Task Order or Change Order Annual Contract or Consultant

N/A Verify T.O. amount is within the Contract Capacity (cap) If it is not within the available contract capacity, return the T.O. to the Project Manager in writing, indicating that an expenditure capacity increase must be requested for Commission approval (usually through the Procurement agenda) to accommodate the cost and the time-frame to meet the City's needs. X Identify and confirm funding with Project Manager and FAMIS (6450) or ETS (Monthly Project Report) Is the scope of work a capital project expense? Or operational? Capital projects must meet all 3 of the following criteria: 1) \$50k value, 2) new or replacement tangible asset, and 3) a useful life of 10 or more years? Operational, repairs and maintenance? Repairing existing system or asset to maintain the original useful life? X Initial routing form and forward to Financial Administrator (Shannon) for signature. Forward to Administrative Assistant (Klan) to continue authorization	Date:	3/15/2023 CO	#1	P11715	
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#23-0241

TO: Honorable Mayor & Members of the

Fort Lauderdale City Commission

FROM: Greg Chavarria, City Manager

DATE: February 21, 2023

TITLE: Motion Approving Change Order No. 1 for the Las Olas Undergrounding of

Overhead Utilities – Ferreira Construction Southern Division Co. Inc.-\$1,228,141 and 180 additional calendar days - (Commission District 2)

Recommendation

Staff recommends the City Commission approve Change Order No. 1, in substantially the form attached, in the amount of \$1,228,141.50 and 180 additional calendar days, for the Las Olas Undergrounding of Overhead Utilities, with Ferreira Construction Southern – Division Co. Inc. (Ferreira)

Background

On December 21, 2021, the City approved an agreement with Ferreira for the Las Olas Isles Undergrounding of Overhead Utilities project (CAM #21-0262). The project scope was to convert existing overhead electric and communication utilities to underground in the Las Olas Isles neighborhood.

As Ferreira had been operating at its own risk to complete the project since September 16, 2022, the City approved a new agreement with Ferreira on February 7, 2023, which enables the Project to move forward and to be completed by May 15, 2023 (CAM #23-0228).

The purpose of this change order is to compensate Ferreira for changes in the scope of work and increase the contract time by 180 calendar days. The original Project has encountered major adjustments in the field and several miscalculations and omissions of over \$1,000,000 discovered in the contract documents. Additionally, FPL, AT&T and Comcast submitted new plans after the Project commenced which contained numerous changes, updates and increases in work scope and materials required. FPL, AT&T and Comcast also delayed the delivery of materials by 90 days.

Resource Impact

There is a fiscal impact to the City in the amount of \$1,228,141.50 for Change Order No. 1. Funds for Change Order No. 1, in the total amount of \$1,228,141.50 are available in the FY 2023 Community Investment Plan in the account listed below.

Funds available as of Febr	uary 8, 2023			A Line Committee of the	
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/SUB- OBJECT NAME	AMENDED BUDGE (Character)	AVAILABLE BALANCE (Character)	AMOUNT
10-354-9100-554-60-6599- P11715	Las Olas Isles Undergrounding Utilities	Capital Outlay/ Construction	\$8,875,000	\$3,169,529	\$1,228,141.50
			TOTAL	AMOUNT >	\$1,228,141.50

Strategic Connections

This item is a 2022 Top Commission Priority, advancing the Infrastructure and Resiliency initiative.

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Infrastructure Focus Area
- Goal 1: Build a sustainable and resilient community.
- Objective: Proactively maintain our water, wastewater, stormwater, road, and bridge infrastructure

This item advances the Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Ready

This item supports the Advance Fort Lauderdale 2040 Comprehensive Plan specifically advancing:

- The Infrastructure Focus Area
- The Sanitary Sewer, Water & Stormwater Element
- Goal 6: Ensure that all areas of the City are reasonably protected from flooding giving due consideration to the City's natural and built environment.

Attachment

Exhibit 1 - Change Order No. 1

Prepared by:

Gary Foster, Senior Project Manager, Public Works

Department Director:

Alan Dodd, Director - Public Works



Department of State / Division of Corporations / Search Records / Search by Entity Name /

Detail by Entity Name

Foreign Profit Corporation

FERREIRA CONSTRUCTION SOUTHERN DIVISION CO. INC.

