

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

<b>Meeting Date:</b>	August 14, 2018	<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 March and April 2018.

- A) Standard Potable Water and Wastewater Development Agreement with SFD Lyons, LLC, SDA #09-01080-001 (District 5), Recorded in OR BK 29754 PG 1857.
- B) Standard Potable Water and Wastewater Development Agreement with Cobblestone Plaza at Boynton, LLC, SDA #05-01117-000 (District 5), Recorded in OR BK 29718 PG 0506.
- C) Standard Potable Water and Wastewater Development Agreement with Kennedy Homes, LLC, SDA# 01-01248-000 (District 2), Recorded in OR BK 29718 PG 0496.
- D) Standard Potable Water and Wastewater Development Agreement with Azola West Palm Beach, LP, SDA# 01-01253-000 (District 2), Recorded in OR BK 29800 PG 0663.
- E) Standard Potable Water and Wastewater Development Agreement with G.L. Homes of Boca Raton Associates V, LTD., SDA# 09-01085-000 (District 5), Recorded in OR BK 29800 PG 0684.
- F) Change Order No. 6 for the Water Treatment Plant No. 8 Anion Exchange System (WUD Project No. 13-022) with R. J. Sullivan Corp.

**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. One (1) Change Order #6 for the WTP #8 Anion Exchange System

Recommended By:	 Department Director	8-6-18 Date	
Approved By:	 Assistant County Administrator	8/9/18 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>	<u>0</u>	<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>(\$137,296)</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>(\$137,296)</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 4000 Dept. 720 Unit 4200 Object 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:

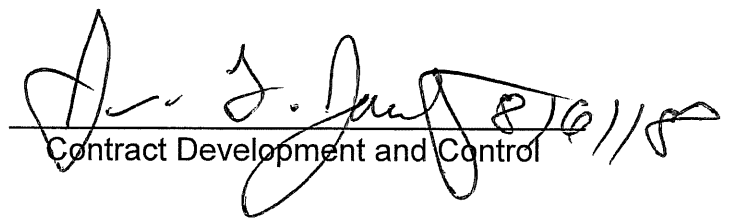
Mandatory Agreement Payment has been paid in full and service installation fees will be collected at the time of connection.

C. Department Fiscal Review: \_\_\_\_\_

## III. REVIEW COMMENTS

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

 7/23/18  
OFMB 7/23/18

 8/6/18  
Contract Development and Control

### B. Legal Sufficiency:

 8/7/18  
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 SFD Lyons, LLC, #09-01080-001 (District 5). The Agreement authorizes the Property Owner located at Southeast corner of Atlantic Avenue and Lyons Road, 58.00 Equivalent Residential Connections (ERC's) for both water and wastewater for five (5) years.
- B) Standard Potable Water and Wastewater Development Agreement with Cobblestone Plaza at Boynton, LLC, and Springs Equity, LTD, as Tenants in Common, SDA #05-01117-000 (District 5). The Agreement authorizes the Property Owner located in the Northeast Corner of Boynton Beach Boulevard and Lyons Road, 147.80 Equivalent Residential Connections (ERC's) for both water and wastewater for five (5) years.
- C) Standard Potable Water and Wastewater Development Agreement with Kennedy Homes, LLC, #01-01248-000 (District 2). The Agreement authorizes the Property Owner located 1000' South of intersection of Summit Boulevard and Ranchette Road, 45.50 Equivalent Residential Connections (ERC's) for both water and wastewater for five (5) years.
- D) Standard Potable Water and Wastewater Development Agreement with Azola West Palm Beach, LP, SDA# 01-01253-000 (District 2). The Agreement authorizes the Property Owner located at Okeechobee Boulevard and Benoist Farms Road, 132.60 Equivalent Residential Connections (ERC's) for both water and wastewater for five (5) years.
- E) Standard Potable Water and Wastewater Development Agreement with G.L. Homes of Boca Raton Associates V, LTD., SDA# 09-01085-000 (District 5). The Agreement authorizes the Property Owner located at Coral Ridge Drive, South of Kimberly Boulevard, 53.30 Potable Water and 46.00 Wastewater Equivalent Residential Connections (ERC's) for (5) years.
- F) Change Order No. 6 for the Water Treatment Plant No. 8 Anion Exchange System (WUD Project No. 13-022) with R. J. Sullivan Corp. On March 22, 2016, the Board of County Commissioners approved the Contract for the WTP No. 8 Anion Exchange System with R.J. Sullivan Corp. (R2016-0372). Change Order No. 3 was approved by the Contract Review Committee on November 8, 2017 in the amount of \$78,706.00 and provided for a 7-day time extension. Change Order No. 4 was approved by the Contract Review Committee on January 24, 2018 in the amount of \$22,200.00 and provided for a 30-day time extension. Change Order No. 6 was approved by the Contract Review Committee on May 31, 2018 and provided for a 90-Day time extension to the Final Completion Only. The cumulative time extension including Change Orders 3, 4 and 6 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.

