

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: September 13, 2011 Consent Regular
 Workshop Public Hearing
 Department:
 Submitted By: Engineering and Public Works
 Submitted For: Construction Coordination Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Change Order No. 10 in the amount of \$68,689.40 and a 58 day time extension to Contract No. R2009-0261 with American Engineering & Development Corp. for the Lyons Road from Glades Road to Yamato Road Contract.

SUMMARY: Approval of Change Order No. 10 will compensate for costs and delays associated with the excavation of unanticipated cap rock from the proposed retention lake. Change Order No. 10 is being brought to the Board of County Commissioners because it exceeds the maximum time of 90 days the Contract Review Committee can approve as referenced in PPM-CWF-50.

Districts 5 (MRE)

Background and Justification: The excavation of the unanticipated cap rock, in the amount of \$83,493.15 together with a (\$14,803.75) credit, is necessary in order to complete the proposed retention lake, drainage system and widening of Lyons Road. See Attachments A, B & C.

Attachments:

1. Location Map
2. Change Order No. 10
3. Change Order No. 10 Attachment A
4. Change Order No. 10 Attachment B
5. Change Order No. 10 Attachment C
6. Change Order History
7. Schedule 1

Recommended By: Ellis L. Row 7-26-11 [Signature]
 Division Director Date

Approved By: B. T. Webb 9/9/11
 County Engineer Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	<u>\$68,690</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>\$68,690</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>

ADDITIONAL FTE POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes X No _____
 Budget Acct No.: Fund 3505 Dept. 361 Unit 0667 Object 6551

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Road Impact Fee Fund - Zone 5
 Lyons Road/Glades Road to Yamato Road

Change Order #10 \$68,689.40

C. Departmental Fiscal Review: Alice Kovalainen

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

[Signature] 8/11/11
 OFMB
 5/2 8/11/11
 cc
 8/11/11

[Signature] 8/16/11
 Contract Dev. and Control
 8-16-11 [Signature]

B. Approved as to Form and Legal Sufficiency:

This item complies with current County policies.

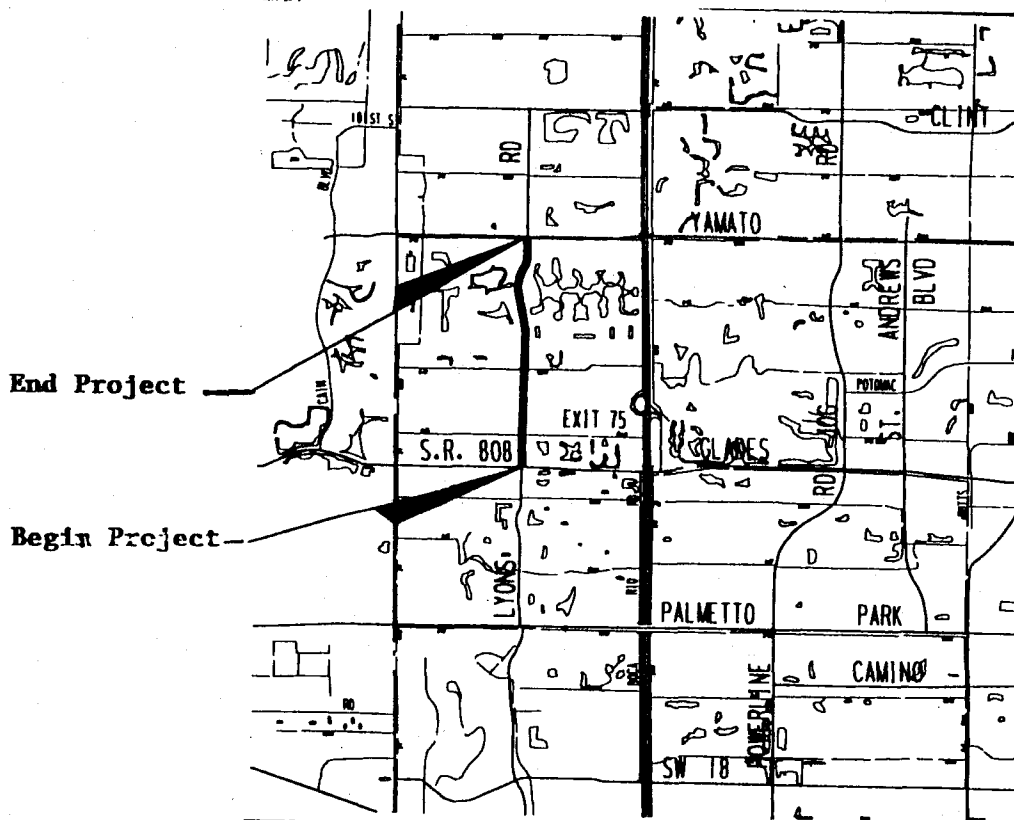
[Signature] 8/19/2011
 Assistant County Attorney

