

Memorandum



Date: June 15, 2010

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Agenda Item No. 14(A)(27)

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of George M. Burgess.

Subject: Change Order No. #1, increasing the total contract amount by \$783,583.07 for the
Opa-locka Executive Airport Air Traffic Control Tower, Project (L-085A)

RECOMMENDATION

It is recommended that the Board approve the attached Change Order No. 1 to the contract with TGSV Enterprises Inc., which increases the total contract amount by \$783,583.07, bringing it to a total \$11,381,915.57, and extends the contract term by 128 days.

CHANGE ORDER NO.: 1

PROJECT NAME: Opa-locka Executive Airport Air Traffic Control Tower

PROJECT NO. L-085A

PROJECT DESCRIPTION: The project involves the construction of a new air traffic control tower, including a ground support building and parking, all enclosed by a chain-link fence.

PROJECT LOCATION: Opa-locka Executive Airport

PRIMARY DISTRICT: Commissioner Barbara J. Jordan's District 1

APPROVAL PATH: Board of County Commissioners

USING DEPARTMENT: Miami-Dade Aviation Department (MDAD)

MANAGING DEPARTMENT: Miami-Dade Aviation Department

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact on current or future County budgets from this item as the Aviation Department constitutes an enterprise fund of the County, where revenues and expenses are fully covered by the users to the Aviation Department's facilities.

CHANGE ORDER FUNDING SOURCE:

| SOURCE | AMOUNT |
|------------------------------------|------------------------|
| FAA Grant | \$ 6,550,000.00 |
| FDOT Grant 50% of unfunded balance | \$ 3,871,000.00 |
| MDAD Airport Improvement Fund | \$ 3,871,000.00 |
| MDAD CIP/Improvement Fund CO #1 | \$ 783,583.07 |
| Total | \$14,292,000.00 |

PTP FUNDING: N/A
GOB FUNDING: N/A
ARRA FUNDING: N/A

TRACK RECORD/MONITOR: CIIS had five evaluations with an average rating of 3.6 out of 5, which is satisfactory. MDAD Project Manager William C Murphy is responsible for monitoring this project.

BACKGROUND: Nine bid packages were issued on June 11, 2008. On August 13, 2008, a public meeting was held on the 18th floor of the County Administrative Office Building with the project manager, Clerk of the Board and the bidders to open envelope A. MDAD Minority Affairs found four of the seven bidders were in compliance and three were not. On August 15, 2008, envelope B was opened and the bids were read for each of the seven bidders.

On August 19, 2008, the consultant Kimley-Horn Associates and the MDAD project manager met to review the technical qualifications of the low bidder and found them to be satisfactory. The low bidder, TGSV, was awarded the contract by the Board on January 22, 2009.

JUSTIFICATION: During the excavation for the air traffic control tower foundations, petroleum product was discovered and work was stopped until DERM could test and publish the results of the testing. TGSV was told to develop a decontamination procedure which was reviewed and accepted by DERM. The decontamination procedure was implemented by TGSV and completed to DERM's satisfaction. Some of the soils excavated also had contamination problems which had to be dealt with by TGSV. Due to the unforeseen contamination issue, MDAD now needs to reimburse the allowance account to cover any other unforeseen or anticipated items such as the shop design of the cab glass and exterior panels, plus its related delay claim, and the unknown FAA requirements such as radio equipment, and security equipment that MDAD may have to purchase.

COMPANY NAME: TGSV Enterprises Inc.
COMPANY PRINCIPAL(S): Jesus M. Gomez (President), Roy Rodriguez (Executive Vice President), Javier Hermida (Vice President), Richard Gomez (Vice President), Mary V. Tatum (Secretary)
COMPANY QUALIFIER(S): Roy Rodriguez & Javier Hermida
COMPANY EMAIL ADDRESS: javih@tgsv.com
COMPANY STREET ADDRESS: 1301 West 68th Street, Hialeah, FL 33014

GENDER, ETHNICITY & OWNERSHIP BREAKDOWN: One female Caucasian, four male Hispanic

YEARS IN BUSINESS: Fourteen years

PREVIOUS CONTRACTS WITH THE COUNTY WITHIN THE PAST FIVE (5) YEARS: See attachment exhibit "A"

CONTRACT MEASURES: DBE 16.1%, \$1,725,665.00

DBE SUBCONTRACTORS: Solares Electric Inc. 8.7%, Peoples Plumbing 1.8%, Comfort Tech A/C 5.6%

CONTRACT MEASURE ACHIEVED: 7.3%, \$311,183.76 (50% of the work is done; however, the bulk of the DBE work occurs at the end of the project. Contract ends February 2011)

TERM OF CONTRACT: 540 days + 128 days = 668 days

ORIGINAL CONTRACT AMOUNT: \$10,598,332.50

RECOMMENDED MODIFICATIONS: \$553,183.07 cost + 128 days compensable \$230,400.00 = total of \$ 783,583.07 through this change order.