Cross Reference Name

FERREIRA CONSTRUCTION CO. INC.

Filing Information

Document Number

F04000001981

FEVEIN Number

22-3334957

Date Filed

04/09/2004

State

NJ

Status

ACTIVE

Principal Address

31 TANNERY ROAD

BRANCHBURG, NJ 08876

Changed: 01/09/2007

Mailing Address

31 TANNERY ROAD

BRANCHBURG, NJ 08876

Changed: 01/09/2007

Registered Agent Name & Address

FERREIRA, NELSON

600 OCEAN DRIVE UNIT #7A

JUNO BEACH, FL 33408

Address Changed: 01/05/2021

Officer/Director Detail

Name & Address

Title President

FERREIRA, NELSON

600 Ocean Drive

Unit #7A

Juno Beach, FL 33408

GARCIA, DICTINIO 2836 Biarritz Drive Palm Beach Gardens, FL 33410

Title SEC, TREASURER

PACHECO, LOU 197 CAROL JEAN WAY BRANCHBURG, NJ 08876

Title SR VP

DELPOME, BRIAN 124 PATRICK AVE EMERSON, NJ 07630

Title VP

Seelman, Michael C 16 Ramar Street Flanders, NJ 07836

Title SR VP

VLIET, NANCY 19 Thomas Rd Glen Gardner, NJ 08826

Title Sr. Vice President/ CFO

Killian, Jerome 30 Horseshoe Dr Hillsborough, NJ 08844

Title VP

CIABATTARI, JOHN 1654 SW Foxpoint Trail PALM CITY, FL 34990

Title VP

GARCIA, DANNY 9804 SW 161 PLACE MIAMI, FL 33196

Title VP

HIGGINBOTHAM, ROBERT

: 1

12362 152nd St N JUPITER, FL 33478

Title Professional Surveyor

Lee, Joshua R 1218 Georgia Ave West Palm Beach, FL 33401

Annual Reports

 Report Year
 Filed Date

 2021
 01/05/2021

 2022
 01/03/2022

 2022
 03/30/2022

Document Images

03/30/2022 - AMENDED ANNUAL REPORT	View image in PDF format
01/03/2022 - ANNUAL REPORT	View image in PDF format
04/23/2021 - AMENDED ANNUAL REPORT	View image in PDF format
03/10/2021 - AMENDED ANNUAL REPORT	View Image in PDF format
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01/13/2020 ANNUAL REPORT	View image in PDF format
05/07/2019 - AMENDED ANNUAL REPORT	View image in PDF format
01/03/2019 - ANNUAL REPORT	View image in PDF format
01/03/2018 ANNUAL REPORT	View image in PDF format
01/12/2017 ANNUAL REPORT	View image in PDF format
01/13/2016 ANNUAL REPORT	View image in PDF format
01/06/2015 - ANNUAL REPORT	View image in PDF format
01/08/2014 - ANNUAL REPORT	View image in PDF format
01/04/2013 - ANNUAL REPORT	View image in PDF format
01/03/2012 - ANNUAL REPORT	View image in PDF format
01/05/2011 - ANNUAL REPORT	View image in PDF format
02/25/2010 - ANNUAL REPORT	View image in PDF format
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01/02/2008 - ANNUAL REPORT	View image in PDF format
01/09/2007 - ANNUAL REPORT	View Image in PDF format
03/07/2006 - ANNUAL REPORT	View image in PDF format
01/10/2005 - ANNUAL REPORT	View image in PDF format
04/09/2004 - Foreign Profit	View image in PDF format



To: Greg Chavarria, City Manager

From: Alan Dodd, Director – Public Works

Date: February 21, 2023

Re: Change Order No. 1 for Project No. 11715

Job Description: Project No. 11715, Las Olas Isles Undergrounding of Overhead Utilities

Contractor: Ferreira Construction Southern Division Co. Inc.

Amount: Total amount of Change Order No. 1 - \$1,228,141.50 plus 180 additional days

Funding: 10-354-9100-554-60-6599-P11715

The purpose of this Change Order is:

To compensate the Contractor for changes in the scope of work and increase the Contract Time to account for all changes and delays.