C. Other Department Review:

 Department Director

This summary is not to be used as a basis for payment.

**PROJECT LOCATION
PROJECT # 1998504
LYONS ROAD
FROM
GLADES ROAD TO YAMATO ROAD**



LOCATION SKETCH

CHANGE ORDER

<input checked="" type="checkbox"/> Owner Initiated	_____	Quantity Overruns/Underruns
<input checked="" type="checkbox"/> Differing Site Conditions	_____	Request By Another Agency/Outside Party
_____ Zoning/Code/Ordinance Changes	_____	<input type="checkbox"/> A. Reimbursable <input type="checkbox"/> B. Non-Reimbursable
_____ Errors/Omissions/In Design	_____	Other:

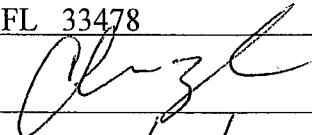
PROJECT: LYONS ROAD/GLADES ROAD TO YAMATO ROAD	CHANGE ORDER NO: 10 (ten)
(Name)	COUNTY PROJECT NO: 1998504
TO:	CONTRACT DATE: 02/24/09
(Contractor) American Engineering & Development Corp.	RESOLUTION NO: R2009-0261
	DISTRICT NO: 5

You are directed to make the following changes in this Contract:

1. Excavate unanticipated cap rock from proposed retention lake – 59,215 CY @ \$1.41	\$ 83,493.15
2. Credit for original excavation item (see Attachments A, B & C)	(14,803.75)
TOTAL	\$ 68,689.40

The original Contract Sum was	\$5,640,527.74
Net change by previous Change Orders	\$ 336,127.57
The Contract Sum prior to this Change Order was	\$5,976,655.31
The Contract Sum will be increased by this Change Order	\$ 68,689.40
The new Contract Sum including this Change Order will be	\$6,045,344.71
The Contract Time will be increased by	(58) Days
The Date of Completion as of the date of this Change Order therefore is	October 4, 2010

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.

_____	<u>American Engineering & Develop. Corp.</u>	<u>P.B.Co. Board of County Commissioners .</u>
ENGINEER (If Applicable)	CONTRACTOR	OWNER
_____	15075 Corporate Road North	P.O. Box 21229
Address	Address	Address
_____	Jupiter, FL 33478	West Palm Beach, FL 33416-1229
BY _____	BY 	BY _____
DATE _____	DATE 7/25/11	DATE _____

ATTEST: Sharon R. Bock,
Clerk & Comptroller

Approved as to Form and Legal Sufficiency:

(Deputy Clerk) Date

(County Attorney)

Memorandum

To: Mr. Chris Umbaugh – American Engineering & Development Corporation
 From: Michael J. O'Connor, P.E.
 Date: April 8, 2010
 Subject: *Lyons Road - Test Pit Observations at the Proposed Retention Pond Area*
 Boca Raton, Florida
 Dunkelberger Engineering Project No. WPB-10-7802

Per your request, on February 18 and March 1, 2010, Dunkelberger Engineering & Testing, Inc. (Dunkelberger) observed the excavation of forty two (42) test pits located within the proposed retention pond area at the subject project. Below are the results of the test pit observations that we recorded, including top and bottom elevations that were surveyed by you and verified by us. The rock encountered consisted of light brown, silty, sandy, LIMESTONE, moderately well cemented with an average thickness of 6.06 feet.