CHANGE ORDER NO. 6  
Palm Beach County Water Utilities Department  
Resolution No. R2016-0372 Contract Dated March 22, 2016

Project Title: Water Treatment Plant No. 8 Anion Exchange System  
WUD Project No. 13-022  
Contractor: R. J. Sullivan Corp.  
Address: 200 W. Camino Real, Suite M. Boca Raton, FL 33432  
Budget Line Item No. 4011- 721 - W001 - 6541  
District: 2  
Notice to Proceed: April 13, 2016

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

To provide additional time for response to requirements dictated by the Health Department to ensure 4-log approval. WUD has issued the work directive for the required equipment and anticipates issuing an additional change order to provide for installation.

Total: 90 Days

NOT VALID UNTIL SIGNED BY BOTH OWNER AND ENGINEER. SIGNATURE OF THE CONTRACTOR INDICATES THEIR 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.....	<u>\$12,185,000.00</u>
Net Change by previous Change Orders.....	<u>\$709,070.64</u>
The Contract Sum prior to this Change Order was.....	<u>\$12,894,070.64</u>
The Contract Sum will be <b>increased/decreased</b> by this Change Order .....	<u>\$0.00</u>
The New Contract Sum indicating this Change Order will be .....	<u>\$12,894,070.64</u>
The Contract Time will be <b>increased</b> by Ninety <u>(90)</u> days (Final Completion Only) .	<u>90 Days</u>
The Date of Substantial Completion including this Change Order:.....	<u>January 11, 2018</u>
The Date of Final Completion including this Change Order:.....	<u>August 29, 2018</u>

Revised 4-12-18

CHANGE ORDER NO. 6  
Palm Beach County Water Utilities Department  
Resolution No. R2016-0372 Contract Dated March 22, 2016

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.

R.J. Sullivan, Corp.

Globaltech, Inc.

Palm Beach County  
Board of County Commissioners  
**OWNER**

**CONTRACTOR**

**ENGINEER**

301 N. Olive Avenue

200 W. Camino Real,  
Suite. M  
Boca Raton, FL 33432

6001 Broken Sound Pkwy  
NW. Suite 610  
Boca Raton, FL 33487

West Palm Beach, FL 33401

**Address**

**Address**

**Address**

W.G. Pulsford

Tracy L. Ly-

Irwin L. Jacobowitz

**Signature**

**Title:** PROJECT MANAGER

**Signature**

**Title:** Project Manager

**Signature**

Irwin L. Jacobowitz, J. D.  
Director Contract  
Development & Control

5/25/18  
**Date**

5/25/18  
**Date**

5/30/18  
**Date**

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged  
before me this 25 day of MAY, 2018  
by W. G. PULSFORD as PM  
for R. J. SULLIVAN CORP.

APPROVED BY THE CONTRACT REVIEW COMMITTEE

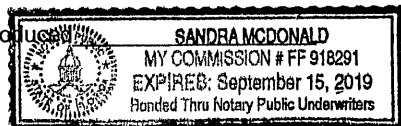
(Signature of Notary Public - State of Florida)

Sandra McDonald

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced



Revised 4-12-18

**CHANGE ORDER NO. 6**  
**Palm Beach County Water Utilities Department**  
**Resolution No. R2016-0372 Contract Dated March 22, 2016**

**LIST OF ATTACHMENTS**

<b>ATTACHMENT</b>	<b>A</b>	Change Order Summary and Categorization
<b>ATTACHMENT</b>	<b>B</b>	Change Order Additions/Deletions Summary
<b>ATTACHMENT</b>	<b>C</b>	SBE Schedule 1 and Schedule 2 (Not Applicable)
<b>ATTACHMENT</b>	<b>D</b>	Location Map
<b>ATTACHMENT</b>	<b>E</b>	Bond Rider (Not Applicable – Time Only)
<b>ATTACHMENT</b>	<b>F</b>	Supporting Documentation (Not Applicable)

