

To: Lee R. Feldman, City Manager  
 From: Hardeep Anand, P.E., Public Works Director  
 Date: December 3, 2013  
 Re: Change Order (X) Additional Work (X)

Job Description: P11422 – SE 15<sup>TH</sup> Street Boat Launch and Marina  
 Contractor: MBR Construction, Inc.  
 Amount: Total Additive Change Order Cost: \$96,043.27  
 Total Deductive Change Order Credit: (\$96,043.27)

Itemized and explained as follows:

This change order is to compensate the General Contractor for various credits and additions, as detailed below, within the scope of work with respect to the SE 15<sup>th</sup> Street Boat Launch and Marina Project.

After the construction plans and specifications were bid, and the contract was awarded, it was noted that revisions were required to the plans and specifications due to several reasons (code changes and requirements, incorrect or omitted details, and previously unforeseen conditions). After the initial project kick-off meeting with the General Contractor, and after walking the site and reviewing the plans, these issues became more apparent and as such, resulted in the Change Order Proposals listed below. The Change Order Proposals listed below represent changes, additions and/or credits to the original contract that are required due to revisions in the work from that shown in the original contract documents. Once the construction plans and specifications were revised, reflecting the changes described below, the City Construction Management Team negotiated the cost for each of the items with the General Contractor.

**EXISTING CONTRACT LINE ITEMS ARE UTILIZED – TOTAL DEDUCTIVE CREDIT (\$96,043.27)**

**ITEM 2:** Contractor shall provide credit for all materials, labor, tools, incidentals and equipment with respect to the unused portion of the MOT (Maintenance of Traffic) Allowance as noted in Bid Item No. 2. (PCO # 02)

Staff reworked the project phasing with the General Contractor, and the result was a continuous, single phase project, as opposed to multiple phases. MOT Allowance provided for \$50,000.00 of which only \$15,000.00 will be required. \$50,000.00 minus \$15,000.00 required = \$35,000.00 remaining.

**CREDIT: (\$35,000.00)**

**ITEM 3:** Contractor shall provide credit for all materials, labor, tools, incidentals and equipment with respect to the unused portion of the Permit Allowance as noted in Bid Item No. 3. (PCO # 25)

Permit Allowance provided for \$50,000.00 of which it is estimated that only \$27,000.00 will be required. \$50,000.00 minus \$27,000.00 required = \$23,000.00 remaining.

**CREDIT: (\$23,000.00)**

**ITEM 5:** Contractor shall provide credit for all materials, labor, tools, incidentals and equipment with respect to the unused portion of the Utility Allowance as noted in Bid Item No. 5. (PCO # 24)

Utility Allowance provided for \$160,000.00 of which it is estimated that only \$149,683.78 will be required. \$160,000.00 minus \$149,683.78 required = \$10,316.22 remaining.

**CREDIT: (\$10,316.22)**

**ITEM 7:** Contractor shall provide credit in lieu of furnishing all materials, labor, tools, incidentals and equipment with respect to the deletion from the original scope of work of the milling of the existing asphalt pavement, as noted in Bid Item No. 7. (PCO # 01)

Approximately 5,939 SY of asphalt milling @ \$1.00 per SY = \$5,939.00. The milling of the existing asphalt is not required as the proposed grading can be achieved by overlay which is already in the paving scope.

**CREDIT: (\$5,939.00)**

**ITEM 9:** Contractor shall provide credit for all materials, labor, tools, incidentals and equipment with respect to the credit due to the deletion from the original scope of work of the ADA (Americans with Disability Act) railing and the concrete slab in the restroom building, shown in the original scope of work. Staff lowered the finish floor elevation for the restroom building to avoid the additional charge for footer redesign which was not in the original scope and to provide ADA accessibility to the dock required by code. As the result of this revision, the railing and a ramp are no longer required for the restroom building as noted in Bid Item No. 9. (PCO # 5)

Structures Bid Item # 9 reflected \$576,901.00 of which \$2,825.00 was the cost of the railing and concrete slab, will be credited back to the project for the above described work.

**CREDIT: (\$2,825.00)**

- ITEM 9:** Contractor shall provide credit for all materials, labor, tools, incidentals and equipment with respect to the tile exterior wall finish revision from tile to stucco and exterior paint is also included in the scope, as noted in Bid Item # 9. (PCO # 22)

Upon review of the building design, it was determined by City Staff that switching to a stucco and paint finish, as opposed to the wall tile originally noted, would be much less costly in terms of future maintenance costs.

