

2-16-16  
WALK-ON  
MOTION



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**REGULAR MEETING**

#16-0287

**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Lee R. Feldman, ICMA-CM, City Manager *L.R.F.*

**DATE:** February 16, 2016

**TITLE:** **WALK ON** - Motion to Approve an Amendment to Task Order Number Five for the Annual Utilities Restoration Contract – Molloy Bros. Inc. - \$31,536 Task Order

**Recommendation**

It is recommended that the City Commission approve Amendment Number One to Task Order Number Five (Exhibit 1) with Molloy Bros. Inc. for construction services under the Annual Utilities Restoration Contract., in the amount of \$31,536.

**Background**

Task Order Number Five (Exhibit 2) was originally approved by the City Manager on February 23, 2015 in an amount of \$37,306, prior to the Contract's expiration date of November 24, 2015. The task order consisted of all expected work required to replace the existing sewer lateral located at 811 NW 7<sup>th</sup> Avenue.

Due to permitting and other issues, Molloy Bros. Inc. was delayed in executing the task order. Once construction was underway, after the necessary excavations, it was discovered that the location of the sewer lateral originally provided was inaccurate. As a result of this error an unforeseen condition, additional work was required by the Contractor to complete the repairs. The additional work includes, but is not limited to, permitting, trenching, road replacement, and maintenance of traffic (MOT). All work has been completed pursuant to Amendment Number One and has been accepted by the City.

This Amendment 1 to Task Order No. 5 is being entered into pursuant to the Annual Contract for Utilities Restoration (Contract #343-11405) with Molloy Bros. Inc., dated August 19, 2014 (CAR#14-0853), which expired on November 24, 2015. Pursuant to Section 5.5 of the Contract, a 90-day grace period is permitted to complete work commenced prior to the contract's expiration.

**Resource Impact**

There will be a fiscal impact to the City in the amount of \$31,536.

01-01-2  
60-33A(1)  
MOTION

<i>Funds available as of February 15, 2016</i>					
<i>ACCOUNT NUMBER</i>	<i>INDEX NAME (Program)</i>	<i>CHARACTER CODE/ SUB- OBJECT NAME</i>	<i>AMENDED BUDGET (CHARACTER)</i>	<i>AVAILABLE BALANCE (CHARACTER)</i>	<i>AMOUNT</i>
454-P11905.454- 6599	Annual Utilities Restoration	Capital Outlay/ Construction	\$793,305	\$385,901	\$31,536
<b>PURCHASE TOTAL ►</b>					<b>\$31,536</b>

### **Strategic Connections**

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Infrastructure Cylinder of Excellence, specifically advancing:

- Goal 2: Be a sustainable and resilient community.
- Objective 1: Proactively maintain our water, wastewater, road, and bridge infrastructure.

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

### **Attachments**

Exhibit 1 – Task Order No. 5 Amendment No. 1

Exhibit 2 – Task Order No. 5

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Prepared by: Scott Teschky, Senior Project Manager  
Alan Dodd, Assistant Public Works Director

Department Director: Paul Berg, Acting Public Works Director

## TASK ORDER #: 5 5/ Amendment No.1

<b>CONTRACTOR:</b> MOLLOY BROS, INC 800 NW 27 AVENUE FORT LAUDERDALE, FL 33311 Phone: (954) 792-9382 Fax: (954) 792-9381		<b>CONTRACT NUMBER:</b> 343-11405 <b>CONTRACT DESC:</b> ANNUAL UTILITIES RESTORATION CONTRACT P11905 <b>CC AWARD:</b> 8/19/14, PUR-13, CAM#14-0853 <b>CONTRACT EXPIRES:</b> 11/24/2015 <b>UNIT COST:</b> 949,745.50 CONTRACT CAP
<b>TO:</b> City of Fort Lauderdale 100 North Andrews Avenue Fort Lauderdale, FL 33301		<b>CITY CONTACT:</b> Jean Examond <b>PHONE:</b> (954)828-4507 <b>FAX:</b> (954)828-5070
<b>PROJECT NAME:</b> Annual Utilities Restoration Contract <b>PROJECT LOCATION:</b> 811 NW 7 Ave		<b>FUNDING SOURCE:</b> P11905.454 <b>TASK ORDER DATE:</b> 1/27/2015

**SUMMARY OF WORK :** Install new lateral construction.

Additional quantities of limerock base road replacement, asphaltic concrete, and mill & pave, are due to differing site conditions. The actual location of the sewer main was farther east than originally estimated which required the excavation area and the shoring box to extend past the centerline of the northbound lane expanding the work area. The additional costs for permit allowance, and maintenance of traffic, are a result Broward County requirements for a revised permit and revised MOT due to the expanded work area.

