

Date: April 7, 2009
To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
From: George M. Burgess
County Manager

Subject: Retroactive Change Order No: Four (4) and Final for Ives Estates Park Youth Ballfield Complex - Project No: 123203-02-001; Contract No: 123203-02-001, to **ABC Construction, Inc.**

Agenda Item No. 8(M)3a

Recommendation

The attached Retroactive Change Order No: Four (4) and Final for time only on a contract between **ABC Construction, Inc.** and Miami-Dade County has been prepared by the Park and Recreation Department and is recommended for approval.

CHANGE ORDER NUMBER: 4 and Final

Scope

PROJECT NAME: Ives Estates Park Youth Ballfield Complex
PROJECT NO: 123203-02-001
CONTRACT NO: 123203-02-001
PROJECT DESCRIPTION: This project consists of a new 3,036 sq. ft. field center, parking lot, two (2) baseball fields, one (1) soccer field with lighting, and asphalt walkways. The building envelope includes a concrete masonry block structure with wood trusses and metal roof.
PROJECT LOCATION: 1475 Ives Dairy Road, Miami, FL 33179
PRIMARY COMMISSION DISTRICT: District 1 Barbara J. Jordan
APPROVAL PATH: Board of County Commissioners
USING DEPARTMENT: Park and Recreation Department
MANAGING DEPARTMENT: Park and Recreation Department

Fiscal Impact / Funding Source

CHANGE ORDER FUNDING SOURCE: Impact Fees, Safe Neighborhood Parks Bond, CORF 06-07
PTP FUNDING: No

GOB FUNDING: No

CHANGE ORDER DESCRIPTION: Extend the contract time by one-hundred and eighty two (182) calendar days from December 20, 2007 to June 19, 2008.

MONETARY JUSTIFICATION: Not applicable, this change order is for time only.

TIME JUSTIFICATION: Recommended Time Adjustments and Justifications:

The Department recommends a non-compensable retroactive time extension of one-hundred and eighty two (182) calendar days from December 20, 2007 to June 19, 2008. This time extension is further described below.

- One-hundred and one (101) calendar days of time extension for coordination needed for re-mobilization after approval of Change Order No: 3 to avoid potential compensable delays. Re-mobilization was delayed until all pending negotiations were completed. The pending items included: review and approval of shop drawings for the custom manufactured methane gas system; replacement of vandalized secondary electrical lines; and re-energize the electrical power for the facility. These delays are defined by the contract as "Excusable" and a non-compensable time extension constitutes sole remedy for these delays.
- Eighty-one (81) calendar days of time extension for additional plan revisions and modifications required to complete the project (i.e., relocation of irrigation heads, re-grading, re-sodding, concrete paths, security lights and methane gas system testing.) These delays are defined by the contract as "Concurrent" and a non-compensable time extension constitutes sole remedy for these delays.

	<u>Original Contract Values</u>	<u>Previous Adjustments To Values</u>	<u>This Change Order Values</u>	<u>Current Totals</u>	<u>Total Paid</u>	<u>Balance After Change Order</u>
BASE:	\$3,040,183.00	\$925,159.54	\$0.00	\$3,965,342.54	\$3,644,071.02	\$321,271.52
CONTINGENCY:	\$156,105.00	\$143,895.00	\$0.00	\$300,000.00	\$300,000.00	\$0.00
DEDICATED:	<u>\$122,895.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$122,895.00</u>	<u>\$0.00</u>	<u>\$122,895.00</u>
TOTALS:	\$3,319,183.00	\$1,069,054.54	\$0.00	\$4,388,237.54	\$3,944,071.02	\$444,166.52

	<u>Original Contract Duration</u>	<u>Previous Adjustments To Duration</u>	<u>This Change Order Duration</u>	<u>Current Totals</u>
BASE DURATION:	365	716	182	1263
CONTINGENCY:	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL DURATION:	365	716	182	1263

INITIATING FACTOR(S) FOR CHANGE ORDER

<u>Reason</u>	<u>Cost</u>	<u>Duration</u>
Design Omissions Change	\$0.00	34
County Requested Change	\$0.00	9
<u>Other</u>	<u>\$0.00</u>	<u>139</u>
Total:	\$0.00	182

Track Record / Monitor

PERFORMANCE RECORD: The CIIS database lists twelve (12) evaluations for an average rating of 3.2 out of 4.0.

PRIME CONTRACTOR: ABC Construction, Inc.

COMPANY PRINCIPAL: Jorge Gonzalez

COMPANY QUALIFIERS: Jorge Gonzalez

COMPANY EMAIL ADDRESS: lagonzalez@abccconstruction.cc

COMPANY STREET ADDRESS: 7280 NW 8th Street

COMPANY CITY-STATE-ZIP: Miami, Florida 33126

YEARS IN BUSINESS AT TIME OF AWARD: 13

PREVIOUS EXPERIENCE WITH COUNTY IN THE LAST FIVE YEARS AT TIME OF AWARD: According to the Firm History Report provided by the Department of Small Business Development, the contractor has received 21 contracts with a total dollar value of \$12,719,027.21 and approved change orders totaling \$1,069,054.54

**SUBCONTRACTORS AND
SUPPLIERS (SECTION 10-
34 MIAMI DADE COUNTY
CODE):**

Star Paving Corporation
Statewide Electrical Services, Inc.

**REVIEW COMMITTEE
ASSIGNED CONTRACT
MEASURES:**

<u>TYPE</u>	<u>GOAL</u>	<u>ESTIMATED VALUE</u>	<u>ACHIEVED</u>
CSBE	14.00%	\$447,480.32	\$697,028.43
CWP	0.00%	0	

**CONTRACT MANAGER
NAME/PHONE/EMAIL:**

John Gutierrez 305-755-7830 JGX@miamidade.gov

**PROJECT MANAGER
NAME/PHONE/EMAIL:**

Joel Arango 305-755-5453 jarango@miamidade.gov

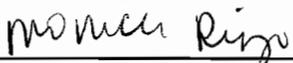
Background

BACKGROUND:

Submission of this item was delayed due to pending claims and Notices of Potential Claims received from the Contractor (six (6) totaling over \$93,000). The entitlement review and validation process extended nearly three (3) months beyond the Substantial Completion date (June 19, 2008), and had to be completed before the preparation and processing of the change order. These necessary reviews and negotiations resulted in no compensatory entitlement to the Contractor. Department staff began the preparation of the change order documents on September 16th, 2008 concurrent with several smaller claims still under review. The Department review and approval was finalized on November 13th, 2008 marking the start of the County's review and approval process.

Although the Department was aware that additional time extension(s) would be needed after the Contractor remobilized, at that time it was deemed advantageous to postpone the change order processing. The reason considered for postponement was to address potential claims for time and money that may have arisen during the last work period under one final change order.

BUDGET APPROVAL
FUNDS AVAILABLE:  12/21/08
OSBM DIRECTOR DATE

APPROVED AS TO
LEGAL SUFFICIENCY:  12-9-08
COUNTY ATTORNEY DATE

CAPITAL
IMPROVEMENTS
CONCURRENCE:  12-19-08
OCI DIRECTOR DATE

 2-13-08
ASSISTANT COUNTY
MANAGER DATE

CLERK DATE _____
DATE

MIAMI-DADE COUNTY, FLORIDA

PARK AND RECREATION DEPARTMENT

CHANGE ORDER TO ORIGINAL CONTRACT



CHANGE ORDER NO: Four (4) Retroactive and Final
PROJECT TITLE: Ives Estates Park Youth Ballfield Complex
TO CONTRACTOR: ABC Construction, Inc. 7280 NW 8th Street Miami, Florida 33126

CONTRACT NO: 123203-02-001

DATE: 11/13/2008

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES IN THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AND TO PERFORM THE WORK ACCORDINGLY, SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

Description of work authorized: Extend the contract time by one-hundred and eighty two (182) calendar days from December 20, 2007 to June 19, 2008.