The original Project scope has required major adjustments in the field due to several miscalculations and omissions discovered in the Contract Documents. This Project has been delayed due to the changes in scope, as well as coordination and delivery of materials from FPL, AT&T, and Comcast. An initial Agreement extension was approved at the February 7, 2023 Commission meeting, which revised the Final Completion date of the original scope of work to May 15, 2023. However, the previous Commission item did not cover the alteration in scope, the additional time or funding needed. The additional time required to complete all work on this Project is 180 days, bringing the Final Completion date for this Project to November 11, 2023.

NEW AND EXISTING CONTRACT ITEMS ARE UTILIZED - TOTAL CREDIT (\$948,940)

Existing Item No. 15 FPL Directional Boring – 1-6" Conduit

Reduction of quantity from 450 LF to 288 LF. Bid quantity and plan set varied

from construction plan set.

Deduct 162 LF x \$20/LF = \$3,240.00

Existing Item No. 16 FPL Directional Boring – 2-6" Conduit

Reduction of quantity from 5000 LF to 0 LF. Bid quantity and plan set did not

match construction plan set.

Deduct 5000 LF x \$30/LF = \$150,000.00

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Existing Item No. 18 FPL Directional Boring – 2-2" Conduit

Reduction of quantity from 20,500 LF to 5,500 LF. Bid quantity and plan set did

not match construction plan set.

Deduct 15,000 LF x \$16/LF = \$240,000.00

Existing Item No. 21 ATT/Comcast Directional Boring 1-2" Conduit

Reduction of quantity from 26,000 LF to 23,600 LF. Bid quantity and plan set

varied from construction plan set.

Deduct 2,400 LF x \$9/LF = \$21,600.00

Existing Item No. 22 ATT/Comcast Directional Boring 2-1" Conduit

Reduction of quantity from 36,000 LF to 28,600 LF. Bid quantity and plan set

varied from construction plan set. Deduct 7,400 LF x \$9/LF = \$66,600.00

Existing Item No. 25 Trenching 36" Hand Dig with Backfill

Reduction of quantity from 200 LF to 0 LF. Bid item not in construction plan set

work scope. Removing to allow additional quantity of 24" hand dig.

Deduct 200 LF x \$100/LF = \$20,000.00

Existing Item No. 26 Trenching 42" Hand Dig with Backfill

Reduction of quantity from 200 LF to 0 LF. Bid item not in construction plan set

work scope. Removing to allow additional quantity of 24" hand dig.

Deduct 200 LF x \$100/LF = \$20,000.00

Existing Item No. 27 Trenching 48" Hand Dig with Backfill

Reduction of quantity from 200 LF to 0 LF. Bid item not in construction plan set

work scope. Removing to allow additional quantity of 24" hand dig.

Deduct 200 LF x \$150/LF = \$30,000.00

Existing Item No. 29 Install FPL Conduit Only 1-6" Complete

Reduction of quantity from 6,000 LF to 1,000 LF. Bid quantity and plan set did

not match construction plan set.

Deduct 5,000 LF x \$15/LF = \$75,000.00

Existing Item No. 33 Install FPL Cable 4/0 HDPE-TPX in Secondary Cable in 2" Conduit 50' or Less

Reduction of quantity from 41,000 to 26,000 LF. Bid quantity and plan set did

not match construction plan set.

Deduct $15,000 \times $2/LF = $30,000.00$

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Existing Item No. 36 Install FPL Cable 1CC-1/0XPE Primary Cable in 2" Conduit 100' or Less Reduction

of quantity from 92,000 LF to 1,000 LF. Bid quantity and plan set did not match

construction plan set.

Deduct 91,000 LF x \$2.50/LF = \$227,500.00

Existing Item No. 56 Install FPL Bump Out Assy (Removable Barriers)

Reduction of quantity from 125 EA to 0 EA. Bid item not in construction plan

set work scope.

Deduct 125 x \$200/EA = \$25,000.00

Existing Item No. 67 Permit Fees Allowance

Reduction of allowance from \$50,000 to \$10,000. Bid quantity and plan set did

not match construction plan set.

