

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	June 10, 2025	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing
Department:	Engineering & Public Works		
Submitted By:	Engineering & Public Works		
Submitted For:	Construction Coordination Division		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: Change Order No. 12 to the contract (Contract) dated September 14, 2021 (R2021-1196) with R&D Paving, LLC (RDP) for a retroactive Contract time extension of 75 days to the PGA Boulevard and Military Trail Intersection Improvements (Project).

SUMMARY: In accordance with PPM CW-F-050, when the time extensions to a project totals or exceeds the 180 days threshold of the original contract completion date, an agenda item notifying the Board of County Commissioners (BCC) must be presented as a receive and file. Change Order No. 12 was approved by the Contract Review Committee on February 5, 2025, for a retroactive Contract time extension of 75 days, and is pursuant to Specifications 8-6.4 and 8-7.3.2 of the Contract providing a contract time extension for holidays and weather. To date the cumulative value of time extensions, including Change Order No. 12, is 446 calendar days. The Contract in the amount of \$1,259,514.17 for 300 days from the notice to proceed was approved on September 14, 2021 by the BCC. Previous change orders totaling \$385,965.41 bring the total Contract amount to \$1,645,479.58. With the retroactive time extension associated with this Change Order, the new revised completion date is November 27, 2023. This item is related to 3C3 on this same agenda that will further revise the Project's completion date to April 25, 2024, which is also the date that construction was substantially completed.


This Contract was presented to the Goal Setting Committee on January 15, 2020, and the Committee established an Affirmative Procurement Initiative (API) of a 10% minimum mandatory Small Business Enterprise (SBE) participation. The proposed SBE participation for Change Order No. 12 is 0%. To date, the overall SBE participation achieved on this Contract is 29.13%. **This Project is included in the Five-Year Road Program. District 1 (YBH)**

Background and Justification:

The Contract Review Committee approved Change Order No. 12 on February 5, 2025, and the Engineering and Public Works Department recommends receive and file by the BCC.

Attachments:

- 1. Location Map
- 2. Change Order No. 12 with Attachments A, D, E, and F

	Recommended by: <u>Vocunell, Ker</u> FOR	<u>04/15/2025</u>
	YBH/TEL	County Engineer
	Approved by: <u>Paul</u>	<u>4/25/25</u>
	Deputy County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

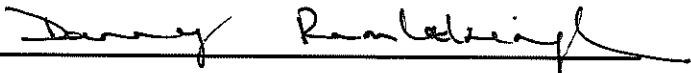
Fiscal Years	2025	2026	2027	2028	2029
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	-0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

Is Item Included in Current Budget? Yes ☒ No ☐
Is this item using Federal Funds? Yes ☐ No ☒
Is this item using State Funds? Yes ☐ No ☒
Budget Account No :
FUND: 3501 DEPT: 361 UNIT: 1366 OBJECT: 6551

Recommended Sources of Funds/Summary of Fiscal Impact:
Road Impact Fee Zone 1/PGA Blvd. & Military Trail Intersection

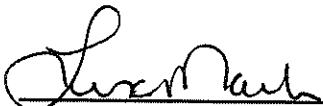
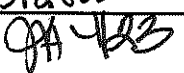
This item has no fiscal impact

Note: Change Order No. 12 to the contract (Contract) dated September 14, 2021 (R2021-1196) with R&D Paving, LLC (RDP) for a retroactive Contract time extension of 75 days to PGA Boulevard and Military Trail Intersection Improvements (Project).