Revised 4-12-18

**ATTACHMENT A**  
**CHANGE ORDER NO. 6 SUMMARY AND CATEGORIZATION**

Project Title: Water Treatment Plant No. 8 Anion Exchange

WUD Project No. 13-022

Resolution No. R2016-0372

Item	C.O.	Scope of Work	Additions	(Deletions)	Net Change	Time
#	Code					
6.0	O	Requirements by the Health Department to ensure 4-log approval	\$ 0.00	\$ -	\$ 0.00	90 Days to FC
			\$ -	\$ -	\$ -	
			\$ -	\$ -	\$ -	
			\$ -	\$ -	\$ -	
			\$ -	\$ -	\$ -	
			\$ -	\$ -	\$ -	
			\$ -	\$ -	\$ -	
			\$ -	\$ -	\$ -	
Total			\$ -	\$ -	\$ -	

## CHANGE ORDER CATEGORIZATION CODE

- |   |                               |
|---|-------------------------------|
| O | OWNER INITIATED               |
| D | DIFFERING SITE CONDITIONS     |
| E | ERRORS and OMISSIONS          |
| Z | ZONING/CODE/ORDINANCE CHANGES |
| Q | QUANTITY OVERRUNS/UNDERRUNS   |
| R | REQUEST BY ANOTHER AGENCY     |

Revised 4-12-18

## ATTACHMENT B

### CHANGE ORDER ADDITIONS/DELETIONS SUMMARY

PROJECT:	Water Treatment Plant No. 8 Anion Exchange	<u>APPROVAL LIMITS:</u>					
CONTRACTOR:	RJ. Sullivan Corp.	DEPARTMENT HEAD		CONTRACT REVIEW COMMITTEE		DEPARTMENT HEAD PLUS CONTRACT REVIEW COMMITTEE	
PROJECT NO.:	WUD 13-022						
RESOLUTION NO.:	R2016-0372		(Amount) (Days)	(Amount) (Days)	(Amount) (Days)	(Amount) (Days)	(Amount) (Days)
DATE APPROVED:	March 22, 2016	INDIVIDUAL C.O.	\$50,000.00 30 Days	\$100,000.00 90 Days	\$100,000.00 90 Days	\$100,000.00 N/A	
CONTRACT AMOUNT:	\$12,185,000.00	CUMMULATIVE C.O.	\$100,000.00 30 Days	\$200,000.00 120 Days	\$200,000.00 120 Days	\$200,000.00 N/A	

C.O. #	DATE APPROVED	NET CHANGE	DEPARTMENT HEAD (ADDS PLUS DEDUCTS)		CONTRACT REVIEW COMMITTEE (ADDS PLUS DEDUCTS)		TOTAL DEPT. HEAD & CONTRACT REVIEW COMM. (ADDS PLUS DEDUCTS)		BOARD OF COUNTY COMMISSIONERS (ADDS PLUS DEDUCTS)		TOTALS
			AMOUNT	DAYS	AMOUNT	DAYS	AMOUNT	DAYS	AMOUNT	DAYS	
01	3/4/17	\$111,894.64	\$0	0	0	0	\$0	0	\$111,894.64	61	\$111,894.64
02	5/2/17	\$197,155.00	\$0	0	0	0	\$0	0	\$197,155.00	35*	\$197,155.00
03	11/8/17	\$ 78,706.00	\$0	0	\$78,706.00	7	\$78,706.00	7	\$0	0	\$78,706.00
04	1/24/18	\$ 22,200.00	\$0	0	\$22,200.00	30	\$22,200.00	30	\$0	0	\$22,200.00
05	4/10/18	\$299,115.00	\$0	0	0	0	0	0	\$299,115.00	45*	\$299,115.00
06	5/30/18	\$0.00	\$0	0	0	90*	0	90*	0	0	0
<u>07</u>	<u>Pending</u>	<u>\$122,492.00</u>	<u>\$0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>\$122,492.00</u>	<u>60*</u>	<u>\$122,492.00</u>
TOTAL		\$831,562.64	\$0	0	\$100,906.00	127	\$100,906.00	127	\$730,656.64	61/140*	\$831,562.64

Notes:

1. Per PPM #CW-F-050, upon approval of C.O. in the cumulative amount of \$250,000 or 5% of Contract Amount (> \$5 million), Receive and File must be submitted to the Board of County Commissioners to reset the dollar amounts.
  2. Net Change reflects the net amount of additions plus deductions.
  3. Adds plus Deducts reflects the net value of unrelated changes for use in determining the approval authority for the Change Order.
- \*Days added to Final Completion Only