Test Pit No.	Caprock Elevations (NGVD, 1929)		
	Top Elevation (feet)	Bottom Elevation (feet)	Rock Thickness (feet)
18811	17.50	9.80	7.70
18853	16.50	8.80	7.70
18846	16.70	10.50	6.20
18841	16.30	10.20	6.10
18834	17.00	10.70	6.30
18830	15.90	10.40	5.50
18818	16.80	9.10	7.70
18819	17.90	10.40	7.50
18831	14.60	5.50	9.10
18833	16.70	10.40	6.30
18842	16.40	10.60	5.80
18845	16.80	10.40	6.40
18854	17.10	11.26	5.84
18810	17.30	10.70	6.60
816	17.40	10.50	6.90
18826	15.50	10.60	4.90

Lyons Road – Test Pit observations
 Project No. WPB-10-7802

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18825	17.80	10.60	7.20
18843	16.90	11.10	5.80
18832	16.70	10.50	6.20
18822	13.00	10.50	2.50
18820	14.30	10.00	4.30
838	14.10	10.90	3.20
18805	13.30	8.75	4.55
18806	13.25	9.95	3.30
18807	14.90	9.70	5.20
18808	15.80	10.00	5.80
18809	17.60	11.00	6.60
18856	16.80	9.60	7.20
18814	17.20	9.90	7.30
18850	17.20	10.90	6.30
18849	16.40	10.00	6.40
18838	16.10	10.30	5.80
18837	15.40	9.60	5.80
18827	16.00	9.10	6.90
18815	16.40	10.70	5.70
18813	17.10	10.60	6.50
18851	16.80	10.40	6.40
18848	15.90	10.10	5.80
18839	15.90	10.10	5.80
18836	16.10	10.10	6.00
18828	16.20	10.60	5.60
18816	16.50	10.50	6.00
Average Caprock Thickness (feet): 6.06			

DUNKELBERGER

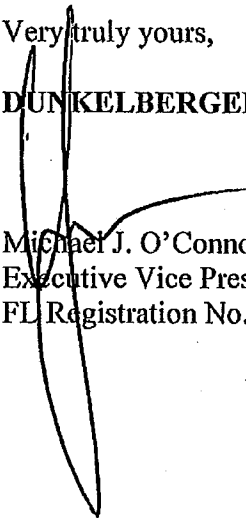
Lyons Road – Test Pit observations
Project No. WPB-10-7802

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We trust that the information provided in this letter is clear and understandable. Should it require any clarification or amplification, however, please contact us.

Very truly yours,

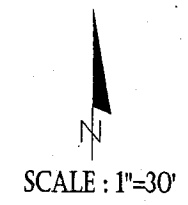
DUNKELBERGER ENGINEERING & TESTING, INC.