**CREDIT: (\$1,562.00)**

- ITEM 9:** Contractor shall provide credit for all materials, labor, tools, incidentals and equipment with respect to the credit due to the project for the cost difference due to the revision of decorative cable railings at the Marine Police Building to powder coated picket railings, as noted in Bid Item No. 9. (PCO # 23)

Upon review of the design of the new exterior stair, it was determined by City Staff that previously specified decorative cable railings, would not be suitable for the salt air environment of the marina and would require more maintenance. As such, the decision was made to change to a powder coated picket railing.

**CREDIT: (\$2,700.00)**

- ITEM 10:** Contractor shall provide credit for all materials, labor, tools, incidentals and equipment with respect to the credit due to the project due to the deletion from the original scope of work of one of the two new KECO pump units that were previously specified, since it was determined that this unit was not needed, all as noted in Bid Item No 10. (PCO # 03)

Upon review of the plans by both the City Staff and the Marine Police, it was determined that the second new KECO pump unit, which cost \$5,901.05 each, shown in the area of the Marine Police vessels, would not be required, as these vessels do not have onboard restrooms.

**CREDIT: (\$5,901.05)**

- ITEM 10:** Contractor shall provide credit for all materials, labor, tools, incidentals and equipment with respect to the credit due to the project due for the deletion from the original scope of work of the installation of a 4" force main sewer line required for one of the two new KECO pump units that were previously specified, but has been deleted, as noted in Bid Item No. 10. (PCO # 04)

Upon review of the plans by both the City Staff and the Marine Police, it was determined that the second new KECO pump unit, which cost \$5,901.05 each, shown in the area of the Marine Police vessels, would not be required, as these vessels do not have onboard restrooms. This 4" force main sewer line, costing \$8,800.00 for labor and materials to install, is therefore not required.

**CREDIT: (\$8,800.00)**

**EXISTING CONTRACT LINE ITEMS ARE UTILIZED – TOTAL ADDITIVE COST: \$23,227.09**

- ITEM 9:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to provide and install both 6' high and 8' high sections of a different precast wall system rather than the 5' high wall system that was indicated in the original scope of work. This was required after a meeting with the adjacent condominium building and noting their requirements for privacy with respect to the new wall. This work is included in Bid Item No. 9. (PCO # 06)

Upon review of the plans by City Staff and after a meeting with the condominium board of the adjacent condominium complex, it was determined that due to privacy issues, the originally specified 5' precast concrete wall to be built in place of the existing wood fence, needed to be changed to a combination of 8' high sections at the rear of the condominium where the pool is located, and to 6' high sections at the condominium parking area. The difference between the original cost of \$9,425.00 and the new cost of \$17,300.00 is reflected below.

**ADD: \$7,875.00**

- ITEM 9:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to provide and install 375 ft. of new seawall cap per the revised seawall cap detail provided. A new detail was required after an engineer's examination of the existing seawall revealed additional work was needed to correctly add the new cap. This work is included in Bid Item No. 9. (PCO # 20)

This reflects the difference between the cost originally calculated for the original seawall cap installation (\$9,000.00) and the calculated cost for the new, more detailed seawall cap installation (\$24,352.09). The additional cost of \$15,352.09 was due to increased reinforcement steel and other structural improvements.

**ADD: \$15,352.09**

**NEW ITEMS ARE UTILIZED – TOTAL ADDITIVE COST: \$72,816.18**

**ITEM CO1-1:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to provide and install various changes and required improvements into the construction of the new restroom building facility. These changes and improvements include additional drywall construction, new toilet accessories, wood louvers, two (2) flood barriers at the restroom doors and other changes as indicated on the latest set of drawings provided to the contractor, and a credit to omit a portion of the wall tile, all of which was not previously indicated on the original plans or scope of work. (PCO # 21)

Upon review of the plans by City Staff, it was determined that items required for installation in a restroom facility were omitted from the plans, and as such were then added and thus the additional cost. These items included soap and toilet paper dispensers and baby changers. In addition, the configuration of the building was changed to accommodate new changes in ADA code, as well as flood barriers at both doors that were added as required by FEMA. All of these items resulted in an increase cost of \$4,354.18.

ADD: \$4,354.18

**ITEM CO1-2:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to provide additional tree trimming required on the west side of the marina property that was shown to be in conflict with the new work after revisions to the landscape drawings. (PCO # 07)

The property to the west of the marina is the site of the adjacent condominium building and grounds. To facilitate the installation of the new precast concrete wall, it was determined by City Staff that additional tree trimming and other landscaping was required over what was shown on the original plans, resulting in the additional cost below.

