Agenda Item #: 3-C-9

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: D	ecember 20, 2022	{X} Consent	{ } Regular
		{ } Workshop	{ } Public Hearing
Department:	Engineering & P	ublic Works	
Submitted By:	Engineering & Pr		
Submitted For:	Construction Cod	ordination Division	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Change Order No. 2 to the contract with Rosso Site Development, Inc. (RSD) dated December 21, 2021 (R2021-1893) for a time extension of 76 days for Belvedere Heights Phase 2, Sidewalks and Pedestrian Lights (Project).

SUMMARY: Per PPM CW-F-050, the time extension in Change Order No. 2 exceeds staff approval, and requires approval by the Board of County Commissioners (BCC). Approval of Change Order No. 2 will allow a time extension of 76 days to RSD, pursuant to the Florida Department of Transportation Specification 8-7.3.2. The Palm Beach County Water Utilities Department (WUD) had an ongoing project that conflicted with the start of construction for this Project, and caused the 76 day delay. Because this Project is funded by a federal grant through the Florida Department of Transportation Local Agency Program, the Notice to Proceed had to occur on or before March 2, 2022, or lose funding; and the Equal Business Opportunity Ordinance is not applicable to the contract. <u>District 2</u> (YBH)

Background and Justification: Change Order No. 2 extends the contract time by 76 days due to delays caused by a timing conflict with an ongoing WUD project. After reviewing the attached documents and finding them in proper order, the Engineering Department recommends approval by the BCC.

Attachments:

- 1. Location Map
- 2. Change Order No. 2 with Exhibits A, B and C

Recommended by:	Squel Z Neil County Engineer	11/21/22 Date	
Approved by:	Lombo M. Neller Assistant County Administrator	/2/2/2022 /Date	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	-0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

Is Item Included in Current Budget?

Does this item include the use of federal funds?

Budget Account No:

Fund

Dept

Unit

Object

Change Order #2 Time Extension

**This Item has no fiscal impact. The time extension in this change order exceeds staff approval/authority, and requires the Board of the County Commissioners approval.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

Marta War lacin

MG W/21 OFMB 94 1/21

B. Approved as to Form and Legal Sufficiency:

Assistant County Attorney
Liz Helman
C. Other Department Review:

Department Director

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

2

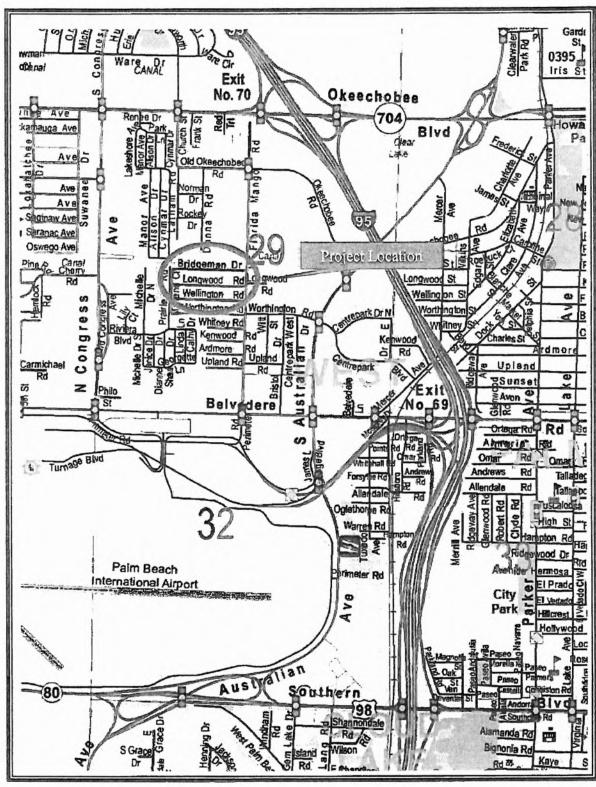
F:\ADM_SER\Fiscal\AgendaPage2\FY 2022.23.074.time extension.