Monetary Justification: Not applicable, this change order is for time only.

Time Justification: Recommended Time Adjustments and Justifications:

The Department recommends a non-compensable retroactive time extension of one-hundred and eighty two (182) calendar days from December 20, 2007 to June 19, 2008. This time extension is further described below.

- One-hundred and one (101) calendar days of time extension for coordination needed for re-mobilization after approval (Continued below)

This change order includes not only all direct costs of contractor such as labor, material, job overhead, and profit markup; but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruption, extended direct overhead or general overhead, acceleration, material or other escalation which include wages and other impact costs.

Contractor hereby waives, fully releases, discharges and acquits Miami-Dade County of any and all liability for claims, additional costs, and any requests for additional time arising out of the fulfillment of the contract and this change order from the date of the contract award to and including execution of this change order.

SUMMARY OF CONTRACT AMOUNT / TIME

ORIGINAL CONTRACT AMOUNT-----	\$3,319,183.00
COST OF CHANGES PREVIOUSLY ORDERED-----	\$1,069,054.54
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$4,388,237.54
COST OF CHANGES WITH THIS DOCUMENT-----	\$0.00
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$4,388,237.54
PERCENT INCREASE WITH THIS CHANGE-----	0%
TOTAL PERCENT INCREASE TO DATE-----	32%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	365 / 716 / 182
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	0 / 0 / 0
ADJUSTED DURATION INCLUDING THIS CHANGE-----	1263

CERTIFYING STATEMENT: I hereby certify that the changes and supporting cost data included is, in my considered opinion, necessary and accurate; that the prices quoted are fair and reasonable and in proper ratio to the cost of the original work contracted for under benefit of competitive bidding.

Approved: ENGINEER OR CONSULTING ENGINEER _____ Date: _____

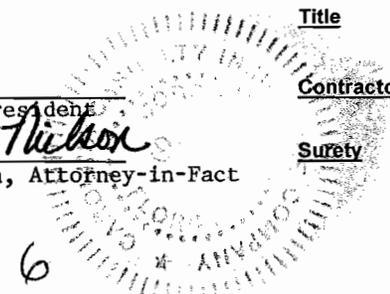
Recommended By: PROJECT MANAGER Edgar Lopez Date: 11/13/08

TO BE FILLED OUT BY PARK AND RECREATION DEPARTMENT

FUNDS BUDGET CODE CPE343935014, CPE357935151 ; CPE313935025 *dlh*

CERTIFIED BY DEPARTMENT'S FINANCE DIVISION: L. Leahy Date: 11-21-08

<u>Organization</u>	<u>Name</u>	<u>Accepted By:</u>	<u>Title</u>	<u>Date</u>
ABC Construction, Inc.	<u>Jorge Gonzalez</u>	<u>[Signature]</u>	Contractor	11/18/08
Surety	<u>Charles D. Nielson</u>	<u>[Signature]</u>	Surety	11/18/08



<u>Title</u>	<u>Name</u>	<u>Date</u>
Reviewed By: <u>Division Chief</u>	↔ <i>Plans for MT</i>	11/14/08
Approved By: <u>Assistant Director</u>	<i>[Signature]</i>	11/24/08
Approved By: <u>Director</u>	<i>[Signature]</i>	11/24/08
Approved By: <u>Director, DBD</u>	<i>[Signature]</i>	12/01/08
Approved By: <u>Director, OSBM</u>	<i>[Signature]</i>	<i>[Signature]</i> 12-2-08
Approved By: <u>County Attorney</u>	<i>Monica Rip</i>	12/9/08
Approved By: <u>County Manager</u>	_____	_____
Attested By: <u>Clerk of the Board</u>	_____	_____

Time Justification: (Continued)

of Change Order No: 3 to avoid potential compensable delays. Re-mobilization was delayed until all pending negotiations were completed. The pending items included: review and approval of shop drawings for the custom manufactured methane gas system; replacement of vandalized secondary electrical lines; and re-energize the electrical power for the facility. These delays are defined by the contract as "Excusable" and a non-compensable time extension constitutes sole remedy for these delays.

- Eighty-one (81) calendar days of time extension for additional plan revisions and modifications required to complete the project (i.e., relocation of irrigation heads, re-grading, re-sodding, concrete paths, security lights and methane gas system testing.) These delays are defined by the contract as "Concurrent" and a non-compensable time extension constitutes sole remedy for these delays.

Time Justification Declaration:

A time extension is provided for additional work performed outside the scope of the original Contract that affects the critical path schedule of the contracted work or previously approved changes. Should additional work be required which does not affect the critical path schedule, no time extension will be granted. Should one item of additional work run concurrent with another item of additional work, only time not duplicated can be provided.

POWER OF ATTORNEY
CAROLINA CASUALTY INSURANCE COMPANY
JACKSONVILLE, FLORIDA

No. 282

KNOW ALL MEN BY THESE PRESENTS: that CAROLINA CASUALTY INSURANCE COMPANY ("Company") a corporation duly organized and existing under the laws of the State of Florida, having its principal office in Jacksonville, Florida, has made, constituted and appointed, and does by these presents make, constitute and appoint: **Charles J. Nielson, Charles D. Nielson, Joseph P. Nielson, Warren M. Alter, Kevin R. Wojtowicz or Brett Rosenhaus of Nielson & Company, Inc. of Miami Lakes, FL**

its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifteen Million and 00/100 Dollars (\$15,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney is granted pursuant to the Minutes of the Special Meeting of the Board of Directors of Carolina Casualty Insurance Company held on March 30, 1966, to wit:

RESOLVED: "That the following Officers of the Carolina Casualty Insurance Company, Chairman of the Board, President, Secretary and Treasurer, or either of them, are hereby authorized to execute on behalf of Carolina Casualty Insurance Company, Powers of Attorney authorizing and qualifying the Attorney-in-Fact named therein to execute bonds on behalf of the Carolina Casualty Insurance Company, and further, that the said Officers of the Company mentioned, are hereby authorized to affix the corporate seal of the said Company to Powers of Attorney executed pursuant hereto".

RESOLVED FURTHER, this Power of Attorney limits the acts of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind the company except in the manner and to the extent therein stated.

RESOLVED FURTHER, this Power of Attorney revokes all previous powers issued in behalf of the Attorney-in-Fact named above.

RESOLVED FURTHER, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF the Carolina Casualty Insurance Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 2nd day of November, 2006.



Attest:
By: Betty C. Sutherland
Betty C. Sutherland
Vice President and Secretary

Carolina Casualty Insurance Company
By: Reyga G. Cratem, III
Reyga G. Cratem, III
Vice President, Chief Financial Officer and Treasurer

WARNING: THIS POWER OF ATTORNEY INVALID IF NOT PRINTED ON GREEN "MONITOR" SECURITY PAPER.
STATE OF FLORIDA) SS
COUNTY OF DUVAL)

On this 2nd day of November, 2006, before me personally came Betty C. Sutherland to me known, who, being by me duly sworn, did depose and say: that she is Secretary of Carolina Casualty Insurance Company, the Corporation described in and which executed the above instrument; and that ~~he~~ she knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that ~~he~~ she signed his/her name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal; the day and year herein first above written.

CERTIFICATE

Mary Ann Leszmus
Notary Public, State of Florida
MY COMMISSION #DB 563393
EXPIRES: September 22, 2010
Bonded Thru Budget Notary Services

I, the undersigned, Secretary of CAROLINA CASUALTY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a just, true, correct and complete copy of original Power of Attorney; that the said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond to which this Power of Attorney is attached, is in full force and effect as of this date.