**ATTACHMENT D**  
**LOCATION MAP**

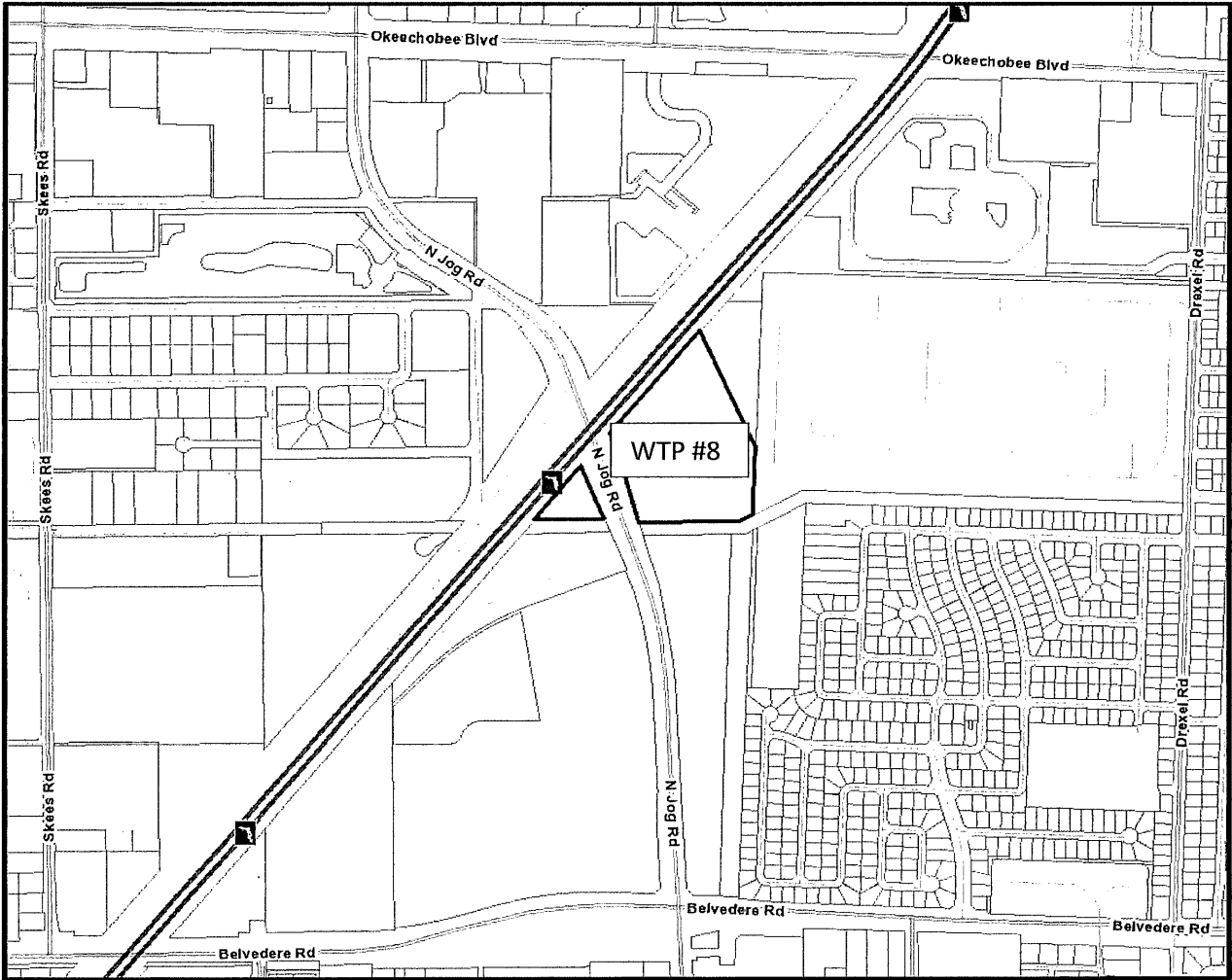
Revised 4-12-18

**ATTACHMENT D**

**Change Order No. 5  
Palm Beach County Water Utilities Department**

**WUD 13-022 Water Treatment Plant No. 8 Anion Exchange Project**

**LOCATION MAP**



1500 North Jog Road, West Palm Beach, FL 33417

# **rj Sullivan Corp.**

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GENERAL CONTRACTOR

May 16, 2017

Vince Riccobono, P.E.  
Palm Beach County Water Utilities Department  
8100 Forest Hill Boulevard  
West Palm Beach, FL 33413

