

3H-18

Agenda Item #:

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: July 11, 2006

Consent

Regular

Workshop

Public Hearing

Department: Facilities Development and Operations

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: Change Order No. 3 to the contract with Catalfumo Construction, Ltd. (R2004-1884) for the Biotechnology Research Park in the amount of \$259,426.71 and a time extension of 100 days.

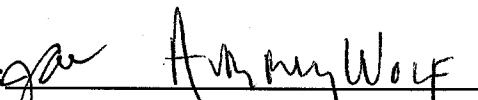
**Summary:** This Change Order is the result of delays to the construction manager and its subcontractors and compensates the contractor for extended general conditions associated with a 100 day delay. These delays stem from work stoppage due to the Army Corps permit litigation, hurricanes, excessive rain, and additional work associated with the Research Park's utility site. Work included in this change order was completed prior to Board approval. The SBE goal for this contract is 15%. There is 0% SBE participation in this change order. When combined with previous change orders, the overall SBE participation is 6%. (Capital Improvements Division) Countywide/District 1 (JM)

**Background and Justification:** A Notice to Proceed was issued to Catalfumo on February 28, 2005, and work began on the site. Shortly thereafter, work was stopped on one of the lakes (Lake No.3) for the project, but allowed to continue on the Scripps' lake due to permitting issues. Work resumed on Lake No. 3 four months later which resulted in a 5 week delay to the project. During this time, Hurricane Katrina caused a 5 day delay. Additional fill work for the Research Park's utility site and a Hurricane Wilma delay resulted in an additional 7 week time extension, up to the final stop work order issued for the project, November 8, 2005.

**Attachments:**

1. Location Map
2. Budget Availability Statement
3. Change Order No. 3

Recommended by:

  
Department Director

6/23/06  
Date

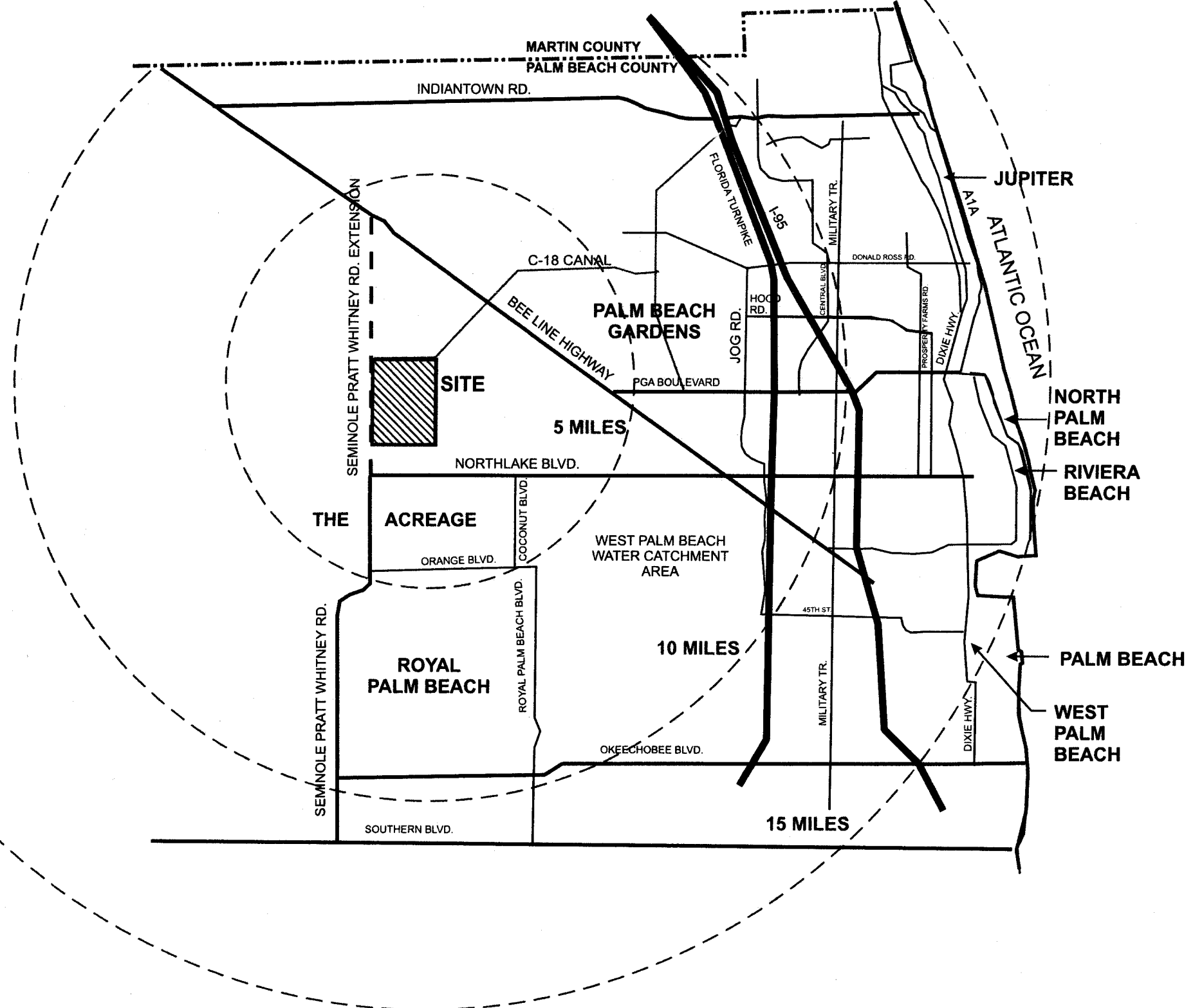
Approved by:

  
County Administrator

7/1/06  
Date



ATTACHMENT # 1



**FACILITIES DEVELOPMENT & OPERATIONS  
BUDGET AVAILABILITY STATEMENT**

REQUEST DATE: 05/18/06

REQUESTED BY: Mike McPherson PHONE: 233-0278  
FAX: 233-0270

PROJECT TITLE: Biotechnology Research Park  
(Scripps)

PROJECT NO.: 03247

ORIGINAL CONTRACT AMOUNT:

BCC RESOLUTION#:

REQUESTED AMOUNT: \$259,426.71

DATE:

CSA or CHANGE ORDER NUMBER: Change Order No. 3

CONSULTANT/ CONTRACTOR: Catalfumo Construction Ltd.

PROVIDE A BRIEF STATEMENT OF THE SCOPE OF SERVICES TO BE PROVIDED BY THE CONSULTANT/CONTRACTOR:

Provide extended general conditions and overhead due to delays in the projects beyond the construction manager control.

CONSTRUCTION	\$259,426.71
PROFESSIONAL SERVICES	_____
STAFF COSTS** (Design/Construction Phase)	_____
MISC. (permits, prints, advertising, etcetera)	_____
<b>TOTAL</b>	<b>\$259,426.71</b>

\*\* By signing this BAS your department agrees to these staff costs and your account will be charged upon receipt of this BAS by FD&O. Unless there is a change in the scope of work, no additional staff charges will be billed.

BUDGET ACCOUNT NUMBER (IF KNOWN)

infrastructure - BAS costs

FUND: 3033 DEPT: 409 UNIT: B346 OBJ: 6505

5/19/06 *[Signature]*

FUNDING SOURCE (CHECK ALL THAT APPLY):  AD VALOREM  OTHER  
 FEDERAL/DAVIS BACON

BAS APPROVED BY: *[Signature]*

DATE: 5.24.06

ENCUMBRANCE NUMBER: 031705-693

Revised 03/30/04



**CHANGE ORDER HISTORY  
BIOTECHNOLOGY RESEARCH PARK**

**PROJECT NO. 03247**

CO #	DESCRIPTION	DATE APPROVED	AMOUNT APPROVED BY DIR	AMOUNT APPROVED BY CRC	AMOUNT APPROVED BY BCC	DAYS APPROVED BY DIR	DAYS APPROVED BY CRC	DAYS APPROVED BY BCC	CODE
1	Provide fuel to existing storm water pumps.	Pending	\$18,418.90			0			Differing site conditions
2	Provide fill to the utility site in order to rise the site from a existing elevation.	Pending			\$104,500.00	0			Owners-initiated
3	Provide additional monies for overhead and general condition and provide time extension to the contract.	Pending			\$259,426.71			100	Owners- initiated/ Differing site conditions
			<b>TOTAL \$ BY DIR</b>	<b>TOTAL \$ BY CRC</b>	<b>TOTAL \$ BY BCC</b>	<b>TOTAL DAYS BY DIR</b>	<b>TOTAL DAYS BY CRC</b>	<b>TOTAL DAYS BY BCC</b>	
			\$18,418.90	\$0.00	\$363,926.71	0	0	100	
			<b>DIR + CRC DOLLARS TO DATE</b>			<b>DIR+ CRC TOTAL DAYS TO DATE</b>			
			\$18,418.90			100			

**PALM BEACH COUNTY**

**CHANGE ORDER**

ISSUED TO: Catalfumo Construction & Development, Inc. 4300 Catalfumo Way Palm Beach Gardens, Florida 33410	CHANGE ORDER NO.: 3
PROJECT: Biotechnology Research Park	REFERENCE CCP NO.: 3
PROJECT NO. 03247	RESOLUTION NO.: R2004-1884
	DISTRICT NO.: 1

The completion date, contract price, and all terms, covenants, and conditions of the above referenced contract, except as duly modified by this and previous Change Orders, if any, shall remain in full force and effect.

