency for water and/or wastewater service. The terms and conditions for Standard Development Agreements are outlined in the WUD Uniform Policies and Procedures Manual. The BCC 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.

**Continued on Page 3**

**Attachments:**

1. Two (2) Change Order No. 3 for the WTP #3 and #9 Wellfield Improvements

Recommended By:	 Department Director	11-21-17 Date	
Approved By:	 Deputy County Administrator	12/11/17 Date	



## II. FISCAL IMPACT ANALYSIS

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	<u>0</u>	<u>0</u>			
Operating Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>(\$664)</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>(\$664)</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>

Budget Account No.: Fund 4011 Dept. 721 Unit W004 Object 6541

REV. 4000

720

4200

6992

Is Item Included in Current Budget?

Yes

No

x

Does this item include the use of Federal Funds?

Yes

No

**x**

Reporting Category N/A

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

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

**C. Department Fiscal Review:**


### III. REVIEW COMMENTS

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

*Lisa Ponz* 11/27/17  
OFMB *Jan 11/27*

*[Signature]* 12/7/17  
Contract Development and Control  
12/7/17 *[Signature]*

**B. Legal Sufficiency:**

 12/8/17  
Assistant County Attorney

**C. Other Department Review:**

Department Director



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

**Continued from Page 1**

A) Standard Potable Water and Wastewater Development Agreement with D.R. Horton, Inc., #01-01242-001 (District 2). The Agreement authorizes the Property Owner located 0.25 miles south of Ranchette Road and Summit Blvd. intersection, 41.00 Equivalent Residential Connections (ERC's) for both water and wastewater for five (5) years.

B) Standard Potable Water and Wastewater Development Agreement with Willie H. Day and Frankie J. Day, #11-01016-000 (District 6). The Agreement authorizes the Property Owner located at the SW corner of Okeechobee Boulevard and Folsom Road, 29.00 ERC's for both water and wastewater for five (5) years.

C) On September 13, 2016, the Board of County Commissioners approved the Contract for WTP 3 and 9 Wellfield Improvements with Florida Design Drilling Corporation (R2016-1163). Change Order No. 1 was approved by the Director of WUD on September 28, 2017 in the amount of \$47,764.00 and provided for a 30-day time extension. Change Order No. 2 was approved by the Contract Review Committee on September 20, 2017 and provided for a 59-day time extension with no cost increases. Change Order No. 3 was approved by the Contract Review Committee on October 18, 2017 and provides for an extension of the Contract by 38-days to offset the time delays due to other work that impacted the ability of the water treatment plant to release a production well to the contractor. The cumulative time extension including Change Orders 1 to 3 is 127 days. County PPM CW-F-050 requires Board notification when the cumulative limit of one hundred twenty (120) days has been reached to reset the applicable time limit approvals.

Approved in CIP  
Date: 10/20/17 *mmw*

**WTP 3 AND 9 WELLFIELD IMPROVEMENTS**  
**WATER UTILITIES DEPARTMENT PROJECT NO. WUD 15-035**  
**CHANGE ORDER NO. 3**

**Contractor:**  
**Florida Design Drilling Corporation**  
**7733 Hooper Road**  
**West Palm Beach, FL 33411**

**CONTRACT NO. R2016-1163**  
**CONTRACT DATE: 9/13/2016**  
**NOTICE TO PROCEED: 10/3/2016**  
**BUDGET LINE ITEM: 4011-721-W004-6541**

**DISTRICT NUMBER 5**

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

- |     |  |        |
|-----|--|--------|
| 1.1 | Extend the contract time by 14 days for delays related to restrictions in the number of wells that could be released to the Contractor due to another contractor (WUD 14-098) that was performing work on adjacent well 9W-22.                     | \$0.00 |
|     |  |        |
| 1.2 | Extend the contract time by 14 days for delays related to communication issues related to another contract (WUD 14-098) that delayed FDD from starting work at subsequent wells because well 9W-24 was not available to the water treatment plant. |        |
|     |  |        |
| 1.3 | Extend the contract time by 10 days for delays related to conflicts with coordination with another contractor that delayed FDD from starting work at subsequent wells because well 9W-25 was not available to the water treatment plant.           |        |