Given under my hand and the seal of the Company, this 18th day of November, 2008



Betty C. Sutherland
Betty C. Sutherland, Secretary

Exit



Capital Improvements Information System

Contractor Evaluations Report

<u>Dept</u>	<u>Contract</u>	<u>Type</u>	<u>Contractor / Architect Name</u>	<u>Date</u>	<u>Rater</u>	<u>Period</u>	<u>Rate</u>
PR	<u>593402-01-001</u>	CON	<u>ABC Construction, Inc.</u>	10/20/2005	John Gouthro	Completion of construction	<u>4.0</u>
PR	<u>123203-02-001</u>	CON	<u>ABC Construction, Inc.</u>	2/23/2007	Eduardo de la Vega	Interim	<u>3.1</u>
PR	<u>123203-02-001</u>	CON	<u>ABC Construction, Inc.</u>	5/25/2007	John Gutierrez	Interim	<u>3.8</u>
GS	<u>W50197</u>	CON	<u>ABC Construction, Inc.</u>	8/3/2007	Alice Arguelles	Interim	<u>3.7</u>
PR	<u>222302-02-002</u>	CON	<u>ABC Construction, Inc.</u>	10/18/2007	John Gouthro	Interim	<u>3.0</u>
GS	<u>W50197</u>	CON	<u>ABC Construction, Inc.</u>	10/29/2007	Alice Arguelles	Interim	<u>3.8</u>
PR	<u>222302-02-002</u>	CON	<u>ABC Construction, Inc.</u>	12/26/2007	John Gouthro	Completion of construction	<u>3.0</u>
GS	<u>W50197</u>	CON	<u>ABC Construction, Inc.</u>	2/13/2008	Alice Arguelles	Completion of construction	<u>3.7</u>
PW	<u>20040427</u>	7360	<u>ABC Construction, Inc.</u>	8/24/2005	Juan Paan	Interim	<u>2.3</u>
PW	<u>20040427</u>	7360	<u>ABC Construction, Inc.</u>	8/24/2005	Juan Paan	Interim	<u>2.3</u>
PR	<u>74655Re-Bid2</u>	7040	<u>ABC Construction, Inc.</u>	9/28/2006	Vivian Forhat-Diaz	Project conclusion or closeout	<u>3.8</u>
PW	<u>20040427</u>	7360	<u>ABC Construction, Inc.</u>	6/8/2007	Luis E. Baldo	Project conclusion or closeout	<u>1.9</u>

Evaluation Count: 12 Contractors: 1 Average Evaluation: 3.2

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Find Contracts With Search String ==>

Projects

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OFFICE OF CAPITAL IMPROVEMENTS CAPITAL IMPROVEMENTS INFORMATION SYSTEM

Tuesday, December 16, 2008

All Contracts for FEIN 650234721 ABC Construction, Inc.

<u>DST</u>	<u>DPT</u>	<u>Type</u>	<u>Contract</u>	<u>Name</u>	<u>Location / Contractor</u>	<u>Estimated Completion Date</u>	<u>Total Award</u>	<u>Last Status Date</u>	<u>% Complete / Status *</u>
7	WS	CON	<u>W-876</u>	South LeJeune Road Office Building Phase II - Renova		N/A	\$0	<u>8/22/2006</u>	0% / Cancelled
0	AV	7040	<u>0211-620388</u>	Cargo Buildign Repairs Bldg. 7	ABC Construction, Inc.	<u>7/8/2005</u>	\$748,240	<u>6/8/2006</u>	100% / Closed ✓
1	PR	CON	<u>123203-02-001</u>	Ives Estates Park Youth Ballfield Complex	ABC Construction, Inc.	<u>12/20/2007</u>	\$3,965,343	<u>4/1/2008</u>	99% / Work Complete: Pending Change ✓
0	PW	7360	<u>20040427</u>	NEW Maintence Shed & Support	ABC Construction, Inc.	<u>9/20/2006</u>	\$855,589	<u>7/10/2007</u>	100% / Complete ✓
4	PR	CON	<u>222302-02-002</u>	Haulover Park Four New Bathrooms	ABC Construction, Inc.	<u>12/4/2007</u>	\$2,013,029	<u>4/1/2008</u>	100% / Complete ✓
30	PR	CON	<u>593402-01-001</u>	Eureka Villas Park Field Center and Parking Lot, Bir	ABC Construction, Inc.	<u>7/22/2004</u>	\$1,152,505	<u>2/11/2005</u>	100% / Complete ✓
0	PR	7040	<u>73273, 71048</u>	Eureka Park Field House/Lighti	ABC Construction, Inc.	N/A	\$495,362	<u>7/8/2008</u>	100% / Complete - ✓
0	PR	7040	<u>74655Re-Bid2</u>	Metro Zoo Giraffe Feeding Stat	ABC Construction, Inc.	<u>7/31/2006</u>	\$418,200	<u>3/20/2008</u>	100% / Complete ✓
12	GS	CON	<u>W50197</u>	Construction of the new Prototype Branch Library (In	ABC Construction, Inc.	<u>10/29/2007</u>	\$2,834,303	<u>2/28/2008</u>	100% / Complete ✓
5	GS	7040	<u>Z00049-C</u>	Shenandoah Branch Library - Ad	ABC Construction, Inc.	<u>9/22/2009</u>	\$982,000	<u>11/14/2008</u>	15% / On Schedule ✓
Totals:						10	\$13,464,571		

* Yellow Status=Inactive Contract

[Contracts Status View](#) [MCC Status View](#)

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Projects

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MIAMI DADE COUNTY

Firm History Report

From: 08/13/1999 To: 08/13/2004

FIRM NAME: A B C CONSTRUCTION, INC.
 7280 NW 8th St
 Miami, FL 33126

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT
* 6123-2/03-POAPPR0102726 GENERAL BUILDING/ENGINEERING & SPECIALTY TRADE CONTRACTORS	1	PR	LEVEL 1 SET ASIDE CSBE 100%	02/01/2001	\$48,000.00 <u>\$48,000.00</u>
* 6123-2/03-POAPPR0103423 GENERAL BUILDING/ENGINEERING & SPECIALTY TRADE CONTRACTORS	1	PR	LEVEL 1 SET ASIDE CSBE 100%	03/01/2001	\$15,581.67 <u>\$15,581.67</u>
* 6123-2/03-POAPGS0108062 GENERAL BUILDING/ENGINEERING & SPECIALTY TRADE CONTRACTORS	1	GS	LEVEL 1 SET ASIDE CSBE 100%	07/10/2001	\$115,000.00 <u>\$115,000.00</u>
* 6123-2/03-POAPGS0109993 GENERAL BUILDING/ENGINEERING & SPECIALTY TRADE CONTRACTORS	1	GS	SET ASIDE CSBE 100%	09/17/2001	\$63,000.00 <u>\$63,000.00</u>
* 6123-2/03-POAPPR0201299 GENERAL BUILDING/ENGINEERING & SPECIALTY TRADE CONTRACTORS	1	PR	TRADE SET ASIDE CSBE 100%	11/28/2001	\$188,000.00 <u>\$188,000.00</u>

* Indicates closed or expired contracts



MIAMI DADE COUNTY

Firm History Report

From: 08/13/1999 To: 08/13/2004

FIRM NAME: A B C CONSTRUCTION, INC.
 7280 NW 8th St
 Miami, FL 33126

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT
* 6123-2/03-POAPPR0200255 GENERAL BUILDING/ENGINEERING & SPECIALTY TRADE CONTRACTORS	1	PR	SET ASIDE CSBE 100%	12/14/2001	\$24,690.00
<hr/>					
* MIA-741-R-6(W52.1) CONSTRUCTION 741E - D EXT MEP & REMAINING SHELL	1	AV-AA	SET ASIDE CSBE 100%	12/27/2001	\$916,486.00
<hr/>					
* 6123-2/03-POAPSW0200232 GENERAL BUILDING/ENGINEERING & SPECIALTY TRADE CONTRACTORS	1	SW	SET ASIDE CSBE 100%	02/19/2002	\$243,000.00
<hr/>					
* 6123-2/03-POAPPR0106755 GENERAL BUILDING/ENGINEERING & SPECIALTY TRADE CONTRACTORS	1	PR	LEVEL 1 SET ASIDE CSBE 100%	09/05/2002	\$154,491.63
<hr/>					
* 6123-2/03-POAPPR0201013 GENERAL BUILDING/ENGINEERING & SPECIALTY TRADE CONTRACTORS	1	PR	SET ASIDE CSBE 100%	09/26/2002	\$751,766.88
<hr/>					
					\$751,766.88