ADD: \$1,000.00

**ITEM CO1-3:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to accomplish additional tree removals as well as removal of other landscape vegetation on the east side of the marina property that was originally shown to remain, but was found to be in conflict with the new work, or due to the fact that trees that were originally intended to remain, were now deemed not suitable, after the revision to the landscape drawings. (PCO # 08)

Upon visiting the site, City Staff saw that the existing vegetation along the east property line of the marina site was overgrown and consisted of dead and dying vegetation and this was shown to remain as is, which Staff deemed totally unsuitable for the project goals. As such, it was determined to remove the existing vegetation and replace it with appropriate new landscaping, which resulted in the cost below.

ADD: \$11,600.00

**ITEM CO1-4:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to rework and reroute the FP&L service to East Marine, a business located east of the marina property. Specifically, this is required to provide FP&L conduit from the transformer to the new utility pole to maintain service at East Marine. This additional work is required after it was determined that the original service location shown by FP&L was incorrect. (PCO # 09)

City Staff was notified that due to an error, the location of the utility service to the adjacent business on the east side of the marina property was incorrect, and that to maintain this service to the business, and to maintain the design intent of the marina project, we would need to relocate the service as required. The cost below reflects only the trenching services required to accommodate the relocated services.

ADD: \$700.00

**ITEM CO1-5:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to provide and install additional asphalt removal and restoration for the pavement area of the FP&L easement, after it was determined that the original FP&L easement shown on the construction documents was incorrect. (PCO # 10)

City Staff was notified that due to an error, the location of the utility service to the adjacent business on the east side of the marina property was incorrect, and that to maintain this service to the business, and to maintain the design intent of the marina project, we would need to relocate the service as required. The cost below reflects only the additional removal and restoration of the existing asphalt surfaces required to accommodate the relocated services and is calculated at 390 SY of existing asphalt removal at \$6.00 per SY or \$2,340.00, plus 390 SY of new 8" limerock base and new asphalt at \$25.00 per SY, or \$9,750.00.

ADD: \$12,090.00

**ITEM CO1-6:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to remove and dispose of the existing concrete radio tower footing to a depth of 24" and which was not previously indicated nor shown for removal on the original plans. (PCO # 11)

City Staff visited the site and found a massive, above ground concrete footing, formerly used to anchor a radio tower, no longer in existence. This footing must be removed, but was never indicated on the original plans.

ADD: \$3,050.00

**ITEM CO1-7:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to remove the existing concrete footing and concrete curb that exists under the existing wooden fence along the west property line and which was not shown to be removed on the original plans or scope of work. (PCO # 12)

The property to the west of the marina is the site of the adjacent condominium building and grounds. Upon visiting the marina site, City Staff noticed that a concrete footing and curb existed under the existing wood fence, and that while the fence was noted to be removed, the footing and curb was not shown at all. To facilitate the installation of the new precast concrete wall, it was determined by City Staff that the existing concrete footing and curb needed to be removed as well, resulting in the cost indicated below.

ADD: \$2,900.00

**ITEM CO1-8:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to provide and install two (2) lockable hose bibs in lieu of the standard hose bibs, and which were not originally shown on the original plans or reflected in the original scope of work. (PCO # 13)

Upon review of the plans, City Staff noted that the hose bibs shown on the restroom building, were standard and for reasons of security and vandalism, requested the change to lockable type.

ADD: \$1,000.00

**ITEM CO1-9:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to provide and install a temporary ground irrigation system, which will provide irrigation to the new landscape materials during the course of construction and until plants are established. It was incorrectly originally assumed that there was an existing, operational ground irrigation system in place. (PCO # 14)

During the creation of the original construction documents, it was assumed that the marina had a working ground irrigation system which required minimal repair. During one of the first site visits by City Staff after award of the project, it was determined that there was not any functioning ground irrigation system, and that, due to site constraints and other factors, the cost to install a new irrigation system was prohibitive. As such, it was decided to modify the new landscape to reflect a landscape plan designed to be "sustainable" and one which will use less water, less maintenance, and still be aesthetically pleasing. While the new design achieves this goal, temporary irrigation will still be required during the planting of the new materials, and until the new landscaping takes permanent roots, for approximately a one-year period. This resulted in the cost below, as opposed to a new irrigation system, which was calculated at almost three times the cost.

ADD: \$10,102.00

**ITEM CO1-10:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to provide and install four (4) concrete slabs for the fireboxes and pump-out station, which were not shown on the original plans or the scope of work. (PCO # 15)

Upon review of the plans by City Staff, it was determined that the four (4) - 4'x4'x4" concrete slabs located adjacent to the docks, that are required under each of the firebox and pump out station units, were never indicated on the original plans, resulting in the additional cost below.