**DESCRIPTION OF CHANGE:**

Provide additional monies for overhead and general conditions and provide time extension to the contract.  
Add . . . . \$259,426.71

**CONTRACT PRICE**

**COMPLETION DATE**

Original Contract Price: \$ 460,000.00  
 Amendment No. 1: \$ 3,717,301.47  
 C.O.# 1 through 2 : \$ 122,918.90  
 This C.O. # 3 : \$ 259,426.71  
 ADJUSTED Contract Price: \$ 4,559,647.08

Contract Completion Date will be (increased)  
 (~~decreased~~) by 100 calendar days.  
 Contract Notice To Proceed Date: February 28, 2005  
 Contract Substantial Completion Date: August 22, 2005  
 ADJUSTED Substantial Completion Date: November 30, 2005

**CONTRACTOR**

Execution of this change order acknowledges final settlement of, and releases, 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.  
 The above changes are accepted:

Catalfumo Construction & Development Inc.  
 Contractor  
 By: Edward E. Mangano  
 Title: Sr VP Date: 5/23/06

**DESIGN PROFESSIONAL**

The above changes are recommended for approval by the Owner:

N/A

Miller Legg & Associates, Inc.  
 Design Professional  
 By: \_\_\_\_\_  
 Title: \_\_\_\_\_ Date: \_\_\_\_\_

**PALM BEACH COUNTY**

Recommended By:

By: Mike Peterson  
 Title: Project Manager Date: 6/13/06  
 By: John Chesher  
 Title: Director - CID Date: 6/26/06  
 By: Anthony Wolf  
 Title: Director - FD&O Date: 6/23/06  
 By: \_\_\_\_\_  
 Legal Sufficiency - CAO Date: \_\_\_\_\_  
 Approved By:  
 By: \_\_\_\_\_  
 Tony Masilotti  
 Title: Chairman, BCC Date: \_\_\_\_\_

**PALM BEACH COUNTY**

**CONSTRUCTION CHANGE PROPOSAL (CCP)**

<b>TO:</b> Palm Beach County	<b>CCP NUMBER:</b> 4
Capital Improvements Division	<b>DATE:</b> 4/24/2006
<b>ATTENTION:</b> Mike McPherson	<b>PROJECT NAME:</b> PBC Biotechnology Research Park
<b>REFERENCE:</b> Time Extension	<b>PROJECT NUMBER:</b> 3247
	<b>CONTRACT NUMBER:</b> R2004 1884

We propose to accomplish the **MODIFICATIONS** identified in **FIELD BULLETIN FB# NA** and as described herein. Except as modified below, the original contract and all prior amendments shall remain in full force and effect.

**DESCRIPTION:** The time extension for both J.W. Cheatham and Catalfumo Construction is based on the follow:

2/28/2005	Notice to Proceed was issued for the Temporary Construction Facilities (Earthwork - Lakes 1 & 3) Project
3/10/2005	Stop Work Order was issued - Permitting Issues
3/24/2005	Notice to Proceed was issued for the Temporary Construction Facilities (Earthwork - Lakes 1 only) Project - <b>14 DAYS</b>
7/5/2005	Notice to Proceed was issued for Lake #3
8/22/2005	Original Substantial Completion Date
8/25-29/2005	Hurricane Katrina - <b>5 DAYS</b>
10/6/2005	Stop Work Order issued on Lake #3 - <b>45 DAYS (8/23-10/6/2005)</b>
10/20-25/2005	Hurricane Wilma - <b>5 DAYS</b>
10/6/2005-11/8/2005	Utility Site Construction - <b>33 DAYS</b>
11/8/2005	Stop Work Ordered on all Construction
11/30/2005	Stop Work Ordered Issued on project/Catalfumo Vacates the site

The above time line does not include 33 documented rain days.

The actual contract time requested for J.W. Cheatham is 81 contract days. This is based on the number of days between the original substantial completion date (8/22/05) and the stop work order issued for all construction (11/8/05). The adjusted contract time requested for Catalfumo Construction is 99 days or 3.3 months (see tab 4, CCP #4). These are based on the number of days between the original substantial completion date (8/22/05) and the Catalfumo stop work order (11/30/2005).