<b>Total</b>	<b>\$0.00</b>
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**NOT VALID UNTIL SIGNED BY BOTH OWNER AND ENGINEER. 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:	<b>\$1,890,000.00</b>
Net change by previous Change Orders:	<b>\$47,764.00</b>
The Contract Sum prior to this Change Order was:	<b>\$1,937,764.00</b>
The Contract Sum will <b>increase</b> by this Change Order:	<b>\$0.00</b>
The new Contract Sum including this Change Order will be:	<b>\$1,937,764.00</b>
The Contract time will be increased by:	<b>38 Days</b>
The Date of Substantial Completion including this Change Order:	<b><u>January 3, 2018</u></b>
The Date of Final Completion including this Change Order:	<b><u>February 2, 2018</u></b>

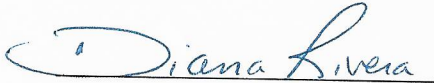
**EXECUTION OF THIS CHANGE ORDER ACKNOWLEDGES FINAL SETTLEMENT OF, AND RELEASES, ALL CLAIMS FOR COSTS AND TIME ASSOCIATED, DIRECTLY OR INDIRECTLY, WITH THE ABOVE-STATED MODIFICATION(S) INCLUDING ALL CLAIMS FOR CUMULATIVE DELAYS OR DISRUPTIONS RESULTING FROM, CAUSED BY, OR INCIDENT TO SUCH MODIFICATIONS AND INCLUDING ANY CLAIM THAT THE ABOVE STATED MODIFICATION(S) CONSTITUTES IN WHOLE OR PART, A CARDINAL CHANGE TO THE CONTRACT.**



**WTP 3 AND 9 WELLFIELD IMPROVEMENTS  
WATER UTILITIES DEPARTMENT PROJECT NO. WUD 15-035  
CHANGE ORDER NO. 3**

Palm Beach County Water  
Utilities Department  
**ENGINEER**

8100 Forest Hill Blvd.  
West Palm Beach, FL 33413  
**Address**



**Signature**  
Diana Rivera, P.E.  
WUD Plant Design

9/27/17  
**DATE**

Florida Design Drilling  
Corporation  
**CONTRACTOR**

7733 Hooper Road  
West Palm Beach, FL 33411  
**Address**



**Signature**  
Dan Ringdahl,  
President

9/25/17  
**DATE**

Palm Beach County Contract  
Review Committee  
**OWNER**

301 N. Olive Avenue  
West Palm Beach, FL 33401  
**Address**



**Signature**  
Irwin Jacobowitz  
Director, Contract  
Development and Control

10/18/17  
**DATE**

APPROVED BY THE CONTRACT REVIEW COMMITTEE  
JWC 9/27/17



WTP 3 and 9 WELLFIELD IMPROVEMENTS  
WATER UTILITIES DEPARTMENT PROJECT NO. WUD 15-035  
CHANGE ORDER NO. 3  
Change Order Summary and Categorization

C.O. #	C.O. Code	Scope of Work	Additions	(Deletions)	Net Change
3.1	O	Time delay (38 days) due to coordination issues with other contractors at the site.	\$0.00		\$0.00
		Total	\$0.00	\$0.00	\$0.00

CHANGE ORDER CATEGORIZATION CODE

☒ OWNER INITIATED  
☐ DIFFERING SITE CONDITIONS  
☐ ZONING/CODE/ORDINANCE CHANGES  
☐ ERRORS/OMISSIONS/IN DESIGN

\_\_\_\_ QUANTITY OVERRUNS/UNDER-  
 \_\_\_\_ REQUEST BY ANOTHER AGENCY  
 \_\_\_\_ REIMBURSABLE  
 \_\_\_\_ NON-REIMBURSABLE