12

* Indicates closed or expired contracts



MIAMI DADE COUNTY

Firm History Report

From: 08/13/1999 To: 08/13/2004

FIRM NAME: A B C CONSTRUCTION, INC.
 7280 NW 8th St
 Miami, FL 33126

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT
* 6123-2/03-POAPR0200965	1	PR	SET ASIDE CSBE 100%	10/18/2002	\$352,568.00
GENERAL BUILDING/ENGINEERING & SPECIALTY TRADE CONTRACTORS					
6123-2/03-POAPWS0300275	1	WS	SET ASIDE CSBE 100%	11/12/2002	\$58,000.00
GENERAL BUILDING/ENGINEERING & SPECIALTY TRADE CONTRACTORS					
* 6123-2/03-POAPR0108655	1	PR	SET ASIDE CSBE 100%	01/16/2003	\$377,734.02
GENERAL BUILDING/ENGINEERING & SPECIALTY TRADE CONTRACTORS					
* CIC07040-0/07-POPR0302526	1	PR	SET ASIDE CSBE 100%	01/30/2003	\$500,069.00
MISCELLANEOUS CONSTRUCTION CONTRACT FOR PRE-QUALIFICATION OF GENERAL BUILDING, GENERAL ENGINEERING AND SPECIALTY TRADE CONTRACTORS FOR A FIVE (5) YEAR PERIOD FOR VARIOUS COUNTY DEPARTMENTS					
59340201001	1	PR	GOAL CSBE 20%	01/31/2003	\$1,209,408.00
EUREKA VILLAS PARK FIELD CENTER AND PARKING LOT/ BIRD LAKES FIELD CENTER (SIC 15)					
Change Order #	1	JAN-05-05	80 days		\$1,209,408.00

13

* Indicates closed or expired contracts



MIAMI DADE COUNTY Firm History Report

From: 08/13/1999 To: 08/13/2004

FIRM NAME: A B C CONSTRUCTION, INC.
7280 NW 8th St
Miami, FL 33126

PRIMES

PROJECT #	CONTRACT	DEPT	MEASURES	AWARD DATE	AWARD AMOUNT
* MIA-776A-1	1	AV-AA	LEVEL 1 SET ASIDE CSBE 100%	04/30/2003	\$571,002.00
TENANT RELOCATIONS: DUTY FREE & MIDAD STORAGE (SIC 17)					
POPR0400520	1	PR	SET ASIDE CSBE 100%	10/24/2003	\$167,510.01
MISCELLANEOUS CONSTRUCTION CONTRACT FOR PRE-QUALIFICATION OF GENERAL BUILDING, GENERAL ENGINEERING AND SPECIALTY TRADE CONTRACTORS FOR A FIVE (5) YEAR PERIOD FOR VARIOUS COUNTY DEPARTMENTS					
CM02-SEA-01-4 (2002.034)	1	SP	LEVEL 2 SET ASIDE CSBE 100%	11/10/2003	\$1,833,853.00
REMODELING LEASE AREAS IN TERMINAL 7 (SIC 15)					
	2	MAR-07-06	60 days		\$0.00
		Change Order #			\$1,833,853.00
* MIA-776L	1	AV-AA	SET ASIDE CSBE 100%	03/29/2004	\$61,684.00
INS OFFICE TENANT RELOCATION					
* 418-03	1	ND	GOAL CSBE 12%	05/18/2004	\$1,748,000.00
NARANJA LAKES COMMUNITY REDEVELOPMENT (SIC 15)					
					\$61,684.00
					\$1,748,000.00

14

* Indicates closed or expired contracts



MIAMI DADE COUNTY Firm History Report

From: 08/13/1999 To: 08/13/2004

FIRM NAME: A B C CONSTRUCTION, INC.
7280 NW 8th St
Miami, FL 33126

PRIMES

PROJECT #	CONTRACT	DEPT	MEASURES	AWARD DATE	AWARD AMOUNT
12320302001	1	PR	GOAL CSBE 14%	06/24/2004	\$3,319,183.00
IVES ESTATE PARK YOUTH BALLFIELD COMPLEX (SIC 17)					
	Change Order # 1		AUG-21-06		
			90 days		\$29,072.50
	Change Order # 2		SEP-18-06		
			63 days		\$144,182.00
	Change Order # 3		JUL-10-07		
			563 days		\$895,800.04
					<u>\$4,388,237.54</u>
				Total Award Amount	\$12,719,027.21
				Total Change Orders Approved by BCC	\$1,069,054.54
					\$13,788,081.75

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* Indicates closed or expired contracts



Miami- Dade County
Parks & Recreation Department
 Planning & Development
 275 NW 2nd Street, 4th Floor
 Miami, Fl. 33128
 Ph: (305) 755-7830

BID TABULATION

Project Name Ives Estates Park Youth Ballfield Complex **Consultant** BEA International

P & R Project # 123203-02-001 **Bid Open Date** 05/26/04 @ 2:00 P.M.

Bid Valid Thru 11/22/04

	Latest Approved Cost Estimate Prior To Bidding	Contractor's Name, Address & Telephone Number			
		ABC Construction, Inc.	The Tower Group	Tran Construction	
Base Bid	\$3,821,992.09	\$3,095,926.31	\$4,085,392.53	\$5,526,883	
Alt. 1	\$92,238.75	\$109,501.88	\$84,375.25	\$47,000	
Alt. 2	\$95,782.50	\$74,418.75	\$60,424.38	\$135,000	
Alt. 3	\$506,250	\$689,702.35	\$1,656,154.88	\$166,000	
Alt. 4	\$10,125	\$6,607.32	\$6,373.43	\$56,250	
Alt. 5	\$30,375	\$39,335.63	\$20,819.69	\$107,250	

Remarks: Low bidder ABC Construction Inc; Base bid plus Alternates 1,2, and 5 totals --
\$ 3,319,183.

Prepared By: Eduardo De La Vega
 Title: Clerk 4



MEMORANDUM

CLERK OF THE BOARD
2004 AUG 13 AM 11:57

CLERK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
#1

TO: George M. Burgess
County Manager

DATE: June 24, 2004

Attn: Roger T. Hernstadt

FROM: Vivian Donnell Rodriguez, Director
Miami-Dade Park and Recreation Department

SUBJECT: Contract Award
Recommendation For
Ives Estates Park, Youth
Ballfield Complex,
P & R No. 123203-02-001

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The attached **Contract Award Recommendation** between **ABC Construction, Inc.** and Miami-Dade County has been prepared by the Miami-Dade Parks and Recreation Department and is recommended for approval.

PROJECT: Ives Estates Park, Youth Ballfield Complex

PROJECT NO.: 123203-02-001

PROJECT LOCATION: 1475 Ives Dairy Road

PROJECT DESCRIPTION: This project consists of a new 3036 sq. ft. field center, parking lot, two (2) baseball fields and one (1) soccer field with lighting, and asphalt walkways. The building envelope includes a concrete masonry block structure with wood trusses and a metal roof.

Bids were opened on 5/26/04. The bids, including Alternates No. 1,2 and 5 ranged from \$3,319,183 to \$5,816,133 with ABC Construction, Inc (ABC) having the low bid of \$3,319,183. See attachments 1 through 7.

