



MEMORANDUM

Agenda Item No. 7(M)(1)(B)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. DATE: September 21, 2004
and Members, Board of County Commissioners

FROM: George Burgess
County Manager

SUBJECT: Retroactive Change Order
Number Three & Final, Country
Club of Miami Stormwater
Mitigation & Irrigation System
Replacement, Project Number
99054

The attached retroactive Change Order No. Three (3) and Final for the Country Club of Miami, Stormwater Mitigation & Irrigation System Replacement, Project No. 99054 contract between Zurqui Construction Services, Inc. and Miami-Dade County has been prepared by the Park and Recreation Department and is recommended for approval.

CHANGE ORDER NO.: Three (3) and Final

PROJECT: Country Club of Miami, Stormwater Mitigation & Irrigation System Replacement

PROJECT NO.: P & R No. 99054

PROJECT LOCATION: 6801 NW 186 ST. Miami, FL 33015

PROJECT DESCRIPTION: The project scope, as revised by Change Order No. Two (2) consists of:

West Course: Excavating the existing drainage lakes and channels, cleaning the existing drainage pipes, installing new pipes as needed, replacement of outflow pump, replacement/restoration of cart paths, sodding of slopes around new/modified lakes, sprigging and grow-in maintenance of the active play areas, replacement of the existing irrigation system and installation of new pump station.

East Course: Replacement of the existing irrigation system and installation of new pump station, replacement of outflow pump and construction of berm over existing gas pipeline for protection.

PRIME CONTRACTOR: Zurqui Construction Services, Inc.

COMPANY PRINCIPAL(S): Eddie Gonzalez, Jr., President
Ana Gonzalez, Secretary & Treasurer

CERTIFIED AS COMMUNITY SMALL
BUSINESS ENTERPRISE (CSBE) AT
TIME OF AWARD: No

COMPANY QUALIFIER(S): Eddie Gonzalez, Jr., CGC-053461

LOCATION OF COMPANY: 9755 S.W. 40 Terrace Miami, Florida 33165

YEARS IN BUSINESS: 14 years

CSBE MEASURE AT AWARD: 14% CSBE Subcontractor Goal

CURRENT CSBE STATUS: 14%

PREVIOUS CONTRACTS WITH
COUNTY DURING THE PAST FIVE
YEARS: 11 projects totaling \$22,153,938

ORIGINAL COST ESTIMATE: \$5,312,432

ORIGINAL CONTRACT AMOUNT: \$6,154,948

CONTINGENCY FUND USAGE: Beginning Balance: \$516,493.00
Total Amount Used: \$516,493.00
Remaining Balance: \$0.00

PREVIOUS CHANGE ORDER(S): Two:
Change Order One increased the contract amount by
\$2,025,000, from \$6,154,948 to \$8,179,948, for additional and
modified scope.

Change Order Two increased the contract time by one hundred
and twelve calendar days (112) to finalize the modifications
described in Change Order No.1 from August 8, 2003 to
November 28, 2003.

CHANGE ORDER
RECOMMENDATION: Increase contract amount by \$56,392.90 from \$8,179,948 to
\$8,236,340.90 for work outside the original scope and
retroactively extend the contract time by one hundred and
ninety-five (195) calendar days to June 10, 2004.

CLASSIFICATION FOR CHANGE
ORDER:

- Regulatory Change
- Other Agency Request Change
- Design Errors Change
- Design Omission Change
- County Requested Change
- Unforeseen/Unforeseeable Change
- Other

JUSTIFICATION FOR CHANGE
ORDER:

The Park & Recreation Department recommends the following changes:

Time extension to the contract:

Extend the contract time by one hundred ninety-five (195) calendar days.

- Electrical issues described below (4. Power for pump station) were discovered on January 30, 2003. The time needed to evaluate alternatives, design a solution, negotiate and implement the work was from January 30, 2004 to June 9, 2004 when substantial completion was achieved for a total of one hundred and thirty one (131) calendar days.
- The punch list time was extended by 64 days to insure proper grow-in of grass for the west course. The first of these extensions was for thirteen (13) calendar days to December 10, 2003 and the second consisted of fifty-one (51) calendar days to January 30, 2004.

These one-hundred ninety-five (195) calendar days of delays include a combination of "Non-Excusable Delays" and "Compensable Delays" and are ultimately defined as concurrent delays.