Deduct \$40,000.00

NEW AND EXISTING CONTRACT ITEMS ARE UTILIZED - TOTAL ADDITIVE COST \$2,177,081.50

Existing Item No. 4 Install FPL Pad, Boxes and Chambers 24"

Relocate 11 Transformer Pads due to conflicts between plan sets and

HOA/resident requests.

Add 11 x \$400/EA = \$4,400.00

Existing Item No. 17 FPL Directional Boring 3-2" Conduit

Increase in quantity from 25,500 to 32,200 to match construction plan set.

Add 6,700 LF x \$20/LF = \$134,000.00

Existing Item No. 19 FPL Directional Boring 1-2" Conduit

Increase in quantity from 5,500 to 13,100 LF to match construction plan set.

Add 7,600 x \$11/LF LF \$83,600.00

Existing Item No. 20 ATT/Comcast Directional Boring 1-4" Conduit

Increase in quantity from 26,000 LF to 40,000 LF. Bid quantity and plan set did

not match construction plan set.

Add 14,000 LF x \$15.50/LF = \$217,000.00

Existing Item No.23 Trenching 24" Hand Dig with Backfill

Increase in quantity from 200 LF to 1000 LF due to job site conditions.

Add 800 LF x \$100/LF = \$80,000.00

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Existing Item No. 30 Install ATT/Comcast Conduit Only 1-4" Complete

Increase in quantity from 500 LF to 3,500 LF. Bid quantity and plan set did not

match construction plan set.

Add 3,000 LF x \$10/LF = \$30,000.00

Existing Item No. 31 Install ATT/Comcast Conduit Only 1-2" Complete

Increase in quantity from 500 LF to 4,500 LF due to job site conditions.

Add 4,000 LF x \$8/LF = \$32,000.00

Existing Item No. 32 Install ATT/Comcast Conduit Only 1-1" Complete

Increase in quantity from 500 LF to 3000 LF. Bid quantity and plan set did not

match construction plan set.

Add 2,500 LF x \$8/LF = \$20,000.00

Existing Item No. 38 Install FPL Cable 1CC-1/0XPE Primary Cable in 2" Conduit Over 400'

Increase in quantity from 1,000 LF to 84,520 LF. Bid quantity and plan set did

not match construction plan set.

Add 83,520 LF x \$3.00/LF = \$250,560.00

New Item No. CO 1-1 Remove/Reinstall Driveway Pavers

Reinstallation of an additional 20 driveway pavers due to plan omission and job

site conditions.

Add 20 x \$500/EA = \$10,000.00

New Item No. CO 1-2 Tree Removal

Addition of four (4) tree removals. Tree survey was not previously conducted,

and conflicts have been encountered in the field.

 $Add 4 \times $1,500/EA = $6,000.00$

New Item No. CO 1-3 Install ATT/Comcast 10" x 15" Handholes

Addition of 318 small handholes for ATT/Comcast due to conflicting scope of

work between bid documents and bid items.

Add 318 x \$953.66/EA = \$303,263.88

New Item No. CO 1-4 Install ATT/Comcast 30" x 48" Handholes

Addition of 229 large handholes for ATT/Comcast Omission due to conflicting

scope of work between bid documents and bid items.

Add 229 x \$1,678.84/EA = \$384,454.36

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New Item No. CO 1-5 Residence Service Directional Boring Setups with Pits Complete

Addition of 200 setups due to omission from bid documents and job site conditions.

Add 200 x \$542.87/EA = \$108,574.00

New Item No. CO 1-6 Materials Handling Expense

Due to the inability to locate a nearby storage facility, materials to be provided by utility companies are stored in Medley creating the need for the contractor to haul to the site. Added 40 truckloads/units to cover additional cost associated with hauling of transformers, concrete pads, and handholes provided by others (not under this Agreement).