COST ESTIMATE: \$ 4,556,763 - Base Bid plus Alternates
\$ 4,040,388 - Base Bid plus Alternates 1,2, and 5.

CONTRACT AMOUNT: ✓ \$3,319,183 (\$3,163,078 plus a 5% allowance account \$156,105 Base Bid plus Alternates 1,2, and 5)

CONTRACT PERIOD: 365 Consecutive calendar days

RESPONSIBLE WAGES: Applicable

RECEIVED
2004 JUN 30 PM 3:02
CMO-CAPITAL IMPROVEMENTS

LIVING WAGES: Not Applicable

ART IN PUBLIC PLACES: \$54,167 (1.5% Design and Construction)

DEPARTMENT OF BUSINESS DEVELOPMENT MONITORING FEE: \$27,750

INSPECTOR GENERAL FEE: \$8,196
(1/4 OF ONE PERCENT)

INDEPENDENT PRIVATE SECTOR INSPECTOR GENERAL: \$ 32,782

MANDATORY CLEARING HOUSE: Provision Included

PRIME CONTRACTOR: ABC Construction, Inc.

COMPANY PRINCIPAL(S): Jorge Gonzalez

COMPANY QUALIFIER(S): Jorge Gonzalez

LOCATION OF COMPANY: 7280 NW 8th Street, Miami, Florida 33126

YEARS IN BUSINESS: 13

PREVIOUS CONTRACTS WITH COUNTY IN THE PAST FIVE YEARS: 14 Contracts for a total amount of \$6,945,856.

USING AGENCY: Miami Dade Park and Recreation

MANAGING AGENCY: Miami Dade Park and Recreation

FUNDING SOURCE: Impact Fees, Future Safe Neighborhoods Parks Bond

REVIEW COMMITTEE DATE: November 19, 2003

COMMUNITY SMALL BUSINESS ENTERPRISE INFORMATION: 14 % CSBE Goal
Community Workforce Program: Not Applicable

SUBCONTRACTOR(S) MEETING GOALS: Statewide Electric

**SUBCONTRACTOR(S) AND
SUPPLIERS:
(ORD. 97-104)**

Star Paving
Statewide Electric

BID OPEN DATE:

May 26, 2004

BID VALID UNTIL:

November 22, 2004

BID BOND EXPIRES:

November 22, 2004

**ESTIMATED NOTICE TO
PROCEED:**

October 7, 2004

**ALLOWANCES/CONTINGENCY
ORDINANCE NO. 00-65:**

This project is new construction on public property, and therefore a 5% Allowance Account of \$156,105 is permissible, per Ordinance 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.

EXPEDITE ORDINANCE NO. 00-104:

Capital Budget Book Fiscal Year 2003-2004, Pages 107, 121 and 416

**APPROVED AS TO LEGAL
SUFFICIENCY:**

H. B. S.
Assistant County Attorney

6/30/04
Date

**APPROVED PURSUANT TO THE
EXPEDITE ORDINANCE NO. 00-104
PASSED AND ADOPTED JULY 25,
2000, SUBJECT TO BOARD
RATIFICATION:**

*APX for 8/12/04
ETH*
[Signature]
County Manager

8/12/04
Date



Dept. of Business Development
Project Worksheet

Project/Contract Title: IVES ESTATE PARK YOUTH BALLFIELD COMPLEX (SIC 17) RC Date: 11/19/2003
 Project/Contract No: 12320302001 Funding Source: Item No: 3-04
 Department: PARKS & RECREATION IMPACT FEES, SNP
 Estimated Cost of Project/Bid: \$4,556,763.00 Resubmittal Date(s):
 Description of Project/Bid: TO ESTABLISH A CONTRACT FOR A NEW 3056 SQ. FT. FIELD CENTER, A PARKING LOT, (2) BASEBALL FIELDS WITH LIGHTING, (1) SOCCER FIELD WITH LIGHTING, AND ASPHALT WALL

Contract Measures Recommendation		
Measure	Program	Goal Percent
Goal	CSBE	14.34%

Reasons for Recommendation

An analysis of the factors contained in section VI C of Administrative Order 3-22 indicate that a goal of 14% is appropriate for this project in the trade categories of Concrete (2%), Masonry and Stone Contractors (1.33%), Plumbing, Heating and A/C Contractors (1.76%), Highway and Street Construction (2.17%), Electrical Contractors (1.67%), Excavation Contractors (.53%), and Site Preparation (4.88%).

This project is not located within a Designated Target Area (DTA). As such, Community Workforce Program (CWP) goals do not apply.

Availability of Recommendations for Goal					
Subtrade	Cat.	Estimated Value	% of Items to Base Bid	Availability	
Concrete Contractors	CSBE	\$91,135.26	2.00%	19	
Excavation Contractors	CSBE	\$24,150.84	0.53%	20	
All Other Heavy Construction	CSBE	\$222,370.03	4.88%	14	
Plumbing, Heating, and Air-Conditioning Contractors	CSBE	\$80,199.03	1.76%	33	
Electrical Contractors	CSBE	\$76,097.94	1.67%	25	
Masonry and Stone Contractors	CSBE	\$60,604.95	1.33%	10	
Highway and Street Construction	CSBE	\$98,851.76	2.17%	27	
Total		\$653,439.81	14.34%	148	

Living Wages: YES NO
 Responsible Wages: YES NO

Ordinance 90-143 is applicable to all construction projects over \$100,000 that do not utilize Federal Funds

REVIEW COMMITTEE RECOMMENDATION			
Set Aside	Level 1	Level 2	Level 3
Trade Set Aside (MCC)	Goal	14.34%	Bid Preference
No Measure	Deferred		Selection Factor
<i>Edward Rutjan</i>	11/19/03	<i>[Signature]</i>	Date
Chairperson, Review Committee	Date	County Manager	Date

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MIAMI-DADE COUNTY, FLORIDA
PARK AND RECREATION
CHANGE ORDER TO ORIGINAL CONTRACT



CHANGE ORDER NO: 1 CONTRACT NO: 123203-02-001 DATE: 9/27/2005
 PROJECT TITLE: Ives Estates Park Youth Ballfield Complex
 TO CONTRACTOR: ABC Construction Inc. 7280 NW 8th Street Miami, Florida 33126

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES IN THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AND TO PERFORM THE WORK ACCORDINGLY, SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

Description of work authorized: Extend the contract time by one hundred twenty seven (127) calendar days to May 10, 2006, and increase contract amount by \$29,072.50. (90)

Monetary Justification: The Park & Recreation Department recommends the following changes:
 1. A net increase of \$29,072.50 to the original contract amount is recommended for additional insurance costs related to the time extension necessary to complete the required regulatory modifications.

Time Justification: The Park & Recreation Department recommends the following changes:
 1. Recommended Time Adjustments and Justifications: The Department recommends a time extension to the contract time of one hundred twenty seven (127) calendar days:
 (90)
 - Ninety (90) calendar days for additional scope of work to comply with regulatory requirements including modifications to the plans, permitting and construction. (Continued on next page)

This change order includes not only all direct costs of contractor such as labor, material, job overhead, and profit markup; but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruption, extended direct overhead or general overhead, acceleration, material or other escalation which include wages and other impact costs.

Contractor hereby waives, fully releases, discharges and acquits Miami-Dade County of any and all liability for claims, additional costs, and any requests for additional time arising out of the fulfillment of the contract and this change order from the date of the contract award to and including execution of this change order.

SUMMARY OF CONTRACT AMOUNT / TIME

ORIGINAL CONTRACT AMOUNT-----	\$3,319,183.00
COST OF CHANGES PREVIOUSLY ORDERED-----	\$0.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$3,319,183.00
COST OF CHANGES WITH THIS DOCUMENT-----	\$29,072.50
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$3,348,255.50
PERCENT INCREASE WITH THIS CHANGE-----	1%
TOTAL PERCENT INCREASE TO DATE-----	1%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	385 / 0 / 90
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	0 / 0 / 57
ADJUSTED DURATION INCLUDING THIS CHANGE-----	452 455

CERTIFYING STATEMENT: I hereby certify that the changes and supporting cost data included is, in my considered opinion, necessary and accurate; that the prices quoted are fair and reasonable and in proper ratio to the cost of the original work contracted for under benefit of competitive bidding.