**BILLING RATES INCLUDED IN CONTRACT**

ITEM #	ITEM DESCRIPTION	Qty	UNIT	UNIT PRICE	TOTAL PRICE
11	Furnish & Install 12" thick limerock base road replacement	105	SY	\$21.00	\$2,205.00
12	Furnish & install up to 2" thick asphaltic concrete between saw-cut or milled repair area	505	SY	\$23.00	\$11,615.00
13	Furnish all material, labor & equipment to mill and dispose of materials of existing asphalt pavement to a depth of up to inches( 2")	467	SY	\$20.00	\$9,340.00
22	Permit Allowance	0.2086	AL	\$5,000.00	\$1,043.00
23	Maintenance of Traffic Allowance for collector streets, county or state roads	0.2933384	AL	\$25,000.00	\$7,333.46

**Total Bid Price Included in Contract: \$31,536.46**

Molloy Brothers, Inc

Contractor:

By: Thomas W. Molloy 01/28/2016  
 Authorized Signature Date:  
Thomas W. Molloy - Pres  
 Print Name and Title

Task Order No.: 5 - Amendment No. 1  
Contract No.: 313-11405  
Project No.: 11905  
Contractor: Molloy Bros. Inc.,  
Amount 31,536.46

CITY SIGNATURES:

\_\_\_\_\_  
Jean Examond, Project Manager Date:

\_\_\_\_\_  
Paul A. Berg, ICMA-CM Date:  
Acting Public Works Director

\_\_\_\_\_  
Kirk W. Buffington, C.P.M. Date:  
Director of Finance

\_\_\_\_\_  
Rhonda Montoya Hasan Date:  
Assistant City Attorney

\_\_\_\_\_  
Jeff A. Modarelli Date:  
City Clerk

CITY OF FORT LAUDERDALE, a Florida municipality:

By: \_\_\_\_\_  
LEE R. FELDMAN, City Manager Date:



TASK ORDER #: 5 5/ Amendment No.1					
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<b>TO:</b> City of Fort Lauderdale 100 North Andrews Avenue Fort Lauderdale, FL 33301			<b>CITY CONTACT:</b> Jean Examond <b>PHONE:</b> (954)828-4507 <b>FAX:</b> (954)828-5070		
<b>PROJECT NAME:</b> Annual Utilities Restoration Contract <b>PROJECT LOCATION:</b> 811 NW 7 Ave			<b>FUNDING SOURCE:</b> P11905.454 <b>TASK ORDER DATE:</b> 1/27/2015		
<b>SUMMARY OF WORK:</b> Install new lateral construction. Additional quantities of limerock base road replacement, asphaltic concrete, and mill & pave, are due to differing site conditions. The actual location of the sewer main was farther east than originally estimated which required the excavation area and the shoring box to extend past the centerline of the northbound lane expanding the work area. The additional costs for permit allowance, and maintenance of traffic, are a result Broward County requirements for a revised permit and revised MOT due to the expanded work area.					
<b>BILLING RATES INCLUDED IN CONTRACT</b>					
<b>ITEM #</b>	<b>ITEM DESCRIPTION</b>	<b>Qty</b>	<b>UNIT</b>	<b>UNIT PRICE</b>	<b>TOTAL PRICE</b>
11	Furnish & Install 12" thick limerock base road replacement	105	SY	\$21.00	\$2,205.00
12	Furnish & Install up to 2" thick asphaltic concrete between saw-cut or milled repair area	505	SY	\$23.00	\$11,615.00
13	Furnish all material, labor & equipment to mill and dispose of materials of existing asphalt pavement to a depth of up to inches( 2")	467	SY	\$20.00	\$9,340.00
22	Permit Allowance	0.2086	AL	\$5,000.00	\$1,043.00
23	Maintenance of Traffic Allowance for collector streets, county or state roads	0.2933384	AL	\$25,000.00	\$7,333.46
<b>Total Bid Price Included in Contract:</b>					<b>\$31,536.46</b>
Molloy Brothers, Inc <b>Contractor:</b> By: <u>Thomas W. Molloy</u> Date: <u>01/28/2016</u> Authorized Signature Date: <u>Thomas W. Molloy - Pres.</u> Print Name and Title					

Task Order No.: 5 - Amendment No. 1  
Contract No.: 313-11405  
Project No.: 11905  
Contractor: Molloy Bros. Inc.,  
Amount 31,536.46

CITY SIGNATURES:

\_\_\_\_\_  
Jean Examond, Project Manager Date:

\_\_\_\_\_  
Paul A. Berg, ICMA-CM Date:  
Acting Public Works Director

\_\_\_\_\_  
Kirk W. Buffington, C.P.M. Date:  
Director of Finance

\_\_\_\_\_  
Rhonda Montoya Hasan Date:  
Assistant City Attorney

\_\_\_\_\_  
Jeff A. Modarelli Date:  
City Clerk

CITY OF FORT LAUDERDALE, a Florida municipality:

By: \_\_\_\_\_  
LEE R. FELDMAN, City Manager Date:

## Contractor's Name &amp; Address:

Molloy Bros., Inc.  
800 NW 27 Ave  
Fort Lauderdale, FL 33311

## PERIODIC ESTIMATE FOR PAYMENT

OFFICE OF THE CITY ENGINEER  
CITY OF FORT LAUDERDALE

Prof./Imp. #: 11905

Name of Project: Annual Utilities Restoration

Periodic Est #: 2 Task Order 5.5/Amendment No. 1

Work Completed From: 11/16/2015 To: 12/11/2015  
(Date) (Date)

Purchase Order #: 811 NW 7 Ave

CONTRACT ITEMS						APPROVED WORK / CHANGE ORDERS				COST OF WORK COMPLETED TO DATE											
ORIGINAL CONTRACT ITEMS						CONTRACT ADJUSTMENTS				PREVIOUSLY BILLED			CURRENT BILLING PERIOD			WORK COMPLETED TO DATE			UNCOMPLETED WORK		
Item no.	Description of Item	Unit Qty.	Unit	Cost per unit.	Total cost of Item.	C.O. #1		Adj. Qty.		Qty.	%	Cost	Qty.	%	Cost	Qty.	%	Cost	Qty.	%	Cost
						Qty.	\$	Qty.	\$												
1	Mobilization and Demobilization	1	Location	2800	\$2,800.00	0	\$ -	1	\$ 2,800.00	1	100%	\$ 2,800.00	0	0%	\$ -	1	100%	\$ 2,800.00	0	0.00%	\$ -
2	Well Point System complete (pump header & points) 40FT excavation	1	Location	1350	\$1,350.00	0	\$ -	1	\$ 1,350.00	1	100%	\$ 1,350.00	0	0%	\$ -	1	100%	\$ 1,350.00	0	0.00%	\$ -
3	By-Pass pump between manholes for work on gravity sewer, inclt plugs	1	Location	450	\$450.00	0	\$ -	1	\$ 450.00	1	100%	\$ 450.00	0	0%	\$ -	1	100%	\$ 450.00	0	0.00%	\$ -
4A	Repair/Replace existing Gravity Sanitary Sewer: 8 or 10" dia., existing lateral stack/line inclt: all fittings, install 6-inch lateral, wye or tee, excavation. Up to 40FT (Elev. 6.5)																				
V.	Location Invert elevation (-)6.01 to (-)8	1.0	Location	14850	\$14,850.00	0	\$ -	1	\$ 14,850.00	1	100%	\$ 14,850.00	0	0%	\$ -	1	100%	\$ 14,850.00	0	0.00%	\$ -
11	Furnish & Install 12" thick limerock base road replacement	95	SY	21	\$1,995.00	105	\$ 2,205.00	200	\$ 4,200.00	95	48%	\$ 1,995.00	105	53%	\$ 2,205.00	200	100%	\$ 4,200.00	0	0.00%	\$ -
12	Furnish & Install 2" thick asphaltic concrete between saw-cut or milled repair area	140	SY	23	\$3,220.00	505	\$ 11,615.00	645	\$ 14,835.00	140	22%	\$ 3,220.00	505	78%	\$ 11,615.00	645	100%	\$ 14,835.00	0	0.00%	\$ -
13	Furnish all material, labor & equipment to mill and dispose of asphalt to depth of 2"	45	SY	20	\$900.00	467	\$ 9,340.00	512	\$ 10,240.00	45	9%	\$ 900.00	467	91%	\$ 9,340.00	512	100%	\$ 10,240.00	0	0.00%	\$ -
20	Furnish & Install temporary traffic bearing steel plate, 1" x 10' x 20' when called for & remove/haul upon completion	12	DAYS	150	\$1,800.00	0	\$ -	12	\$ 1,800.00	12	100%	\$ 1,800.00	0	0%	\$ -	12	100%	\$ 1,800.00	0	0.00%	\$ -
21	Restoration Allowance	0.116667	AL	30000	\$3,500.00	0	\$ -	0.116667	\$ 3,500.00	0.116667	100%	\$ 3,500.00	0	0%	\$ -	0.116667	100%	\$ 3,500.00	0	0.00%	\$ -
22	Permit Allowance	0.05	AL	5000	\$250.00	0.2086	\$ 1,043.00	0.258600	\$ 1,293.00	0.050000	19%	\$ 250.00	0.208600	81%	\$ 1,043.00	0.258600	100%	\$ 1,293.00	0	0.00%	\$ -
23	Maintenance of Traffic Allowance for collector streets, county or state	0.112	AL	25000	\$2,800.00	0.2933384	\$ 7,333.46	0.405338	\$ 10,133.46	0.112000	28%	\$ 2,800.00	0.293338	72%	\$ 7,333.46	0.405338	100%	\$ 10,133.46	0	0.00%	\$ -
Subtotal Construction Costs (Contract Items):					\$33,915.00		\$31,536.46		\$ 65,451.46		100.00%	\$33,915.00		92.99%	\$31,536.46		192.99%	\$65,451.46		0.00%	\$0.00