C. Departmental Fiscal Review: 


III. REVIEW COMMENTS

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

 4/23/2025
MD 4/23 OFMB 

 4/24/25
Contract Dev. and Control
Kunda 7.27.25

B. Approved as to Form and Legal Sufficiency:

 4/25/25
Assistant County Attorney

C. Other Department Review:

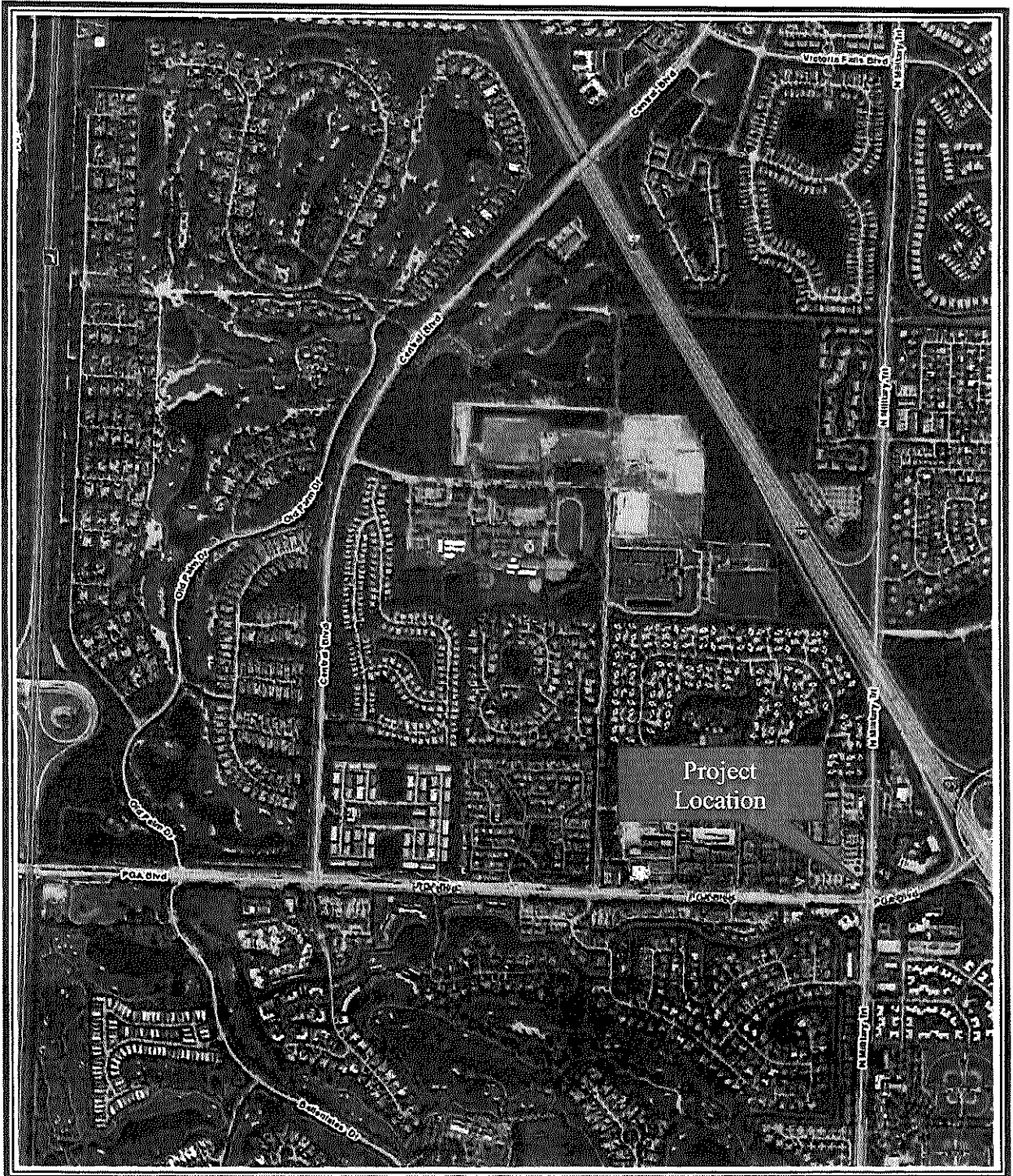
Department Director

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

PROJECT LOCATION

PGA BOULEVARD & MILITARY TRAIL INTERSECTION IMPROVEMENTS

Palm Beach County Project # 2012506





**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. _____
☐ NEW AUTHORIZATION _____
☒ CHANGE ORDER NO. 12 _____
☐ SUPPLEMENTAL NO. _____
☐ OTHER: _____

REQUESTING DIVISION:

☐ ROAD & BRIDGE _____
☐ TRAFFIC _____
☐ ROADWAY PRODUCTION _____
☒ CONSTRUCTION COOR. _____
☐ STREETScape _____

INFORMATION:

DATE 12/10/2024 _____
 REQUESTOR Zachary King _____
 COMMISSION DISTRICT NO: _____
 RESOLUTION NO: R2021-1196 _____
 PBC PO NUMBER: _____

PROJECT LOCATION/LIMITS: PGA Boulevard and Military Trail Intersection Improvements

PROJECT NUMBER: 2012506

BUDGET LINE ITEM: 3501-361-1366-6551

CONTRACT NO: _____

CONTRACT DATE: 9-14-2021

CONTRACTOR/CONSULTANT/VENDOR: R&D Paving, LLC.

VENDOR # _____

CONTACT: Matt Donnell

CONTACT PHONE NUMBER: 561-588-8881

Details: Change Order 12 will provide a 75 day contract time extension for holidays and weather days per FDOT Specifications and the Palm Beach County Contract.