Michael J. O'Connor, P.E.
Executive Vice President
FL Registration No. 44082

DUNKELBERGER

RECORD DRAWING

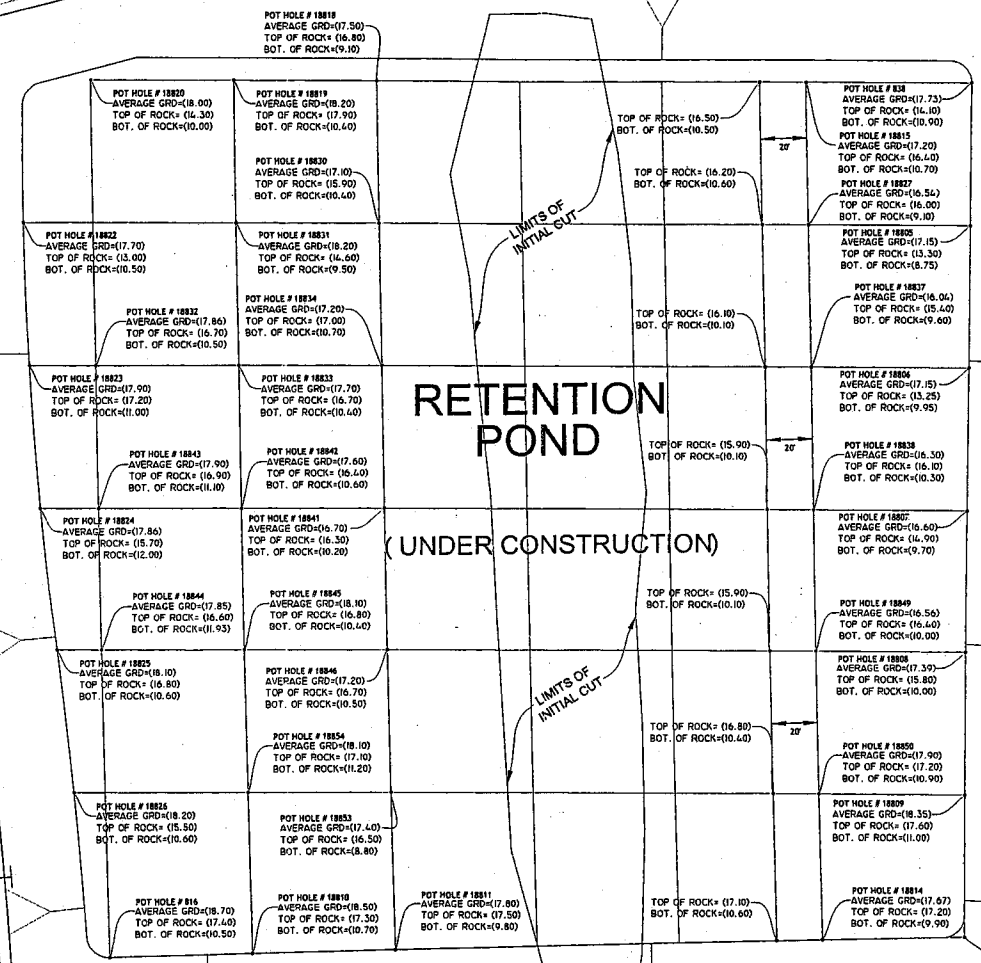


LYON'S ROAD

RETENTION POND
(UNDER CONSTRUCTION)

L-45 CANAL

LYONS ROAD



- NOTES:
1. THIS RECORD DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF FLORIDA LICENSED SURVEYOR AND MAPPER
 2. ELEVATIONS SHOWN HEREON ARE RELATIVE TO NATIONAL GEODESIC MEAN SEA LEVEL DATUM OF 1929
 3. & P.50 DENOTES 'RECORD' ELEVATIONS
 4. THIS IS NOT A BOUNDARY SURVEY
 5. ALL VALVE ELEVATIONS ARE SHOWN FROM TOP OF NUT
 6. BENCHMARK: BM 1 IS 340.8' SOUTH OF STA. 10+00.00, 11.0' WEST OF BACKLASH. PVI HAS IN CONC. CENTER OF MEDIAN ELEVATION: 18.41
- LAST DATE OF FIELD WORK: 04-02-10

APR - 5 2010

MATTHEW T. WIXTED
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 4872

DATE		BY		DESCRIPTION	

DATE		BY		DESCRIPTION	

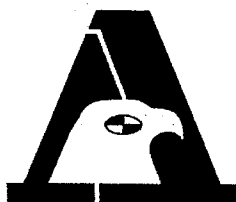
MATTHEW T. WIXTED
PROFESSIONAL SURVEYOR & MAPPER
11765 W. OKEECHOBEE ROAD
HIALEAH GARDENS, FLORIDA 33018
PH: (305)825-8800



PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS
2300 N. Jog Road West Palm Beach, Florida 33411

POT HOLE ASBUILTS
AS OF (03-01-10)

COUNTY PROJ. NO.
98-504
SHEET NO.
73a



**American
Engineering &
Development
Corporation**

AEDC PROJECT NO:09-817
HCSS No.: 8409EP

**TO: PBC Board of Commissioners
Works Dept
Attn: Bob Gunnell
P.O. Box 21229
West Palm Beach, FL 33416-1229
Ph: 561-684-4180
Fax: 561-684-4165**

**CHANGE ORDER NO. 06A revision 2
DATE: May 19, 2010
PROJECT: 09-817- Lyons
Road**

We hereby propose to perform the following work:

Additional costs associated with the rock excavation that has been encountered in the lake footprint as quantified by the attached survey and Dunkleburger Report. **\$ 68,689.40**

A.