CCP#4 is based on the following costs:

J.W. Cheatham (see attached documentation)	\$	71,213.36
Catalfumo Construction (see attached tab 4)	\$	188,213.35
<b>Total</b>	<b>\$</b>	<b>259,426.71</b>

<b>PROPOSED CONTRACT PRICE CHANGE:</b>	<b>increase</b>	<b>\$ 259,426.71</b>
CCP #1 - Impoundment Pumping		\$ 18,418.90
CCP #2 - Utility Site		\$ 104,500.00
CCP#3 - Void		\$
<b>ORIGINAL CONTRACT PRICE</b>		<b>\$ 459,698.53</b>
Amendment 1		\$ 3,717,301.47
<b>NEW CONTRACT PRICE</b>		<b>\$ 4,559,345.61</b>


<b>PROPOSED CONTRACT PRICE CHANGE:</b>	<b>increase</b>	<b>\$ 259,426.71</b>
<b>CONTRACT PRICE</b>		<b>\$ 4,299,918.90</b>
<b>NEW CONTRACT PRICE</b>		<b>\$ 4,559,345.61</b>

<b>PROPOSED CONTRACT TIME CHANGE:</b>	<b>increase</b>	<b>100</b>	<b>DAYS</b>
<b>PROPOSED NEW SUBSTANTIAL COMPLETION:</b>		<b>11/30/2006</b>	<b>DATE</b>

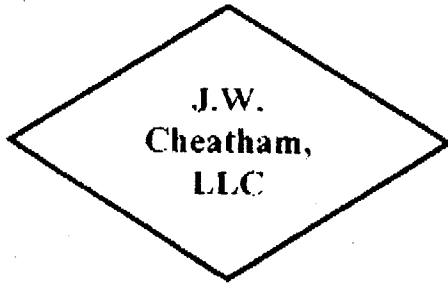
**FROM:** Catalfumo Construction, Ltd.

Contractor

**DISTRIBUTION:** T. Lundeen - Catalfumo

**SIGNED:**   
Ed Meininger, V.P.

**DATE:** 4/24/2006



**ROAD BUILDING &  
EARTHMOVING CONTRACTORS**

May 1, 2006

Catalfumo Construction Ltd.  
4300 Catalfumo Way  
Palm Beach Gardens, FL 33410

Attn: Tom Lundeen P.E.

Ref: Palm Beach County Biotechnology Research Park

Dear Mr. Lundeen:

I am in receipt of your notice to proceed on Lake # 3 at the above referenced project. This notice is given 128 days after the original notice to proceed with the project.

Pursuant to my letters of March 17<sup>th</sup>, 2005 and April 4<sup>th</sup>, 2005 we request reimbursement for the following cost that have or will be incurred as a result of this delay, which was beyond our control.

Jobsite Supervision	12 Weeks	@	\$2,920.00/WK	\$ 35 040.00
Haul Road Maintenance			1 Lump Sum	\$ 26 932.50
Security			1 Lump Sum	\$ 8 100.00
Restake Lake #3			1 Lump Sum	\$ 1 240.86
Credit for Embankment Staking			1 Lump Sum	<\$ 10,000.00>
Silt Fence for Stockpile Areas	6,000 LF	@	\$ 1.65/LF	\$ 9 900.00
			Total:	\$ 71 213.36

81-Day Time Extension is Requested.

Should you have any questions please contact me.

Sincerely,  
J.W. Cheatham, LLC

*S. M. Mousavi*

Moe Mousavi  
Project Manager

SCHEDULE 1

LIST OF PROPOSED SBE-M/WBE SUBCONTRACTORS  
CHANGE ORDER WORK

PROJECT NAME: Biotechnology Research Park PROJECT NO. 03247  
 NAME OF GENERAL CONTRACTOR: Catalfumo Construction Ltd. CONTACT PERSON: Ed Meinzinger PHONE NO: 694-3000  
 CCP #: 4

**PLEASE IDENTIFY ALL APPLICABLE CATEGORIES OF SUBCONTRACTORS**

Name, Address and Phone Number	(Check one or both Categories)		Subcontract Amount				
	Minority Business	Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)
1. Catalfumo Construction Co., Ltd. 4300 Catalfumo Way Palm Beach Gardens, Florida 33410	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
2.	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
3.	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
4.	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
5.	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
(Please use additional sheets if necessary)	Total		\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

Change Order Price \$ 259,426.71 Total Value of SBE Participation \$ 0 M/WBE Participation % 0