Approved: ENGINEER OR CONSULTING ENGINEER [Signature] Date: 10/18/05

Recommended By: PROJECT MANAGER [Signature] Date: 10/13/05

TO BE FILLED OUT BY PARK AND RECREATION

FUNDS BUDGET CODE See attachment 1

CERTIFIED BY DEPARTMENT'S FINANCE DIVISION: [Signature] Date: 12-30-05

Accepted By: ABC Construction Inc.

Accepted By: Surety

[Signature] Contractor
 Carolina Casualty Insurance Company
[Signature] Surety
 Charles D. Nelson,
 Attorney-in-Fact



Reviewed By: Division Chief

Approved By: Park & Recreation Department Director

Approved By: DRD Director

Approved By: Budget Director

Approved By: County Attorney's Office

Approved By: County Manager

Approved By: Deputy Clerk



[Handwritten signatures and initials over the seal area]

[Handwritten dates]
11/4/05
12/22/05
1/5/06
2/3/06
2/3/06
3/21/06
3/21/06

Time Justification: (Continued)

Although the contractor's schedule was impacted by these changes, the Department was able to negotiate the contract time extension without additional compensation for extended general conditions beyond the insurance costs recommended above.

~~This project is new construction on public property. The Department recommends adding a time contingency allowance based on ten (10) percent of the original construction time. This Allowance Account will be used by the Department for unforeseen conditions, construction changes and other time adjustments. A time contingency of thirty seven (37) calendar days is hereby recommended.~~

Time Justification Declaration:

A time extension is provided for additional work performed outside the scope of the original Contract that affects the critical path schedule of the contracted work or previously approved changes. Should additional work be required which does not affect the critical path schedule, no time extension will be granted. Should one item of additional work run concurrent with another item of additional work, only time not duplicated can be provided.

[Handwritten mark]

MIAMI-DADE COUNTY, FLORIDA
PARK AND RECREATION
CHANGE ORDER TO ORIGINAL CONTRACT



CHANGE ORDER NO: Two (2) CONTRACT NO: 123203-02-001 DATE: 3/31/2006
 PROJECT TITLE: Ives Estates Park Youth Ballfield Complex
 TO CONTRACTOR: ABC Construction Inc. 7280 NW 8th Street Miami, Florida 33126

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES IN THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AND TO PERFORM THE WORK ACCORDINGLY, SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

Description of work authorized: Increase the contract amount by \$144,182.00 and extend the contract time by sixty-three (63) calendar days to June 5, 2006.

Monetary Justification: The Park & Recreation Department recommends the following changes:

Increase to the contract amount of \$144,182.00:
 An increase of \$144,182.00 to the original contract amount is recommended for additional work related to regulatory agency requests for which time extensions were recommended in Change Order No.1. See detailed breakdown below:

A. Regulatory Requests:

Regulatory changes for the water and sewer lines, fire truck access road, additional emergency lights, increase of wire size for main line into the building (350 to 400 MCM): \$103,306. (Continued below)

Time Justification: The Park & Recreation Department recommends the following changes:

Recommended Time Adjustments and Justifications:

The Department recommends a time extension to the contract time of sixty-three (63) calendar days. Below is a detailed breakdown of the recommended extension:

Sixty-three (63) calendar days time extension is recommended for weather more severe than the norm (Continued below)

This change order includes not only all direct costs of contractor such as labor, material, job overhead, and profit markup; but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruption, extended direct overhead or general overhead, acceleration, material or other escalation which include wages and other impact costs.

Contractor hereby waives, fully releases, discharges and acquits Miami-Dade County of any and all liability for claims, additional costs, and any requests for additional time arising out of the fulfillment of the contract and this change order from the date of the contract award to and including execution of this change order.

SUMMARY OF CONTRACT AMOUNT / TIME

ORIGINAL CONTRACT AMOUNT-----	\$3,319,183.00
COST OF CHANGES PREVIOUSLY ORDERED-----	\$29,072.50
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$3,348,255.50
COST OF CHANGES WITH THIS DOCUMENT-----	\$144,182.00
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$3,492,437.50
PERCENT INCREASE WITH THIS CHANGE-----	4%
TOTAL PERCENT INCREASE TO DATE-----	5%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	365 / 90 / 63
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	0 / 0 / 0
ADJUSTED DURATION INCLUDING THIS CHANGE-----	518

CERTIFYING STATEMENT: I hereby certify that the changes and supporting cost data included is, in my considered opinion, necessary and accurate; that the prices quoted are fair and reasonable and in proper ratio to the cost of the original work contracted for under benefit of competitive bidding.

Approved: ENGINEER OR CONSULTING ENGINEER [Signature] Date: 5/25/06

Recommended By: PROJECT MANAGER [Signature] Date: 4/14/06

TO BE FILLED OUT BY PARK AND RECREATION

FUNDS BUDGET CODE See attachment 1

CERTIFIED BY DEPARTMENT'S FINANCE DIVISION: [Signature] Date: 6-14-06

Accepted By: ABC Construction Inc. [Signature] Contractor 4/14/06
 Accepted By: Surety [Signature] 43 Charles D. Nielson, 04/14/06
 Charles D. Nielson,

Reviewed By: Division Chief

[Signature]

4/23/06

Approved By: Director, Park & Recreation Department

[Signature]

6/15/06

Approved By: Director, DBD

[Signature]

6-20-06

Approved By: Director, OSBM

[Signature]

6/2/06

Approved By: County Attorney

[Signature]

6/28/06

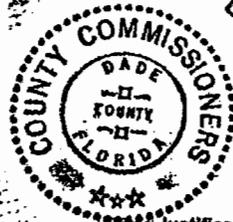
Approved By: County Manager

[Signature]

9/7/06

Attested By: Clerk of the Board

9/18/06



Time Justification: (Continued)

m" delays attributable to last year hurricanes "Katrina", and "Wilma". These delays are defined as "Excusable delays" pursuant to the agreement and the contractor is entitled to a time extension without compensation.

Monetary Justification: (Continued)

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- Additional materials due to the redesign required for unforeseen conditions and to comply with regulatory requirements for the water and sewer lines: \$40,875.37

Time Justification Declaration:

A time extension is provided for additional work performed outside the scope of the original Contract that affects the critical path schedule of the contracted work or previously approved changes. Should additional work be required which does not affect the critical path schedule, no time extension will be granted. Should one item of additional work run concurrent with another item of additional work, only time not duplicated can be provided.

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MIAMI-DADE COUNTY, FLORIDA
PARK AND RECREATION DEPARTMENT
CHANGE ORDER TO ORIGINAL CONTRACT



CHANGE ORDER NO: 3

CONTRACT NO: 123203-02-001

DATE: 5/22/2007

PROJECT TITLE: Ives Estates Park Youth Ballfield Complex

TO CONTRACTOR: ABC Construction, Inc. 7280 NW 8th Street Miami, Florida 33126

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES IN THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AND TO PERFORM THE WORK ACCORDINGLY, SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

Description of work authorized:

Increase the contract amount by \$895,800.04, from \$3,492,437.50 to \$4,388,237.54, for additional work required outside the original scope, and extend the contract time by five hundred and sixty three (563) calendar days to December 20th, 2007.

Monetary Justification:

PRD recommends an increase of \$895,800.04 to the original contract amount for the items/reasons outlined below.