Increase contract amount:

Increase contract amount by \$56,392.90 for work outside the original scope. The total additional cost for the work described below in items No.1 through No.4 is \$83,964.07. The department recommends utilizing unencumbered monies from dedicated allowances to offset these additional costs for final budget reconciliation in the following fashion:

Remaining unencumbered allowance amounts:

Permit Allowance	\$26,571.44
Contingency Allowance	<u>\$1,695.94</u>
Total available	\$28,267.38

Thus, total additional costs of \$83,964.07 (items No. 1 through No.4) less the available unencumbered funds of \$28,267.38 in the contract results in an increase of \$55,696.69 for pay items; adding the IG (No.5) of \$139.24 and the IPSIG (No.6) of \$556.97 results in an increase to the total contract amount of \$56,392.90.

Below is a breakdown of the costs:

1. Additional sod in excess of stipulated contract amount.
Cost \$2,355.
2. Additional asphalt in excess of stipulated contract amount. Cost \$3,228.
3. Re-mobilization costs for in place equipment demobilized and re-mobilized after problem described in item No.4 was encountered and solution accepted.
Cost \$5,500.
4. Power for pump stations.
The Technical Specifications under Section 16050, Electrical, 1.02B, instructed bidders to include \$5,000 in the bid price to cover all associated costs payable to Florida Power & Light for providing electrical service for both outfall pumps stations under contract. This projection was based on the expected site conditions as confirmed by the utility company in pre-construction assessments. However, although verbally confirmed during construction on two occasions with the local area representative for FP&L, the actual points and means of connection greatly differed from their representative's assumptions. Alternate means for powering the already built pump stations had to be developed.

The original cost estimate from FP&L to upgrade the existing transformers to the capacity needed exceeded \$120,000 in costs and required more than three (3) months. Additionally this option greatly inconvenienced the adjacent residents with interruptions to the electrical service. The electrical contractor under the supervision of the project's engineer and in conformance with the project's intent prepared a workaround plan to minimize costs & time which was then submitted and endorsed by the utility company. The new plan included:

- Overhead service entrance with 3-500 MCM wire at East pump station and 250' of trenching and 3" conduit with 3-500 MCM wire at West pump station for connection to the existing FP&L transformers.
- 2 new 400 AMPS, 3 PHASE service meter entrance (one per pump).
- 2 new 400 AMPS, 3 PHASE 3R, 240V service disconnect to feed step-up transformers below (one per pump).

- 2 112 KVA, 3 PHASE, 3R step-up transformer floor mounted to feed disconnect above (one per pump).
- 2 new 100 AMPS, 3 PHASE 3R disconnect to feed existing transfer switch connected to existing motor starter panels.

The total cost for the solution for item No.4 was negotiated at \$72,881.07

- 5. Proportional Increase for IG (.25%) \$139.24
- 6. Proportional Increase for IPSIG (1%) \$556.97

ADJUSTED CONTRACT AMOUNT
INCLUDING THIS CHANGE ORDER: \$8,236,340.90

PERCENTAGE OF INCREASE OR
DECREASE OF THIS CHANGE
ORDER (FROM ORIGINAL
CONTRACT AMOUNT): .9% increase (.009)

PERCENTAGE OF INCREASE OR
DECREASE OF THIS CHANGE
ORDER (FROM PREVIOUSLY
ADJUSTED CONTRACT AMOUNT): 0.69% increase (.0069)

TOTAL PERCENTAGE INCREASE
FROM ORIGINAL CONTRACT
AMOUNT: 33.82% increase

CONTRACT TIME: 667 calendar days (including this request of 195 calendar days)

NOTICE TO PROCEED DATE: August 13, 2001

ORIGINAL CONTRACT COMPLETION DATE: August 8, 2003

TIME EXTENSION ON PREVIOUS CHANGE ORDER(S): One-hundred twelve (112) calendar days on change order No.2

REVISED COMPLETION DATE: June 10, 2004

USING AGENCY: Park and Recreation Department

MANAGING AGENCY: Park and Recreation Department

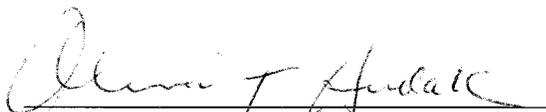
FUNDING SOURCE: Capital Outlay Reserve Fund (CORF)

APPROVED AS TO LEGAL SUFFICIENCY: Yes

DEPARTMENT OF BUSINESS DEVELOPMENT REVIEW: Yes

REVIEW COMMITTEE DATE: September 5, 2001

ALLOWANCES/CONTINGENCY ORDINANCE NO. 00-65: This project is a remodeling, renovation, or expansion of an existing facility on public property; therefore a 10% allowance account of \$516,493.00 is permissible, per Ordinance No. 00-65. This Allowance Account will be used by the Department for unforeseen conditions, construction changes, additional work or materials not covered by any proposal item, and for quantity adjustments.