Add 40 x \$2,500 = \$100,000.00

New Item No. CO 1-7 Asphalt Escalation

Add Lump Sum Amount for Price Increase of asphalt related to Bid Items 58 (Paving FDOT Type III Asphaltic Concrete Surface) and 59 (Paving FDOT Type III Asphaltic Concrete Surface for Leveling)

Add \$97,000.00

New Item No. CO 1-8 Milling Trucking Increase

Add Lump Sum Amount for Price Increase of trucking cost related to Bid Item

60 (Milling of Existing Asphalt Pavement to a Depth of 1")

Add \$20,000.00

New Item No. CO 1-9 Additional compensation for incurred expenses associated with AT&T material

procurement delays

Summary of the total cost of this delay:

70 Working Days

Direct daily Cost for Supervision, MOT & Yard Rental = \$4,030.33

 $70 \times \$4,030.33 = \$282,123.10$

5% Allowable Mark-up = \$14,106.16

Total Cost of Delay = \$296,229.26

Add \$296,229.26

NET AMOUNT OF THIS CHANGE ORDER:

\$1,228,141.50

ADDITIONAL CONTRACT TIME BEING REQUESTED:

ONE HUNDRED EIGHTY (180) CALENDAR DAYS

THE TOTAL AMOUNT OF THIS CHANGE ORDER:

\$1,228,141.50

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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, and is provided in accordance with Article 13 – Changes in the Work of the Agreement.

IN WITNESS OF THE FOREGOING, the Parties have set their hands and seals the day and year first writter below.
FERREIRA CONSTRUCTION SOUTHERN DIVISION CO. INC.
Approved:
Darny Garcia, Vice President
Print Name and Title
Dated: 2-24-23

PUBLIC WORKS DEPARTMENT

CITY

CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida

Bv:

GREG CHAVARRIA City Manager

Dated:

(CORPORATE SEAL)

ATTEST:

DAVID R. SOLOMAN

City Clerk

Approved as to form:

D'WAYNE M. SPENCE, Interim City Attorney

Bv:

RHONDA MONTOYÁ HASÁN

Assistant City Attorney

C: Omar Castellon, Assistant Public Works Director - Engineering
Jill Prizlee, Chief Engineer
Brandy Leighton, Senior Project Manager
Gary Foster, Senior Project Manager
Kymberly Holcombe, Financial Administrator
Project File

CHANGE ORDER SUMMARY SHEET

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(For Public Works Finance Use Only)

Public Works Department Route Form

Commission Approval Required Part 1: Check One: ☐ Piggy Back □ Change Order ☐ Amendment □ Task Order ☐ Resolution ☐ Master Agreement ☐ Master Blanket PO ☐ Ordinance ☐ Other: Click here to enter text. ☐ State, County or Federal Contract Phone #: 6233 Originator: **Gary Foster** Las Olas Isles Undergrounding of Utilities - Change Order No. 1 Document Title/ Description Info: Ferreira Construction Southern Division Co. Inc. Vendor Name: Number of Originals: 1 Project Number: P11715 Part 2: Capital Investment / Community Improvement Projects: Defined as having a life of in excess of 10 years, a value of at least \$50,000, and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. The term "Real Property" includes: land, real estate, realty, or real. □N/A (Advertising) □Yes ⊠No CIP Funded: \$1,228,141.00 Amount Required: 10-354-9100-554-60-6599-P11715 Index/Sub-Object Code: Strategic Support Finance Approval Signature: X Shannon Barrett Date: 3/15/2023

Part 3: Approval Path				Deta	Not Applicable
	Approved	Returned	Initials	Date	Not Applicable
Gary Foster Senior Project Manager	\boxtimes		GF	2/27/2023	
Brandy Leighton Revised by Gary Resubmitted 3/20/23 Senior Project Manager	X		8L	3/20/2023	
Jill Prizlee Chief Engineer	. 🔀		IP	3/20/2023	. 🗆
Omar Castellon Asst Public Works Director	×		ОС	3-20-2023	
David Clemente Assistant Manager of Procurement and Contract	×	. 🗆	DC	3/21/23	
Fill here Click here to enter title.			à		. 🗆

Part 4: External Routing			Mark House the Company of States and American		A CONTRACTOR OF THE PARTY OF TH
	Signature	Date	Returned By:	Date	
Procurement/Finance	Digitally signed by David Clemente	3/21/23	2		□N/A
City Attorney	Date: 2023.03.21 09:11:48 -04'00'				□N/A
City Clerk	Aug V				□N/A
City Manager					□N/A

Please return executed documents to Engineering Routing Liaison, extension 7818, City Hall 4th Floor.

REV.05.PWRFY Revision Date: 01/06/2021 Approved by: Raj Verma