Attachment "A" - Change Order Details

Attachment "D" - Certificate of Insurance

Attachment "B" - Bond Rider - N/A

Attachment "E" - Certificate of Resolution or Sunbiz

Attachment "C" - EBO Schedules - N/A

Attachment "F" - Change Order History

The total amount of this request, per the attached documentation, is not to exceed \$ 0.00

The Contractor's proposed Small Business Enterprise (SBE) goal for this project was 25.7 %.

The estimated SBE participation for this request is 0 %.

The cumulative SBE participation to date for this Contract including this request is 29.13 %.

The Minority/Women Owned Business Enterprise (MWBE) for this contract is N/A %. The estimated MWBE participation for this request is N/A %. The cumulative MWBE participation to date for this Contract including this request is N/A %.

Palm Beach County Engineering and Public Works Contact:

Albert W. Hoffman

Director, Construction Coordination

561-684-4180

Name

Title

Telephone Number

CONTRACTOR/CONSULTANT/VENDOR APPROVALS

Please indicate your receipt of this request by signing and returning this original document to our office.

[Signature]
Signature

12-20-24
Date

Nancy G. Rosso, Managing Member
Print Name and Title

ENGINEER OF RECORD (If applicable)

Signature

Date

Print Name and Title

PALM BEACH COUNTY APPROVALS

[Signature]
Division Approval

1/27/25
Date

[Signature]
Deputy County Engineer

01/28/2025
Date

BOARD APPROVAL

No

Date:

[Signature]
Budget Approval

01/24/2025
Date

[Signature]
Contract Review Committee (when required) Date

ATTACHMENT 2:

CHANGE ORDER

☒ Owner Initiated 1

☐ Differing Site Conditions

☐ Zoning/Code/Ordinance Changes

☐ Errors/Omissions/In Design

☐ Quantity Overruns/Underruns

☐ Request By Another Agency/Outside Party:

☐ A. Reimbursable

☐ B. Non-Reimbursable

Other:

PROJECT: PGA Boulevard and Military Trail Int. Improvements

TO: R&D Paving, LLC

CHANGE ORDER NO: 12

COUNTY PROJECT NO: 2012506

CONTRACT DATE: September 14, 2021

RESOLUTION NO: R2021-1196

DISTRICT NO: 1

You are directed to make the following changes in this Contract:
Per FDOT Specification 8-6.4 "Suspension of Contactor's Operations Due to Holidays' & 8-7.3.2 " Contract Time Extensions.

1. FDOT Specified Holidays

2021: 16 days

Thanksgiving 6 Days; Christmas to New Years 10 Days

2022: 26 Days

Martin Luther King Day 1 Day; Memorial Day 3 Days; Independence Day 1 Day; Labor Day 4 days; Veterans Day 1 Day; Thanksgiving 6 Days; Christmas to New years 10 Days

2023: 26 Days

Martin Luther King Day 1 Day; Memorial Day 3 Days; Independence Day 1 Day; Labor Day 4 days; Veterans Day 1 Day; Thanksgiving 6 Days; Christmas to New years 10 Days

2. Approved Weather Days

2022: 11/9/2022;11/10/2022; 6/2/2022; 6/3/2022 = 4 Days

2023: 9/25/2023; 9/26/2023; 9/28/2023 = 3 Days

68 Days

7 Days

Total Days

75 Days

Extend contract time 75 days.

The original Contract Sum was	\$	1,259,514.17
Net change by previous Change Orders	\$	385,965.41
The Contract Sum prior to this Change Order was	\$	1,645,479.58
The Contract Sum will be <u>unchanged</u> by this Change Order	\$	0.00
The new Contract Sum including this Change Order will be	\$	1,645,479.58
The Contract Time will be <u>increased</u> by.	(75)	Days
The Date of Completion including this Change Order therefore is		November 27, 2023

EXECUTION OF THIS CHANGE ORDER ACKNOWLEDGES FINAL SETTLEMENT OF, AND RELEASE OF 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 & D Paving, LLC


CONTRACTOR

400 Executive Center Dr., #210

Address

West Palm Beach, FL 33401

NAME: Nancy G. Rosso

SIGNATURE: 

TITLE: Managing Member

DATE: 12-20-24



S/WBE - M/WBE
400 EXECUTIVE CENTER DR. STE 210
WEST PALM BEACH, FL 33401
(561) 588-6681
Fax (561) 284-6541

CO 20- FDOT Holidays & Approved Weather Days

December 9, 2024

TO: Palm Beach County
PO Box 21229
West Palm Beach, FL 33416

Project: PGA & Military Trail
Intersection Improvements

ITEM #	BID ITEM:	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	FDOT Specified Holidays & Approved Weather Days.	75	DAYS	\$0.00	\$0.00
SUBTOTAL:					\$0.00

Matthew M. Donnell
Estimator

In accordance with 2013 FDOT Specification 4-3.2, the undersigned certifies this request is made in good faith, and the supportive documentation provided are accurate and complete to the best of our knowledge and belief, and the amount of the request accurately reflects what the contractor in good faith believes to be Palm Beach County's Responsibility.