PROJECT LOCATION

BELVEDERE HEIGHTS PHASE 2

PALM BEACH COUNTY PROJECT #2019024





LOCATION MAP



PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS ENGINEERING & PUBLIC WORKS DEPARTMENT P. O. BOX 21229, WEST PALM BEACH, FL 33416-1229

REQUEST: WORK ORDER NO.	REQUESTING DIVISION:	INFORMATION:	
NEW AUTHORIZATION	ROAD & BRIDGE	DATE 8/18/2022 REQUESTOR Zachary	Vina
CHANGE ORDER NO. 2	TRAFFIC ROADWAY PRODUCTION	COMMISSION DISTRIC	
SUPPLEMENTAL NO.	CONSTRUCTION COOR.	RESOLUTION NO: R20	
OTHER:	STREETSCAPE		721-1033
		PBC PO NUMBER:	
PROJECT LOCATION/LIMITS: Belvedere	Heights Phase 2, Sidewalks a	and Pedestrian Lights Fed	leralized
PROJECT NUMBER: 2019024		BUDGET LINE ITEM: 35	900-361-1944-001-8101
CONTRACT NO: N/A	The second second second	CONTRACT DATE: 12/2	1/21
CONTRACTOR/CONCULTANT/AUTOOR	Passa Sita Davidenzant Inc		20.4
CONTRACTOR/CONSULTANT/VENDOR: CONTACT: Blair Simpson		ACT PHONE NUMBER: 5	OR # : 61-689-0889
Details: Change Order 2 is to provide a			
being completed prior to issuing this pro			
Exhibit "A" - Change Order Details			
Exhibit "B" - Certificate of Insurance			
Exhibit "C" - Change Order History			
*			
The total amount of this request, per	the attached documentation	, is not to exceed \$ 0.00	
The Contractor's proposed Small Busine The Affirmative Procurement Initiative (A			
The estimated SBE participation/API for			
The cumulative SBE participation/API to	date for this Contract including	ig this request is N/A %	
The Minority/Women Owned Business I participation for this request is $\underline{\text{N/A}}$ %. request is $\underline{\text{N/A}}$ %.			
Palm Beach County Engineering and Pu		H41 504 694	1.4190
Albert W. Hoffman Name	Director, Construction Coord Title		ne Number
CONTRACTOR/CONSULTANT/VENDOR A Please indicate your receipt of this reque and returning this original document to	est by signing our office.	GINEER OF RECORD (н аррисавіе)
Signature	Date Sign	ature	Date
	Jake Jagin	ature	-
Print Name and Tipe	Prin	t Name and Title	
PALM BEACHIODUNTY APPROVALS) (BOA	ARD APPROVAL? YES	Date: December 20, 2022
All thomas 11	19/22		11/7/2022
Division Approval	Date	dget Approval	Date
Mich	. /	aget Approvai	Date
beauty, Kell 11/	16/2022		
Deputy County Engineer	Date PB	C Board of Co. Commission	oner Date
ATTEST: Joseph Abruzzo,	Ap	proved as to Form and	Legal
Clerk of the Circuit Court & Comptroller	Sú	fficiency:	
(Deputy Clark) Date		County	Attorney)

CHANGE ORDER

EXHIBIT" A" (Page 1 of 3)

Owner Initiated Differing Site Conditions Zoning/Code/Ordinance Changes	Quantity Overruns/Underruns Request By Another Agency/Outside Party:	
Errors/Omissions/In Design	A. Reimbursable B. Non-Reimbursable Other:	
PROJECT: Belvedere Heights Phase 2 TO: Rosso Site Developement, Inc	CHANGE ORDER NO: (2) Two COUNTY PROJECT NO: 2019024 CONTRACT DATE: 12/21/2021 RESOLUTION NO: R2021-1893 DISTRICT NO: 2	
You are directed to make the following changes in this Con	ntract:	
Per FDOT Specifications "8-7.3.2 Contract Time Extension PBCWUD Delay: 76 Days	ns"	
	:	
Contract Time Extension of 76 Days.		
The original Contract Sum was	\$ 1,085,519.24	
Net change by previous Change Orders	\$ 0.00	
The Contract Sum prior to this Change Order was .	\$ 1,085,519.24	
The Contract Sum will be unchanged by this Change Ord	er \$ 0.00	
The new Contract Sum including this Change Order will b		
The Contract Time will be increased by	(76) Days	
The Date of Completion including this Change Order there	fore is December 12, 2	022
EXECUTION OF THIS CHANGE ORDER ACKNOWLEDGES FINA AND TIME ASSOCIATED, DIRECTLY OR INDIRECTLY, WITH CLAIMS FOR CUMULATIVE DELAYS OR DISRUPTIONS IMPODIFICATION(S), AND INCLUDING ANY CLAIM THAT THE OR PART, A CARDINAL CHANGE TO THE CONTRACT.	I THE ABOVE-STATED MODIFICATION(S). INCLUDING RESULTING FROM, CAUSED BY, OR INCIDENT TO, S	ALL UCH
Rosso Site Development CONTRACTOR 1302 South J St Address Lake Worth FL 33460		
NAME: Blair Simpson		
SIGNATURE:		
TITLE: VP		
DATE: 11-4-22		