A. Additional Scope of Work:

1. Sealing all the slab penetrations into the building; the construction of the custom designed methane gas alarm system; and the electrical portion of the active vertical extraction system (See Background Items No. 1, 2, and 3 for a more detailed description of this work). (Continued below)

Time Justification:

A. Recommended Time Adjustments and Justifications:

PRD recommends a retroactive time extension of five hundred and sixty three (563) calendar days from June 5th, 2006 to December 20th, 2007. This time extension is further described below.

1. Of the total elapsed time of suspension, four hundred and thirteen (413) calendar days are defined as compensable delays. In accordance (Continued below)

This change order includes not only all direct costs of contractor such as labor, material, job overhead, and profit markup; but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruption, extended direct overhead or general overhead, acceleration, material or other escalation which include wages and other impact costs.

Contractor hereby waives, fully releases, discharges and acquits Miami-Dade County of any and all liability for claims, additional costs, and any requests for additional time arising out of the fulfillment of the contract and this change order from the date of the contract award to and including execution of this change order.

SUMMARY OF CONTRACT AMOUNT / TIME

ORIGINAL CONTRACT AMOUNT-----	\$3,319,183.00
COST OF CHANGES PREVIOUSLY ORDERED-----	\$173,254.50
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$3,492,437.50
COST OF CHANGES WITH THIS DOCUMENT-----	\$895,800.04
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$4,388,237.54
PERCENT INCREASE WITH THIS CHANGE-----	26%
TOTAL PERCENT INCREASE TO DATE-----	32%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	365 / 153 / 563
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	0 / 0 / 0
ADJUSTED DURATION INCLUDING THIS CHANGE-----	1081

CERTIFYING STATEMENT:

I hereby certify that the changes and supporting cost data included is, in my considered opinion, necessary and accurate; that the prices quoted are fair and reasonable and in proper ratio to the cost of the original work contracted for under benefit of competitive bidding.

Approved: ENGINEER OR CONSULTING ENGINEER _____ Date: _____

Recommended By: PROJECT MANAGER [Signature] Date: 5/22/07

TO BE FILLED OUT BY PARK AND RECREATION DEPARTMENT

FUNDS BUDGET CODE _____

CERTIFIED BY DEPARTMENT'S FINANCE DIVISION: [Signature] Date: 5/25/07

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Accepted By: ABC Construction Inc.
Carolina Casualty Insurance Company

Contractor

5/23/07

Accepted By: Surety

Charles D. Nielson,
Attorney-in-Fact

Surety

5/23/07

Reviewed By: Division Chief

[Signature]

5/23/07

Approved By: Assistant Director

[Signature]

5/23/07

Approved By: Director

[Signature]

5/29/07

Approved By: Director, DBD

[Signature]

Approved By: Director, OSBM

5-29-07

[Signature]

5/29/07

Approved By: County Attorney

[Signature]

5/25/07

Approved By: County Manager

[Signature]

6/1/07

Attested By: Clerk of the Board

Time Justification: (Continued)

with the contract terms, the contractor is entitled to additional compensation for this extended period of performance (See Compensable Delays under Compensation for Additional Work below)

2. One-hundred and fifty (150) calendar days will have elapsed from the time remobilization is anticipated to take place (July 23rd, 2007), to when Substantial Completion is projected (December 20th, 2007). These one-hundred fifty (150) calendar days are defined as non-compensable delays since the costs for extended general conditions for this period of performance are included in the negotiated direct cost of the work. (See Compensation for Additional Work item No. A.1 above.)

Monetary Justification: (Continued)

The actual construction/installation of the vertical extraction system will be performed by another contractor under the supervision of the environmental engineering firm; the cost for that work is not included in this request. The negotiated cost for this additional work to be included in the contract as mentioned above is \$182,448.36.

2. Additional work associated with re-grading around the recreational building to restored area to specified elevations (erosion took place during the temporary suspension of work period). The negotiated cost for this additional work amounted to \$21,140.00.

3. Additional upgrades to enhance and facilitate operational capabilities once project is completed:

- a. Multiple concrete pads for soccer field bleachers
- b. Multiple concrete pads for baseball fields bleachers

The negotiated cost for this additional work is \$34,202.15.

4. Additional changes/upgrades to the original scope of work:

- a. Additional changes/upgrades to the facility's interiors. The negotiated costs of these changes/upgrades amounted to \$10,762.00
- b. Additional changes/upgrades to the facility's exteriors and associated civil work. The negotiated costs of these changes/upgrades amounted to \$44,992.34
- c. Additional electrical changes/upgrades to the scope of work. The negotiated costs of these changes/upgrades amounted to \$15,501.23
- d. Additional mechanical changes/upgrades to the scope of work. The negotiated costs of these changes/upgrades amounted to \$9,259.95

e. Additional fill and grading of sloped area between recreational building and maintenance facility pursuant to conforming set of plans and to raise area to allow for the installation of the electrical blowers and gas lines. The estimated costs of these changes/upgrades still under negotiation is \$75,589.48

The negotiated/estimated cost for this additional work is \$156,105.00

B. Compensable Delays:

Pursuant to the agreement, the contractor is entitled to additional compensation for the extended period of performance (See Item No. 1B under Time Extension to the Contract above). This consists of extended field overhead, extended field general requirements, and extended field supervision. The resulting compensation for these delays was negotiated with the contractor and established at a rate of \$347.53 per calendar day, totaling \$143,529.89. Not included in these calculations are additional extended field general requirements that were negotiated on a direct reimbursement basis rather than on a daily rate basis. This included the extension of Builder's Risk and Owner's Comprehensive Coverage (OCP) policies (\$79,384.00), and bonding

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costs (\$7,885.03), totaling \$230,798.92.

C. Additional Direct On-Site Costs Incurred by the Delay:

The following claims for material escalation during the temporary suspension period have been filed by the contractor for the indicated amounts, and are currently under review/negotiation by staff.

1. Cost escalation for materials related to the construction of the Fire Access Road. Claimed increases are for \$37,853.57.
2. Cost escalation for materials related to the construction of soccer and baseball fields. Claimed increases are for \$42,897.04.
3. Cost escalation for materials related to the construction of the sport's fields fences. Claimed increases are for \$32,460.00.
4. Cost escalation for landscaping material required for the job. Claimed increases are for \$14,000.00.

5. The extensive documentation required to verify and corroborate these claims has been requested (some of it has already been received and is under review). Initial proportional allocations for overhead and profit requested on these claims have been denied in accordance with the contract terms. The PRD recommends increasing the capacity of the contract amount for the full claimed costs of these items pending the completion of the verification/negotiation process. The Contractor's ultimate entitlement and compensation shall be based on amounts confirmed and approved by the PRD. The total claims for material escalation up to the date of preparation of this change order amount to \$127,210.61.

**D. Other Action(s) Recommended:
General Contingency Allowance:**

The PRD recommends increasing the contingency allowance from 5% normally associated with new building to 10% (additional \$143,895.00). The increase is requested for this project due to the significant issues encountered with infrastructure and varying site conditions requiring innovative solutions to environmental problems associated with building on a landfill.

Time Justification Declaration:

A time extension is provided for additional work performed outside the scope of the original Contract that affects the critical path schedule of the contracted work or previously approved changes. Should additional work be required which does not affect the critical path schedule, no time extension will be granted. Should one item of additional work run concurrent with another item of additional work, only time not duplicated can be provided.