WTP 3 AND 9 WELLFIELD IMPROVEMENTS  
WATER UTILITIES DEPARTMENT PROJECT NO. WUD 15-035  
CHANGE ORDER NO. 3  
SCHEDULE 1

PARTICIPATION OF SBE/MWBE CONTRACTORS

PROJECT NAME: WTP 3 and 9 Wellfield Improvements PROJECT NO. WUD 15-035  
NAME OF PRIME CONTRACTOR: Florida Design Drilling Corp CHANGE ORDER NO. 3  
CONTACT PERSON: Dan Ringdahl, Vice President PHONE NO: 561-324-3885 FAX NO: 561-844-2967  
CONTRACT DATE: September 13, 2016 DEPARTMENT: Water Utilities

Name, Address and Phone Number of M/WBE		Type of Work To Be Performed	Contract Amount			
			Black	Hispanic	Women	Other(Please Specify)
*****						
1.	Florida Design Drilling Corporation 7733 Hooper Road West Palm Beach, FL 33411		\$ ____	\$ ____	\$ ____	\$ 0.00
2.			\$ ____	\$ ____	\$ ____	\$ 0
3.			\$ ____	\$ ____	\$ ____	\$ 0
4.			\$ ____	\$ ____	\$ ____	\$ 0
5.			\$ ____	\$ ____	\$ ____	\$ 0
TOTALS			\$ 0	\$ 0	\$ 0	\$ 0.00

PRIME CONTRACTOR TO COMPLETE:

ORIGINAL CONTRACT PRICE: \$1,890,000.00 ORIGINAL PARTICIPATION: \$1,826,000.00 % PARTICIPATION: 96.61%  
ADJUSTED CONTRACT PRICE: \$1,937,764.00 ADJUSTED PARTICIPATION: \$1,873,764.00 % PARTICIPATION: 95.69%



CHANGE ORDER ADDITIONS/DELETIONS SUMMARY

PROJECT:	WTP 3 and 9 Wellfield Improvements	APPROVAL LIMITS:							
CONTRACTOR:	Florida Design Drilling Corp 7733 Hooper Road West Palm Beach, Florida 33118	DEPARTMENT HEAD		CONTRACT REVIEW COMMITTEE		DEPARTMENT HEAD PLUS CONTRACT REVIEW COMMITTEE			
PROJECT NO.:	WUD 15-035								
RESOLUTION NO.:	R2016-1163	(Amount)	(Days)	(Amount)	(Days)	(Amount)	(Days)		
DATE APPROVED:	September 13, 2016	INDIVIDUAL C.O.	\$50,000.00	30 Days	\$100,000.00	90 Days	\$100,000.00	90	
CONTRACT AMOUNT:	\$1,890,000.00	CUMMULATIVE C.O.	\$100,000.00	30 Days	\$200,000.00	90 Days	\$250,000.00	120	

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	
1	5/31/17	\$47,764.00	\$47,764.00	30	\$0.00	0	\$47,764.00	00	\$0.00	0	\$47,764.00
2	9/20/17	\$0.00	\$0.00	0	\$0.00	59	\$47,764.00	89	\$0.00	0	\$47,764.00
3	Pending	\$0.00	\$0.00	0	\$0.00	38	\$47,764.00	0	\$0.00	0	\$47,764.00
4											
5											
6											
7											
8											
9											
10											
11											
TOTAL		\$47,764.00	\$47,764.00	30	\$0.00	97	\$47,764.00	89	\$0.00	0	\$47,764.00

- 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 = \$500.00 and = \$500.00 (After Substantial Completion).