EXHIBIT A"(Page 2013)

Zachary King

From:

Jigar Shah <jshah@mehtaeng.com>

Sent:

Monday, May 23, 2022 1:27 PM

To:

Zachary King

Cc:

Sam Al-Turk; Sam Al-Turk; April Liles; Alexis Burrie; Lewis, James; DuPont, Leah; Dagaree

Bartels-Gremling; Donna Lewis; Sandra Ospina M.

Subject:

Belvedere Heights Phase II, Sidewalks and Pedestrian Lighting FM # 444367-1-58-01-

Time Extension Chang order#1

***** Note: This email was sent from a source external to Palm Beach County. Links or attachments should not be accessed unless expected from a trusted source. ******

Afternoon Zach,

Hope you had a great weekend!

As we all are aware that Rosso could not be able to begin work at Phase II due to continuation of WUD work from 03/02/2022 to 05/16/2022.

Rosso do qualify for the 76 days' time extension on top of 210 days of original time. Breakup for the days is shown below:

March: 03/02/22-03/31/22: 30 days April: 04/01/22-04/30/22: 30 days May: 05/01/22-05/16/22: 16 days Total Qualified Days: 76 days

Possibly, we can start working on the Zero-dollar, 76 days' time extension change order.

Please let me know should you need anything from my side.

Thank You,

Regards,

Jigar Shah Project Administrator Cell: 850-393-1122

Cell: 850-393-1122 Jshah@mehtaeng.com

Mehta and Associates, Inc. | Over 40 Years 140 Intercoastal Pointe Drive Jupiter, FL 33411 www.mehtaeng.com [mehtaeng.com]

MEHTA

From: Jigar Shah

Sent: Tuesday, March 1, 2022 12:51 PM

To: Blair Simpson <BSimpson@rossositedevelopment.com>

Cc: Julie Eimers < jeimers@rossositedevelopment.com>; Joe3@rossositedevelopment.com; Sandra Ospina M. < SOspina@pbcgov.org>; Kristine Frazell-Smith < Kfsmith@pbcgov.org>; hknight@pbcgov.org; Zachary King < ZKing@pbcgov.org>; Sam Al-Turk < aalturk@mehtaeng.com>; mrose@pbcgov.org; awhoffman@pbcgov.org; gmcausla@pbcgov.org; vsavietto@pbcgov.org; scarrier@pbcgov.org; April Liles < aliles@mehtaeng.com>; Daqaree Bartels-Gremling < DBartels@pbcgov.org>; jkeller@pbcgov.org; ijacobowitz@pbcgov.org; April Liles < aliles@mehtaeng.com>; Alexis Burrie < aburrie@aeengineeringinc.com>; Lewis, James < James.Lewis@dot.state.fl.us>;

DuPont, Leah <Leah.DuPont@dot.state.fl.us>; Donna Lewis <DLewis1@pbcgov.org>; Denise Darata (Page 3 of 3) <DDarata@pbcgov.org>

Subject: Belvedere Heights Phase II, Sidewalks and Pedestrian Lighting FM # 444367-1-58-01- Notice To Proceed Letter

SUBJECT:

Project: Belvedere Heights Phase 1, Sidewalks and Pedestrian Lights

Financial Project ID: 444367-1-58-01

Project No.:2019024

Dear Ms. Blair:

The enclosed executed copy of your contract (Resolution No. R2021 1893) approved by The Board of County Commissioners for construction of the above-named Project, together with this letter, will serve as your official "Notice to Proceed" as of 03/02/2022. Albert W. Hoffman, Director of the Construction Coordination Division, will be in charge of the work for the County.

