



TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: October 2, 2012

TITLE: Motion to approve Change Order No. 9 with Central Florida Equipment, Inc. for Sistrunk Boulevard Streetscape and Enhancement - \$215,521.82 and extend project by an additional 203 calendar days.

Recommendation

It is recommended that the City Commission approve Change Order No. 9 in the amount of \$215,521.82 and add an additional 203 calendar days, plus 7% engineering administration fees to add and delete items to Project 10448 for Sistrunk Boulevard Streetscape and Enhancement and authorize the City Manager to execute on behalf of the City.

Background

This Change Order No. 9 is a result of the following three factors:

1. Additional work requested by the CRA, modification to the contract quantities, and the addition of new items to the contract, as well as, public outreach efforts to the existing businesses within the project limits, and the commuters who travel along the project corridor.
2. A major credits for work that was part of the original scope, but for various reasons, was either over calculated, not completed, or was omitted from the original scope of work.
3. The settlement of a claim for additional time and compensation submitted by the GC for losses allegedly incurred due to delays in the work and schedule not caused by the General Contractor or their subs.

The project is currently 85% complete and is now scheduled to be finished on November 15, 2012. This is the last major change order for this project, although there could be one additional change order for final quantity adjustments that cannot be completely calculated until the end of the project. The proposed change order is summarized below:

Additional Work: Change Order No. 9 includes various additions to quantities and the addition of new items. These items originally submitted by the contractor at a total of \$495,748.21, and were negotiated down to \$215,521.82, with no additional days being provided for the items in this section. Items include:

- Addition of trash can footings
- Additional quantities for miscellaneous electrical and irrigation modifications
- Additional quantities for planting soil improvements

- Additional signage, concrete, electrical and drainage installations
- Additional lighting installations and costs to remove existing street light poles
- Additional costs for miscellaneous work orders

Credits for Work: The Change Order includes various credits to the original scope of work and contract costs due to labor and materials that was either over calculated, not completed, or was omitted from the original scope of work. It is not until the end of the project that the total of these credits can be fully calculated. A preliminary review indicated that the credits should approach a minimum of \$450,000.00, but may exceed \$500,000. For purposes of this Change Order, the lower figure is being used. At project completion and before final payment, a complete reconciliation of units will be accomplished. These credits included the following items:

- Credit for unused miscellaneous labor tasks
- Credit for unused quantities of demolition work
- Credit for unused quantities of drainage piping and structures
- Credit for unused quantities of electrical wiring and pullboxes
- Credit for unused quantities of earthwork and backfill
- Credit for unused quantities of light pole and lighting installation
- Credit for unused quantities of paving and concrete work

Delay Claim Settlement: Change Order No. 9 includes a settlement of a claim for additional time and compensation submitted by the General Contractor for delays in the work and schedule not caused by the General Contractor or their subs. Various utility issues were the primary cause of these delays, although there were other outside factors that contributed to the overall delay. The delay claim was originally submitted for \$608,701.00 and 1013 days. The final delay claim was negotiated down to \$450,000.00 and 203 days.

Change Order No. 9 is as follows:

	<u>Original</u>		<u>Negotiated</u>	
	Cost	Days	Cost	Days
Additional work items or quantity adjustments:	\$495,748.21	0	\$215,521.82	0
Credits for work omitted or not completed:	N/A	0	(\$450,000.00)	0
Claim for additional time and compensation:	\$608,701.00	1013	\$450,000.00	203
Totals:	\$1,104,449	1013	\$215,521.82	203

Resource Impact

There is a fiscal impact to the City in the amount of \$230,608.35. This includes \$215,521.82 for additional services outlined in Change Order No. 9 for Sistrunk Boulevard Streetscape and Enhancement with Central Florida Equipment, Inc. and \$15,086.53 for 7% engineering administration fees. (EP03818)

Funding Availability Location:

		SUB				SUB	SUB	
FY	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	NAME	AMOUNT
2013	320	01	Tax Incr. Rev Const 2004 Non-AMT	P10448.320	6 ST/SISTRUNK STREET-SCAPE & ENHANCEMENTS	6599	Construction	\$188,642.00
2013	347	01	NW Progresso Flagler Height CRA CIP	P10448.347	6 ST/SISTRUNK STREET-SCAPE & ENHANCEMENTS	6599	Construction	\$103,324.78
TO REALIZE THE APPROPRIATE CREDIT ITEMS, REDUCE THE ENCUMBRANCE IN:								
2013	129	01	MISC FEDERAL/STATE/COUNTY GRANTS	P10448.129A	6 ST/SISTRUNK STREET-SCAPE & ENHANCEMENTS	6599	Construction	(\$11,159.43)
2013	129	01	MISC FEDERAL/STATE/COUNTY GRANTS	P10448.129D	6 ST/SISTRUNK STREET-SCAPE & ENHANCEMENTS	6599	Construction	(\$24,999.00)
2013	454	01	WATER & SEWER GENERAL CAPITAL PROJECTS	P10830.454	SISTRUNK BLVD WATERMAIN	6599	Construction	(\$25,200.00)
					TOTAL			\$230,608.35

Attachment

Exhibit 1 – Change Order No. 9

Prepared By: Mark S. Friedman, AIA, NCARB, Construction Manager
 Department Director: Albert J. Carbon, P.E., Public Works Director