**WTP 3 AND 9 WELLFIELD IMPROVEMENTS  
WATER UTILITIES DEPARTMENT PROJECT NO. WUD 15-035  
CHANGE ORDER NO. 3**

**SCOPE OF WORK**

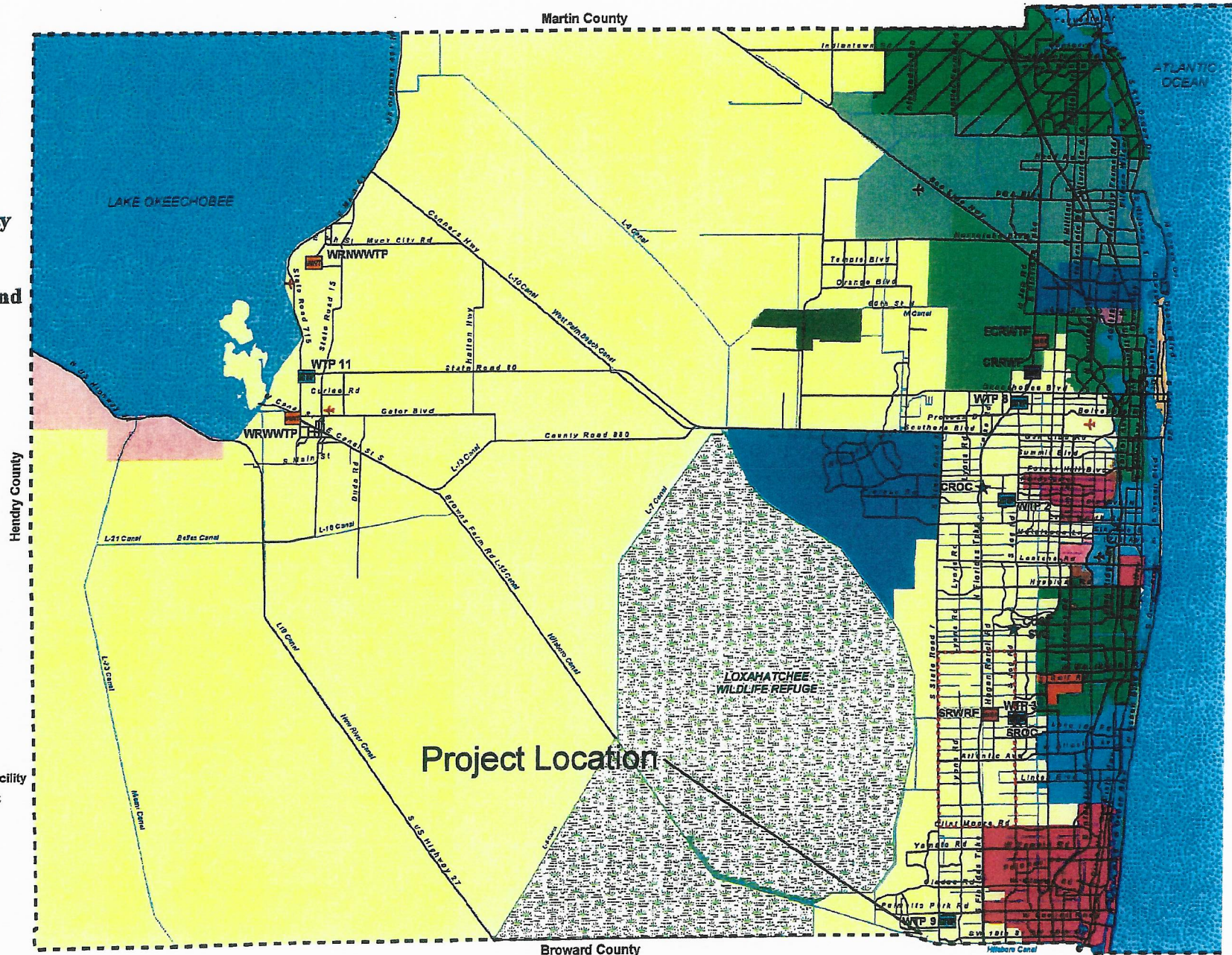
1. Time delay (38 days) due to coordination issues with other contractors on site.





Palm Beach County  
Water Utilities  
Department  
Service Area (SA) and  
Major Facilities

- Legend
- ★ Administration
  - Water Treatment Plant
  - Reclamation Facility
  - Wastewater Reclamation Facility
  - Wastewater Treatment Plant
  - Mandatory Reclaimed SA
  - Palm Beach County Limits
  - P.B.C.W.U.D. Service Area







August 29, 2017

To: Diana Rivera, P.E. / PMP  
Palm Beach County Water Utilities Department  
8100 Forest Hill Blvd.  
West Palm Beach, Florida 33413  
Office (561) 818-1673

Project: PBCWUD WTP 3 and 9 Well Rehab 15-035

Subject: Request for Time Extension #2

Ms. Rivera,

Florida Design Drilling Corporation (FDD) is requesting a 38-day time extension to this contract due to time delays incurred as a result of work being performed by another electrical contractor at well 9W-22, a communication issue at 9W-24 and the System 9 water treatment plant (WTP) and work being performed simultaneously by another well contractor at 9W-25.