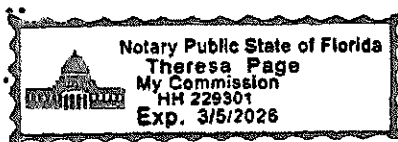
[Signature]
Signature

12/9/2024
Date

Nancy G. Rosso, Managing Member
Name & Title

State of Florida
County of Palm Beach

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ Online notarization, 9th day of Dec, 2024, by Nancy G. Rosso, on behalf of the [Signature], who is ☒ Personally Known to me (type of Identification) as identification or has produced _____



[Signature]
(Signature of Notary Public - State of Florida)

ATTACHMENT "A" (page 2 of 2)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/29/2024

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

Vaughn Risk Management
222 US HWY 1
Suite #215
Tequesta FL 33469

CONTACT NAME: Justin D'Amato
PHONE (A/C, No, Ext): (561) 249-6143
E-MAIL ADDRESS: Service@Vaughnrm.com
FAX (A/C, No):

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A:	Landmark American Insurance Company	33138
INSURER B:	National Indemnity Company	20087
INSURER C:	American Interstate Insurance Company	31895
INSURER D:	Aspen Insurance	43460
INSURER E:		
INSURER F:		

INSURED

R&D Paving, LLC
400 Executive Center Drive
Suite 210
WEST PALM BEACH FL 33401

COVERAGES

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.

CERTIFICATE NUMBER: CL24102900467

REVISION NUMBER:

INSR LTR	TYPE OF INSURANCE	ADD'L SUBR INSD	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY							
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR							
	GEN'L AGGREGATE LIMIT APPLIES PER:							
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC							
B	AUTOMOBILE LIABILITY							
	<input type="checkbox"/> ANY AUTO							
	<input type="checkbox"/> OWNED AUTOS ONLY	<input checked="" type="checkbox"/> SCHEDULED AUTOS						
	<input checked="" type="checkbox"/> HIRED AUTOS ONLY	<input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY						
A	UMBRELLA LIAB							
	<input checked="" type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> OCCUR						
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$	<input type="checkbox"/> CLAIMS-MADE						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY							
C	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N						
	If yes, describe under DESCRIPTION OF OPERATIONS below	<input checked="" type="checkbox"/> Y	N/A	Y	AVVWFL3318022024	10/29/2024	10/29/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER
							E.L. EACH ACCIDENT \$ 1,000,000	
							E.L. DISEASE - EA EMPLOYEE \$ 1,000,000	
D	Inland Marine - Equipment Floater			IM012KA24	10/23/2024	10/23/2025	Leased and Rented \$250,000	

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

RE: Project #2012506, PGA Blvd & Military Trail - Intersection Improvements.

The certificate holder is expanded to read: Palm Beach County Board of County Commissioners, a Political Subdivision of the State of Florida, its officers, Employees and Agents, only when there is a written contract that requires such status, and only with regard to work performed by or on behalf of the named Insured when required by written contract. The certificate holder is listed as an additional insured for ongoing and completed operations with respects to general liability per forms CG2010 12/19 & CG2037 12/19 and as additional insured on auto liability and excess liability when required by written contract. General liability, auto liability, and excess liability are primary and non-contributory when required by written contract. A waiver of subrogation applies on general liability and excess liability when required by written contract. Cancellation applies per the terms and conditions of the policies.

CERTIFICATE HOLDER

Palm Beach County Board of County Commissioners c/o Engineering & Department/Roadway Production
2300 Jog Road Third Floor West
West Palm Beach FL 33411

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ACORD 25 (2016/03)

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ATTACHMENT D (page 1 of 1)

CERTIFICATE OF RESOLUTION

The undersigned hereby certifies that the following are true and correct statements:

1. That the undersigned is the Managing Member (insert title) of R & D Paving (insert business name) a LLC (insert business organization, i.e. corporation, LLC, LLP), organized and existing in good standing under the laws of the State of Florida (Firm), and that the following Resolutions are true and correct Resolutions adopted by the Board of Directors (insert form of management) of the Firm on the day of , 20 , in accordance with the laws of the State of Florida (where Firm is organized) of the Firm, and Articles of Incorporation (governing documents) of the Firm.