ADD: \$1,000.00

**ITEM CO1-11:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to remove the four (4) existing precast concrete pedestal walls that currently support the existing hose bibs and electrical that must be removed, but whose removal was not reflected on the original plans or scope of work. (PCO # 16)

City Staff visited the site and observed that the four (4) existing precast concrete pedestal wall structures that support the existing hose bibs and electrical connections were all in very poor and deteriorating condition and should be removed and replaced, resulting in the cost below only to remove the concrete walls.

ADD: \$1,000.00

**ITEM CO1-12:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to provide and install a new water line and four (4) new hose bib pedestals to replace the existing, deteriorating pedestals and hose bibs, as shown on the revised sheet C-9, and which was not reflected on the original plans or the scope of work. (PCO # 17)

City Staff visited the site and reviewed the plans and determined that the four (4) existing precast concrete pedestal wall structures that support the existing hose bibs and electrical connections were all in very poor and deteriorating condition and should be removed and replaced. The cost reflected below is for the four (4) new support walls and hose bibs, as well as 325 LF of new 2" water line, which is required to replace an existing deteriorated water line, all of which results in the cost shown below, and was not indicated on the plans.

ADD: \$7,975.00

**ITEM CO1-13:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to “demuck” the site specifically under the new restroom building to a depth of +/- 6” below grade and replace the removed material with suitable clean fill, as required per the current geotechnical report and prepare the site to adequately support the construction of the new restroom building, as it was determined that the soil under the building contained muck. (PCO # 18)

It was determined by City Staff that a current, updated soil bearing report was required prior to the construction of the new restroom building. The report was ordered and upon its review, it was determined that the site under the new building contained muck and that to adequately support the foundation of the proposed structure, “demucking” procedures were required. This resulted in the additional cost indicated below.

ADD: \$10,000.00

**ITEM CO1-14:** Contractor shall furnish all materials, labor, tools, incidentals and equipment to remove the damaged parking lot asphalt areas and repair and resurface these areas with new asphalt paving. This additional corrective work was not reflected on the original plans or the scope of work. (PCO # 19)

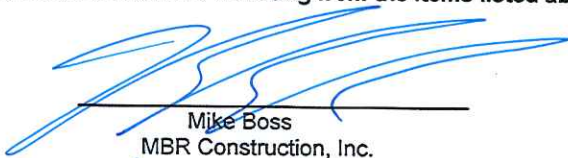
Upon visiting the site during a project meeting, it was immediately noted by City Staff that there were numerous areas of the asphalt parking lot that were severely damaged and required more extensive repair work than what was shown on the original plans. This work amounted to 3,750 SF of paving requiring removal at .50 per SF, or \$1,875.00, and 417 SY of new asphalt at \$10.00 per SY, or \$4,170.00, for the total indicated below.

ADD: \$6,045.00

Total Additive Change Order Cost: \$96,043.27  
Total Deductive Change Order Credit: (\$96,043.27)

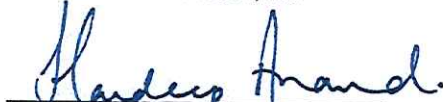
This Change Order provides for all costs and schedule adjustments associated with completing the work, including materials, labor, equipment, bond, insurance, overhead, profit, impacts, and any and all related items or associated costs incurred or resulting from the items listed above.

Approved:

  
Mike Boss  
MBR Construction, Inc.

\_\_\_\_\_  
Date

Recommended by:

  
Hardeep Ahand, P.E.  
Public Works Director  
For the City Engineer

\_\_\_\_\_  
Date

Approved by:

\_\_\_\_\_  
Lee R. Feldman  
City Manager

\_\_\_\_\_  
Date

cc: MBR Construction  
Talal Abi-Karam, P.E., Assistant Public Works Director/Engineering  
Irina Tokar, RA, Senior Project Manager  
Mark S. Friedman, Project Manager II  
Finance Department  
Project File

CHANGE ORDER SUMMARY SHEET

ORIGINAL CONTRACT AMOUNT		\$ 1,690,270.00
COST OF CHANGE ORDERS TO DATE		\$ 0.00
	TOTAL:	\$ 1,690,270.00
COST OF THIS CHANGE ORDER		\$ 0.00
	TOTAL:	\$ 1,690,270.00
ORIGINAL CONTRACT TIME		365 calendar days
TIME ADDED TO DATE		-0-
	TOTAL:	365 calendar days
TIME ADDED TO THIS CHANGE ORDER		-0-
	TOTAL:	365 calendar days

SCHEDULE OF CHANGE ORDERS TO DATE

<u>COST</u> <u>C.O. #</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT OF</u> <u>OR CREDIT</u>
		-NONE TO DATE-	