Additional Items by Change Order (if applicable)					C.O. #1				COST OF WORK COMPLETED TO DATE											
Item No.	Description of Item	Cost per unit	Unit		Qty.	\$	Qty.	\$	Qty.	%	Cost	Qty.	%	Cost	Qty.	%	Cost	Qty.	%	Cost
						\$ -	0	\$ -			\$ -			\$ -			\$ -	0		\$ -
						\$ -	0	\$ -			\$ -			\$ -			\$ -	0		\$ -
						\$ -	0	\$ -			\$ -			\$ -			\$ -	0		\$ -
Subtotal Construction Costs (Additional Items):						\$ -		\$ -			\$ -			\$ -			\$ -			\$ -

TOTAL CONSTRUCTION COSTS:						\$65,451.46		51.82%	\$33,915.00		48.18%	\$31,536.46		100.00%	\$65,451.46			\$0.00		
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## ADJUSTED CONTRACT TOTAL:

\$65,451.46

(ORIGINAL CONTRACT PLUS ALL APPROVED CHANGE ORDERS &amp; UNCOMPLETED WORK)

## 2. CONTRACT COSTS - CREDIT AND PAYMENTS.

(a) Cost of contract items performed to date.....	\$65,451.46	
(b) Less amount retained in accordance with contract terms. (Show both percent and dollar amount).....	\$ -	(0%)
(c) Net amount earned on contract work to date.....	\$65,451.46	
(d) Less amount of previous payments.....	\$33,915.00	
(e) Subtotal.....	\$31,536.46	
(f) Less Credit for:      Density Failures [ ]      Liquid. Dmgs. [ ]      Design [ ]	0	
(g) BALANCE DUE THIS PAYMENT.....	\$31,536.46	

Final payment application? (Yes / No): YES

If yes, have DBE requirements been met? (Yes / No / n/a): N/A

## 3. CERTIFICATION OF CONTRACTOR.

According to the best of my knowledge and belief, I certify that all items and amounts shown on the schedule of this Periodic Estimate for Partial Payment are correct; that all work has been performed and/or material supplied in full accordance with the requirements of the referenced project or improvement number, and/or duly authorized deviations, substitutions, alterations, and/or additions; that the foregoing is a true and correct statement of the contract account up to and including the last day of the period covered by this Periodic Estimate.

If Periodic Estimate is for a final payment to project or improvement, I further certify that ALL persons doing work upon or furnishing materials or supplies for this project for improvements under this foregoing contract have been paid in full, and that all taxes imposed by No. 212 Florida Statutes, (Sales and Use Tax Act, as Amended) have been paid and discharged.

Molloy Bros., Inc.

Contractor's Name

The balance due this payment is full payment for all extra work and materials furnished by the undersigned and all incidentals thereto and the undersigned hereby releases the City of Fort Lauderdale from all claims whatsoever arising out of this contract for the work performed up to date of this requisition.

The authorization and execution of this Periodic Estimate for Partial Payment by the City does not waive, nor does the City surrender any of its rights as afforded by the contract.

 1/28/2016  
Signature of Authorized Representative and Date of Signature

Thomas W. Molloy - President

Typed or Written Name of Representative and Job Title

## 4. CONSULTING ARCHITECT or CONSULTING ENGINEER PAYMENT AUTHORIZATION (where applicable). This authorization is subject to the terms of the contract, including, but not limited to, Sections 5-37 through 5-44.

Signed: N/A  
Consulting Architect or Engineer (if required)

## 5. CITY ENGINEERING PARTIAL PAYMENT AUTHORIZATION. This authorization is subject to the terms of the contract, including, but not limited to, Sections 5-37 thru 5-44.

(Project Manager) Jean Examond (Date)

(Senior Project Manager) Scott Teschky (Date)

(Construction Manager) N/A

(Assistant Public Works Director) Alan Dodd (Date)