RESOLVED, that the Firm shall enter into that certain Contract between Palm Beach County, a political subdivision of the State of Florida, and the Firm, a copy of which is attached hereto, and be it

FURTHER RESOLVED, that Nancy G. Rosso the Managing Member of the Firm, is hereby authorized and instructed to execute such Contract and such other instruments as may be necessary and appropriate for the Firm to fulfill its obligations under the Contract.

2. That the foregoing Resolutions have not been modified, amended, rescinded, revoked or otherwise changed and remain in full force and effect as of the date hereof.

3. That the Firm is in good standing under the laws of the State of Florida or its state of formation, as provided above, and has qualified, if legally required, to do business in the State of Florida and has the full power and authority to enter into such Contract.

IN WITNESS WHEREOF, the undersigned has set his/her hand and affixed the Seal of the Firm the 1 day of June, 2021.

(SEAL)

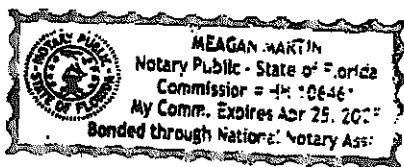

(Signature)

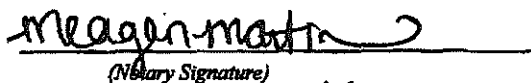
Nancy G. Rosso, Managing Member
(Print Name and Title)

STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1 day of June, 2021, by Nancy G. Rosso (name) as Managing member (title) for R & D Paving (firm), on behalf of the (choose one) corporation / company / partnership, who is ☒ personally known to me or ☐ has produced (type of identification) as identification.

(Stamp/Seal)




(Notary Signature)

Notary Public, State of FL

Meagan Martin
(Print Notary Name)

Commission Number 1406461
My Commission Expires 4-25-22

ATTACHMENT "E" (page 1 of 1)

CHANGE ORDER HISTORY

PALM BEACH COUNTY PROJECT: PGA Boulevard and Military Trail Intersection Improvements, 2012506									
C.O. #	DATE APPROVED	COUNTY ENGINEER		C.R. COMMITTEE		TOTAL DEPT. & C.R.C. APPROVALS		BOARD OF CO. COMM.	
		AMOUNT	TIME	AMOUNT	TIME	AMOUNT	TIME	AMOUNT	TIME
1	6/1/2022			1,960.52	50				
2	6/7/2022	3,098.01	1						
3	6/7/2022	10,276.70	1						
4	6/30/2023	29,308.26	10						
5	6/30/2023	7,970.00	10						
6	8/16/2023			30,095.00	27				
7	11/21/2023							259,368.25	265
8	3/19/2024	6,160.00	0						
9	5/24/2024	8,890.39	3						
10	8/19/2024	16,101.36	4						
11	1/28/2025	12,736.92	0						
12	Pending			0.00	75				
	TOTAL	94,541.64	29	32,055.52	152	126,597.16	181	259,368.25	265
	CUMULATIVE TOTAL	94,541.64	29	32,055.52	152	126,597.16	181		
	As of PPM CW-F-050 Dated November 16, 2024	SINGLE AMT. \$100,000.00 MAX. TIME \$375,000.00 or 10% of contract When Change Orders exceed \$375,000.00 or 10% of contract, must submit a "Receive and File" to the BCC. 10% of this Contract is	MAX. TIME 180 DAYS When Change Orders exceed 180 days, must submit a "Receive and File" to the BCC.	SINGLE AMT. \$200,000.00 MAX. AMT. \$375,000.00 or 10% of contract When Change Orders exceed \$375,000.00 or 10% of contract, must submit a "Receive and File" to the BCC. 10% of this Contract is	MAX. TIME 180 DAYS When Change Orders exceed 180 days, must submit a "Receive and File" to the BCC	MAXIMUM CUMULATIVE CO ENG. & C.R.C. \$375,000.00 or 10% of contract When Change Orders exceed \$375,000.00 or 10% of contract, must submit a "Receive and File" to the BCC. 10% of this Contract is	MAX. CUM. CO ENG. & C.R.C. 180 DAYS When Change Order exceeds 180 days, must submit a "Receive and File" to the BCC	OVER \$200,000.00	OVER 180 DAYS

Attachment Page 1 of 1