Your continued cooperation in these matters is appreciated. Thank You,

Warm Regards,

Jigar Shah

Project Administrator
Mehta & Associates, Inc.
140 Intercoastal Pointe Drive
Jupiter, FL 33411
Cell: 850-393-1122

www.mehtaeng.com [mehtaeng.com]

MEHTA



CERTIFICATE OF LIABILITY INSURANCE

01/19/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER		CONTACT Holley Gardiner					
Brown & Brown of Florida, Inc.		PHONE (954) 776-2222 FAX (A/C, No): (954) 7	(954) 776-4446				
1201 W Cypress Creek Rd		E-MAIL ADDRESS: hgardiner@bbftlaud.com					
Suite 130		INSURER(S) AFFORDING COVERAGE	NAIC#				
Fort Lauderdale	FL 33309	INSURER A: The Travelers Indemnity Company					
INSURED		INSURER B: The Travelers Indemnity Company of Connecticut	25682				
Rosso Site Development Inc.		INSURER C: Bridgefield Casualty Insurance Company	10335				
1302 South J St		INSURER D: Travelers Property Casualty Company of America	25682				
		INSURER E:					
Lake Worth	FL 33460	INSURER F:					

CERTIFICATE NUMBER: CL2211896327

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	TYPE OF INSURANCE	INSD WV		POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMIT	s
	CLAIMS-MADE COCUR					EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000 \$ 300,000
						MED EXP (Any one person)	\$ 5,000
Α		YY	DTCO7P804611IND20	11/30/2021	11/30/2022	PERSONAL & ADV INJURY	\$ 1,000,000
	GEN'LAGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE	\$ 2,000,000
	POLICY X PRO- JECT LOC					PRODUCTS - COMP/OP AGG	\$ 2,000,000
	OTHER:						\$
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
	X ANY AUTO					BODILY INJURY (Per person)	\$
В	OWNED SCHEDULED AUTOS		810-7P837513	11/30/2021	11/30/2022	BODILY INJURY (Per accident)	\$
	HIRED NON-OWNED AUTOS ONLY					PROPERTY DAMAGE (Per accident)	\$
						Medical payments	\$ 2,000
	UMBRELLA LIAB OCCUR					EACH OCCURRENCE	\$
	EXCESS LIAB CLAIMS-MADE					AGGREGATE	\$
	DED RETENTION \$						s
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					➤ PER STATUTE OTH-	
0	ANY PROPRIETOR/PARTNER/EXECUTIVE	N/A	19647827	01/15/2022	01/15/2023	E.L. EACH ACCIDENT	\$ 1,000,000
0	Mandatory in NH)	N/A	1964/62/	01/15/2022	22 01/15/2025	E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
	Equipment Floater	Floring Control				Scheduled Equipment	\$1,335,334
Α	Equipment Floater		QT-660-6S731291-TIL-21	11/30/2021	11/30/2022	Leased,Borrowed,Rented	\$350,000
						Deductible	\$2,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Project Name: Belvedere Heights Phase II, Sidewalks & Pedestrian Lights

PBC Project #2019024; Project #01-21026
Palm Beach County Board of County Commissioners, a Political subdivision of the State of Florida, its officers, employees and agents are additiona insured with respect to General Liability if required by written contract. Waiver of subrogation applies in favor of the General Liability if required by written contract.

CERTIFICATE HOLDER		CANCELLATION			
Palm Beach County Engineering & Public Wo		SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.			
2300 N Jog Road		AUTHORIZED REPRESENTATIVE			
Third Floor - West Wing					
West Palm Beach	FL 33411	mille			

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ACORD 25 (2016/03)

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CHANGE ORDER HISTORY

PALM	BEACH COUNTY PROJE	ECT: Belvedere H	leights, Phase	2, Sidewalks &	Pedestrian Ligi	hts, Federalized, Project # 2019024			
			ENGINEER		MMITTEE	TOTAL DEPT. & C.R.C.		BOARD OF CO	
C.O. #	DATE APPROVED	AMOUNT	TIME	AMOUNT	TIME	AMOUNT	TIME	AMOUNT	TIME
1	8/5/2022	0.00	0						
2	Pending							0.00	76
	TOTAL	0.00	0	0.00	0	0.00	0	0.00	76
	CUMULATIVE TOTAL	0.00	0	0.00	0	0.00	0		
		SINGLE AMT. \$50,000.00		SINGLE AMT. \$100,000.00		MAXIMUM CUMULATIVE CO	MAX CUM CO		
	As of PPM CW-F-050			1 '	MAX. TIME	ENG. & C.R.C.	ENG. & C.R.C.		
]	Dated February 4, 2016	\$250,000.00 or		\$250,000.00 or	90 DAYS	\$250,000.00 or 5% of contract	120 DAYS		
		5% of contract		5% of contract					