Re: WUD 13-022 WTP #8 Anion Exchange System

Subject: Authorized Signature

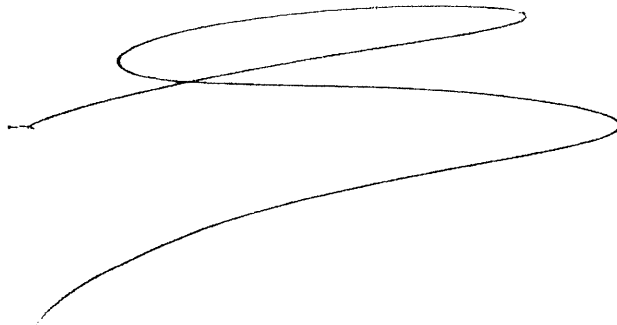
Dear Vince,

This letter serves as written authorization for William G. Pulsford, Project Manager, to sign pay requests and other contract instruments on behalf of R. J. Sullivan Corp. for the above referenced project.

Sincerely,



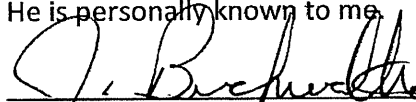
Casey R. Sullivan  
President  
R. J. Sullivan Corp.



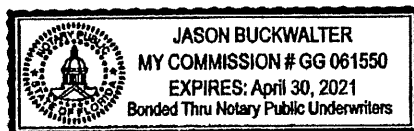
State of Florida  
County of Broward

Subscribed and affirmed before me on May 16, 2017 by Casey R. Sullivan

He is personally known to me.



Notary Public Signature and Seal



2001 N.W. 22nd Street • Pompano Beach, FL 33069  
Phone 954-975-0388 • Fax 954-975-3333

**INTEROFFICE COMMUNICATION  
PALM BEACH COUNTY**

**BUDGET AVAILABILITY STATEMENT  
CHANGE ORDERS, CONSULTANT SERVICES AUTHORIZATION AND  
WORK AUTHORIZATIONS**

**DATE:** May 29, 2018

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

**FROM:** Guy Eggertsson, Fiscal Manager 1  
Water Utilities Department

**RE:** Water Treatment Plant 8 Anion Exchange System  
R. J. Sullivan Corp.  
WUD Project Number: 13-022

Change Order No. 6

**FISCAL IMPACT ANALYSIS:**

Summary of Fiscal Impact:

	2018	2019	2020	2021	2022
Capital Expenditures	\$0.00				
Operating Costs					
Days	90				

Budget Account Number:

Fund	Department	Unit	Object	Amount
4011	721	W001	6541	\$0.00

**Funding Source:**

Water Utility Department user fees.

**Contract Review Committee**



**Change Order**



**Supplements**



**Final Payment**



**Work Authorization**



**CSA**

WUD Project #: 13-022

Name of Contract: Water Treatment Plant No. 8 Anion Exchange    Contract Approval Date: 3/22/2016

Contractor/Consultant: R. J. Sullivan, Corp.

CSA/WA #: \_\_\_\_\_

Supplement #: \_\_\_\_\_

Change Order #: 4

Notice To Proceed (NTP) Date: 4/13/2016

Contract Duration (Days): 540

Substantial Completion Date: 10/5/17

Final Completion Date: 12/4/17

Total Change Order Days Up to Date: 90 Days to Final Only

Current Substantial Completion Date: 1/11/2018

Current Final Completion Date: 5/31/2018, will become 8/29/18 after approval of CO #6

Contract Liquidated Damages:                      \$2,000                      Days: 90  
   \$1,000  
   Amount: \$90,000.00

Original SBE Participation Goal: 62.98 %                      Cumulative SBE Participation: 62.89 %

<u>Supplement # / Change #</u>	<u>Amount</u>	<u>Days</u>	<u>Approval Date</u>	<u>Approved By</u>
1.	\$111,894.64	61	03/04/2017	BCC
2.	\$197,155.00	35*	05/02/2017	BCC (* Time added to Final Only)
3.	\$78,706.00	7	11/08/2017	CRC
4.	\$22,200.00	30	1/24/18	CRC
5.	\$299,115.00	45*	4/10/2018	CRC(* Time added to Final Only)
6.	\$0.00	90*	Pending	CRC(* Time added to Final Only)