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ATTACHMENT D

NES ESTATES PARK
 YOUTH BALLFIELD COMPLEX
 ABC CONSTRUCTION, INC
 PROJECT NO: 123203-02-001

CONTRACTOR	TOTAL DISTRIBUTION	IMPACT FEE INDEX CODE CPE343935014 \$ AMOUNT	WO#	SNP 05 INDEX CODE CPE357935151 \$ AMOUNT	WO #	CORE INDEX CODE CPE313935025 \$ AMOUNT	WO #
ABC CONTRACT TOTAL	\$4,388,237.54	\$ 111,783.11	75606	\$3,380,654.39	75928	\$895,800.04	54951

STRATEGIC AREA: Recreation and Culture
 DEPARTMENT: Park and Recreation

***** FUNDED PROJECTS *****
 (dollars in thousands)

Infrastructure Improvements

COMMUNITY-BASED ORGANIZATION GRANTS FOR PARK RENOVATIONS

PROJECT # 9347681

DESCRIPTION: Award grants to community-based organizations to facilitate park improvements

LOCATION: Countywide
 Countywide

DISTRICT LOCATED: Countywide
 DISTRICT(s) SERVED: Countywide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Capital Outlay Reserve	0	250	0	0	0	0	0	0	250
TOTAL REVENUE:	0	250	0	0	0	0	0	0	250
EXPENDITURE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Other	0	250	0	0	0	0	0	0	250
TOTAL EXPENDITURES:	0	250	0	0	0	0	0	0	250

* **ENVIRONMENTAL AND SAFETY IMPROVEMENTS**

PROJECT # 9348931

DESCRIPTION: Construct improvements to mitigate environmental problems and enhance safety conditions at park facilities

LOCATION: Countywide
 Countywide

DISTRICT LOCATED: Countywide
 DISTRICT(s) SERVED: Countywide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Capital Outlay Reserve	976	650	0	0	0	0	0	0	1,626
Other - County Bonds/Debt	1,900	0	0	0	0	0	0	0	1,900
TOTAL REVENUE:	2,876	650	0	0	0	0	0	0	3,526
EXPENDITURE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Planning and Design	241	300	0	0	0	0	0	0	541
Construction	1,935	1,050	0	0	0	0	0	0	2,985
TOTAL EXPENDITURES:	2,176	1,350	0	0	0	0	0	0	3,526

PARK FACILITIES SEWER CONNECTIONS

PROJECT # 9341011

DESCRIPTION: Connect park facilities currently on septic tanks to sewers as mandated by state and local codes

LOCATION: Countywide
 Countywide

DISTRICT LOCATED: Countywide
 DISTRICT(s) SERVED: Countywide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Capital Outlay Reserve	642	474	0	0	0	0	0	0	1,116
TOTAL REVENUE:	642	474	0	0	0	0	0	0	1,116
EXPENDITURE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Construction	642	474	0	0	0	0	0	0	1,116
TOTAL EXPENDITURES:	642	474	0	0	0	0	0	0	1,116

STRATEGIC AREA: Recreation and Culture
 DEPARTMENT: Park and Recreation

***** FUNDED PROJECTS *****
 (dollars in thousands)

✱ PARK BENEFIT DISTRICT (PBD) NO. 1 LOCAL PARK DEVELOPMENT

PROJECT # 9340351

DESCRIPTION: Acquire and develop park land within PBD 1

LOCATION: Park Benefit District 1
 Unincorporated Miami-Dade County

DISTRICT LOCATED: 1, 2, 3, 4, 5, 6, 10, 12, 13
 DISTRICT(s) SERVED: 1, 2, 3, 4, 5, 6, 10, 12, 13

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Park Impact Fees	33,085	800	0	0	0	0	0	0	33,885

TOTAL REVENUE:	33,085	800	0	0	0	0	0	0	33,885
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EXPENDITURE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Land/Bldg. Acquisition	12,631	1,500	1,000	0	0	0	0	0	15,131
Planning and Design	2,700	300	300	0	0	0	0	0	3,300
Construction	12,196	1,400	1,858	0	0	0	0	0	15,454

TOTAL EXPENDITURES:	27,527	3,200	3,158	0	0	0	0	0	33,885
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PARK BENEFIT DISTRICT NO. 2 LOCAL PARK DEVELOPMENT

PROJECT # 9340361

DESCRIPTION: Acquire and develop park land within PBD 2

LOCATION: Park Benefit District 2
 Unincorporated Miami-Dade County

DISTRICT LOCATED: 5, 6, 7, 8, 9, 10, 11
 DISTRICT(s) SERVED: 5, 6, 7, 8, 9, 10, 11

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Park Impact Fees	50,175	1,000	0	0	0	0	0	0	51,175

TOTAL REVENUE:	50,175	1,000	0	0	0	0	0	0	51,175
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EXPENDITURE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Land/Bldg. Acquisition	14,800	1,000	1,000	1,000	500	0	0	0	18,300
Planning and Design	3,354	400	300	207	150	0	0	0	4,411
Construction	18,414	3,900	2,700	2,100	1,350	0	0	0	28,464

TOTAL EXPENDITURES:	36,568	5,300	4,000	3,307	2,000	0	0	0	51,175
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STRATEGIC AREA: Recreation and Culture
 DEPARTMENT: Park and Recreation

***** FUNDED PROJECTS *****
 (dollars in thousands)

* SAFE NEIGHBORHOOD PARKS BOND PROGRAM - NEW AREAWIDE PARK DEVELOPMENT

PROJECT # 9341051

DESCRIPTION: Acquire and develop regional park facilities

LOCATION: Countywide
 Countywide

DISTRICT LOCATED: Countywide
 DISTRICT(S) SERVED: Countywide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Safe Neigh. Parks (SNP) Proceeds	17,500	0	0	0	0	0	0	0	17,500

TOTAL REVENUE:	17,500	0	17,500						
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EXPENDITURE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Land/Bldg. Acquisition	1,360	0	0	0	0	0	0	0	1,360
Planning and Design	1,607	340	353	0	0	0	0	0	2,300
Construction	8,689	1,660	3,491	0	0	0	0	0	13,840

TOTAL EXPENDITURES:	11,656	2,000	3,844	0	0	0	0	0	17,500
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Areawide Parks - Renovation

A.D. BARNES PARK - BUILDING BETTER COMMUNITIES BOND PROGRAM (PROJ # 24)

PROJECT # 931150

DESCRIPTION: Construct areawide park improvements including leisure access expansion, maintenance facility, enhancements to facilities for the disabled, shelter renovations, and vehicle and pedestrian circulation

LOCATION: 3401 SW 72 Ave
 Unincorporated Miami-Dade County

DISTRICT LOCATED: 6
 DISTRICT(S) SERVED: Countywide

ESTIMATED ANNUAL OPERATING IMPACT: \$700

REVENUE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Building Better Communities GOB Program	332	383	108	777	0	0	0	2,400	4,000

TOTAL REVENUE:	332	383	108	777	0	0	0	2,400	4,000
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EXPENDITURE SCHEDULE:	PRIOR	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	FUTURE	TOTAL
Planning and Design	73	115	60	0	0	0	0	425	673
Construction	188	339	48	777	0	0	0	1,975	3,327

TOTAL EXPENDITURES:	261	454	108	777	0	0	0	2,400	4,000
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Memorandum



Date: December 1, 2008

To: Jack Kardys, Director
Miami-Dade Parks & Recreation

From: Penelope Townsley, Director
Department of Small Business Development

Subject: Project No. 123203-02-001, Change Order No. 4 (Final)

The subject project was reviewed by the Department of Small Business Development (SBD) for compliance with the following sections of the Code of Miami-Dade County - the Community Small Business Enterprise (CSBE) Program and the Responsible Wage and Benefits Ordinances, §10-33.02 and §2-11.16. This project was awarded to ABC Construction, Inc. (ABC) with a 14% CSBE subcontractor goal.

This change order does not change the contract total amount and therefore does not change the applicable goal. Based on the latest Monthly Utilization Report, ABC has achieved 21% CSBE utilization, currently exceeding the required 14% CSBE goal. ABC and its subcontractors are in compliance with the Responsible Wages and Benefits requirements.

Please do not hesitate to contact me at 305-375-3134 if you need additional information.

c: Alice Hidalgo-Gato, CMC Division Director, SBD
Betty Alexander, PRA Division Director, SBD
Patrice King, Administrative Officer, SBD