In review of work complete; FDD has reached the following milestones at System 9:

- Well 18 – All well reconstruction and mechanical work complete. In bacteriological clearance process.
- Well 20 – Work beginning currently.
- Well 21 – Planned to begin after well 18 and/or 23 are cleared.
- Well 22 – All well reconstruction and mechanical work complete. Well online, ready for punch list walk through.
- Well 23 – All well reconstruction and mechanical work complete. In bacteriological clearance process.
- Well 24 – All well reconstruction and mechanical work complete. Well online, ready for final walk through.

**FDD incurred the following time delays during this project:**

- **System 9:**
  - Other electrical contractor at 9W-22 – After FDD completed all well rehabilitation and mechanical work at 9W-22, well clearance was the next step. FDD was asked by PBCWUD to allow another contractor to complete electrical work in order to facilitate that contractor to complete its (separate) contract before FDD began the well clearance



process. The work by the other contractor was to take 1-2 days. The work and subsequent return of the well to FDD to continue work took 14 calendar days.

- Communication Issues at 9W-24 – In late April, 2017 after FDD was completed with 9W-24 rehabilitation and well clearance; the WTP was ready to begin using the well. An antenna issue unrelated to FDD work prevented the WTP from communicating with this well and therefore delayed FDD from starting work at subsequent wells because 9W-24 was not available to the WTP. This communication issue required at least 14 calendar days to resolve. FDD began work at 9W-23 on 5/16/2017.
- Other well contractor at 9W-25 – During the outset of the project FDD began work at well 9W-24 on November 8, 2016. It was FDD's understanding that PBC would allow work on two wells at a time per Section 01010, 1.03 D. Within approximately one week after FDD mobilized 9W-24 in mid-November 2016 another well contractor mobilized well 9W-25 and by November 21, 2016 was performing similar well construction / rehabilitation work that FDD performed at 9W-24. In the first time extension request FDD indicated this work by another contractor started December 1, 2016, however the work actually started approximately two weeks earlier, on November 21, 2016. This was additional limited time to only one System 9 well. During this time FDD had crew and equipment available to perform work at the other 9W wells under the 15-035 contract. FDD estimates this delay from November, 21 to December 1, 2016 to be 10 days.

System 9 currently remains critical path, FDD is requesting this time extension based on the specific delays described above at 9W-22, 9W-24 and 9W-25.

As previously discussed, FDD unconditionally understands the necessity of PBCWUD continuing WTP operations at all times. FDD will continue to make every effort to allow that by adjusting our crews and equipment to accommodate.

In response FDD is kindly requesting a time extension of 38 calendar days to the contract to relieve the delays we have incurred due to work by others as described above.

Please do not hesitate to contact me should you have any questions.

Sincerely,



Jeffrey Holst  
Vice President  
Florida Design Drilling Corp.



INTEROFFICE COMMUNICATION  
PALM BEACH COUNTY

BUDGET AVAILABILITY STATEMENT  
CHANGE ORDERS AND CONSULTANT SERVICES AUTHORIZATION

DATE: October 06, 2017

TO: Irwin L. Jacobowitz, Director  
Contract Development and Control

FROM: Guy Eggertsson, Fiscal Manager I  
Finance and Administration  
Water Utilities Department

*[Signature]*

RE: Water Treatment Plant No. 3 & Water Treatment Plant No. 9 Wellfield Improvements  
Florida Design Drilling Corporation  
WUD Project No. 15-035

Change Order No. 3

**FISCAL IMPACT ANALYSIS:**

Five Year Summary of Fiscal Impact:

	2018	2019	2020	2021	2022
Capital Expenditures	\$0.00				
Operating Costs					
Days	38				

Is Item included in current budget? Yes ☒ No ☐

Budget Account Number:

Fund	Department	Unit	Object	Program	Period	Allocation
4011	721	W004	6541			\$0.00

Recommended Sources of Funds/Summary of Fiscal Impact:

WUD User Fees.

d\_rpt\_bas\_contract