Rock Excavation 59,215 CYL @ \$ 1.41 = \$ 83,493.15
Credit for Original <59,215> CYL @ \$.25 = <\$14,803.75>
Excavation Item

1. Pricing does not include stockpiling and disposal costs.

ADDITIONAL CALANDER DAYS FOR ROCK EXCAVATION BASED ON ACTUAL COMPLETION **58 DAYS**

TOTAL LUMP SUM FOR THIS CHANGE ORDER **\$ 68,689.40**

THE PARTIES HEREBY AGREE to modify the Contract by the herein Change Order, which becomes part of the Contract. All work is to be performed under the terms and conditions of the Contract unless otherwise agreed in writing. Facsimile signatures are binding as originals.

ADD

\$ 68,689.40

**American Engineering & Development
Corporation**

**ACCEPTED:
Palm Beach County**

By: _____

By: _____

Name: Chris Umbaugh _____

Name: _____

Title: Operations Manager _____

Title: _____

(Please sign, and return one copy for our records.)

O:\Contracts\Job Files\09817 - Lyons Road\Change Orders\CO's Sent to County\817-06C revised 2A(Rock Excavation).doc

EXECUTIVE OFFICE • 11765 W. OKEECHOBEE ROAD • HIALEAH GARDENS, FL 33018 (305) 825-9800 • (888) 522-8160 • FAX: (305) 825-9806
NORTHERN DIVISION • 15075 CORPORATE ROAD NORTH • JUPITER, FL 33478 (561) 242-9770 • FAX: (561) 242-9680

PALM BEACH COUNTY PROJECT Lyons Road from Glades Road to Yamato Road; Project No. 1998504

C.O. #	DATE APPROVED	COUNTY ENGINEER		C.R. COMMITTEE		TOTAL DEPT. & C.R. APPROVALS		BOARD OF CO. COMM.	
		AMOUNT	TIME	AMOUNT	TIME	AMOUNT	TIME	AMOUNT	TIME
1	5/28/2009	7,320.50	0						
2	12/8/2009	6,424.84	0						
3	4/21/2010			0.00	21				
4	4/22/2010	-12,132.26	0						
5	6/29/2010							166,325.00	32
6	02/09/11	21,621.25	0						
7	02/09/11	26,973.99							
8	6/15/2011			63,290.00	31				
9	6/15/2011			56,254.25	24				
	TOTAL	50,208.32	0	119,544.25	76	169,752.57	76		
	CUMULATIVE TOTAL	50,208.32	0	119,544.25	76	169,752.57	76		
		SINGLE AMT. \$49,999.99 MAX. AMT. \$100,000.00	MAX. TIME 30 DAYS	SINGLE AMT. \$100,000.00 MAX. AMT. \$199,999.00	MAX. TIME 90 DAYS	MAXIMUM CUMULATIVE CO. ENG. & C.R. COMM. \$250,000.00 or 5% of contract	MAX. CUM. CO.ENG.&C.R. 120 DAYS		

SCHEDULE 1

LIST OF PROPOSED SBE-M/WBE SUBCONTRACTORS

PROJECT NAME: LYONS ROAD/GLADES ROAD TO YAMATO RD. PROJECT NO. 1998504
 NAME OF PRIME BIDDER: AMERICAN ENGINEERING AND DEV. CORP.
 ADDRESS: 15075 CORPORATE RD. NORTH, JUPITER, FL 33478
 CONTACT PERSON: CHES LIMBAUGH PHONE NO: 954-275-0591 FAX NO: 561-242-9680
 BID DATE: 2/09 DEPARTMENT: _____

PLEASE IDENTIFY ALL APPLICABLE CATEGORIES OF SUBCONTRACTORS

Name, Address and Phone Number	(Check one or both Categories)		Dollar Amount				
	Minority Business	Small Business	Small	Black	Hispanic	Women	Other (Please Specify)
1. <u>N/A</u>	<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		\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

Total Bid Price \$ 68,689⁴⁰ Total Value of SBE Participation \$ 0⁰⁰

- NOTE:**
- The amounts listed on this form must be supported by the Subcontractors prices included on Schedule 2 in order to be counted toward goal attainment.
 - Firms may be certified by Palm Beach County as an SBE and/or M/WBE. If firms are certified as both an SBE and M/WBE, please indicate the dollar amount under the appropriate category.
 - M/WBE information is being collected for tracking purposes only.