Assistant County Manager



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: September 21, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(M)(1)(B)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(M)(1)(B)

9-21-04

RESOLUTION NO. _____

RESOLUTION APPROVING CHANGE ORDER
NUMBER THREE AND FINAL EXTENDING THE
CONTRACT TIME AND INCREASING THE
CONTRACT AMOUNT WITH ZURQUI
CONSTRUCTION SERVICES, INC. FOR THE
CONSTRUCTION OF THE COUNTRY CLUB OF
MIAMI, STORMWATER MITIGATION &
IRRIGATION SYSTEM REPLACEMENT PROJECT

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves Change Order Number Three (3) and Final to the construction contract No. 99054 between Zurqui Construction Services, Inc. and Miami-Dade County for the Country Club of Miami, Stormwater Mitigation & Irrigation System Replacement Project extending the contract time by one hundred ninety-five (195) calendar days and increasing the contract amount by \$57,089.11 , substantially in accordance with the forms attached hereto and made part hereof; and authorizes the County Manager to execute same for and on behalf of Miami-Dade County.

The foregoing resolution was offered by Commissioner _____ ,
who moved its adoption. The motion was seconded by Commissioner _____ ,
and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro
Betty T. Ferguson
Joe A. Martinez
Dennis C. Moss
Natacha Seijas
Sen. Javier D. Souto

Jose "Pepe" Diaz
Sally A. Heyman
Jimmy L. Morales
Dorin D. Rolle
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of September, 2004. This Resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. sjm

Stephanie R. Miller

By: _____
Deputy Clerk

DOCUMENT 01028-CO

METROPOLITAN MIAMI - DADE COUNTY
CHANGE ORDER TO THE ORIGINAL CONTRACT

ATTACHMENT TO:

CHANGE ORDER NO. Retroactive 3 and Final PROJECT NO. 99054 DATE: June 18, 2004
PROJECT TITLE: Country Club of Miami Stormwater Mitigation & Irrigation System and Replacement

Item no.	Description & Justification:	Amount
	The Park & Recreation Department recommends the following changes:	
I	Time extension to the contract: Extend the contract time by one-hundred ninety-five (195) calendar days. These one-hundred ninety-five (195) calendar days of delays include a combination of "Non-Excusable Delays" and "Compensable Delays" and are ultimately defined as concurrent delays.	\$ 00.00
II	Increase contract amount: Increase contract amount by \$55,696.69 for work outside the original scope. The total additional cost for the work described below in items No.1 through No.6 is \$83,964.07. The department recommends utilizing unencumbered monies from dedicated allowances to offset these additional costs for final budget reconciliation in the following fashion: Remaining unencumbered allowance amounts: Permit Allowance \$26,571.44 Contingency Allowance \$1,695.94 Total available \$28,267.38	\$ 55,696.69

Thus, total additional costs of \$83,964.07 less the available unencumbered monies under contract of \$28,267.38 makes the total increase to the contract amount \$55,696.69. Below is a breakdown of the additional costs:

1. Additional sod in excess of stipulated contract amount. Cost \$2,355.00
2. Additional asphalt in excess of stipulated contract amount. Cost \$3,228.00
3. Re-mobilization costs for in place equipment demobilized and re-mobilized after problem described in item No.4 was encountered and solution accepted. Cost \$5,500.00

4. Power for pump stations. The Technical Specifications under Section 16050 Electrical 1.02B instructed bidders to include \$5,000.00 in the bid price to cover all associated costs payable to Florida Power & Light for providing electrical service for both outfall pumps stations under contract. This projection was based on the expected site conditions as confirmed by the utility company in pre-construction assessments. However, although verbally confirmed during construction on two occasions with the local area representative for FP&L, the actual points and means of connection greatly differed from their representative's assumptions. Alternate means for powering the already built pump stations had to be developed

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- 2 new 100 AMPS, 3 PHASE 3R disconnective to feed existing transfer switch connected to existing motor starter panels.

The total cost for this solution was negotiated at \$72,881.07

		SUBTOTAL	\$	55,696.69
III	Proportional Increase for IG (.25%)	\$139.24	\$	139.24
IV	Proportional Increase for IPSIG (1%)	\$556.97	\$	556.97
		TOTAL	\$	56,392.90