CLASSIFICATION OF CHANGE ORDER: Unforeseen Conditions and County (DERM) requested changes

ADJUSTED CONTRACT AMOUNT: \$11,381,915.57

PERCENT CHANGE THIS MODIFICATION: 7.40%

IPSIG/INSPECTOR GENERAL: \$24,032.50

ADVERTISEMENT DATE: May 28, 2008

CONTRACT AWARD DATE: January 22, 2009

RESPONSIBLE WAGE: Davis Bacon Wages


Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: June 15, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 14(A)(27)

Please note any items checked.

_____ "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

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ No committee review

_____ Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve

_____ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 14(A)(27)
6-15-10

RESOLUTION NO. _____

RESOLUTION APPROVING CHANGE ORDER NO. 1 TO THE CONTRACT FOR THE CONSTRUCTION OF THE OPA-LOCKA AIR TRAFFIC CONTROL TOWER, PROJECT NO. L-085A, BETWEEN THE COUNTY AND TGSV ENTERPRISES INC., INCREASING THE CONTRACT BY AN AMOUNT NOT TO EXCEED \$783,583.07; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE CHANGE ORDER AND TO PERFORM ALL NECESSARY ACTIONS TO ENFORCE ITS TERMS

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby approves Change Order No. 1 to the contract for the construction of the Opa-Locka Air Traffic Control Tower, Project No. L-085A, between the County and TGSV Enterprises Inc., increasing the contract by an amount not to exceed \$783,583.07; authorizing the Mayor or Mayor's designee to execute the change order and to perform all necessary actions to enforce its terms.

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:

| | |
|---------------------------------|--------------------|
| Dennis C. Moss, Chairman | |
| Jose "Pepe" Diaz, Vice-Chairman | |
| Bruno A. Barreiro | Audrey M. Edmonson |
| Carlos A. Gimenez | Sally A. Heyman |
| Barbara J. Jordan | Joe A. Martinez |
| Dorin D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

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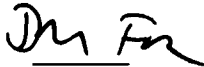
The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of June, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Deborah Bovarnick Mastin

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MONTHLY DISADVANTAGED BUSINESS UTILIZATION REPORT FOR CONSTRUCTION & A/E PROJECTS

| FOR CONSTRUCTION & RELATED PROJECTS | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| 1) Miami-Dade County Disadvantaged Business Utilization, DBE Goal | <u>16.1</u> % |
| 2) Reporting Period: | From: <u>02/01/10</u> To: <u>02/28/10</u> |
| <p>This report is required by Miami-Dade County (MDC). Failure to comply may result in MDC commencing proceedings to impose sanctions on this Contractor. In addition to pursuing any other available legal remedy. Sanctions may include the suspension of any payment or part thereof, termination or cancellation of the Contract, and the denial to participate in any future contracts awarded by MDC.</p> | |

5) CONTRACTOR INFORMATION

| 3) Name of Contractor & Address | 5a) Date of Pre-bid Confer. | 5b) Date of Pre-Cost Conf. | 5c) Contract Amount | 5d) Change Order Amount | 5e) DBE % Goal Attained | 5f) Date of NT Proceed | 5g) Schedule Completion | 5h) % Project Completed |
|-------------------------------------------------------------------|-----------------------------|----------------------------|---------------------|-------------------------|-------------------------|------------------------|-------------------------|-------------------------|
| TGSV Enterprises, Inc 1301 West 68 Street Hialeah, FL 33014 | 06/11/08 | 03/10/09 | \$10,598,332.50 | \$0.00 | 7.3% | 04/20/09 | 10/12/10 | 45% |

| | | |
|---------------------------|------------------------------------|-----------------------|
| 4) Name of Contract & No. | Amount of Requisition this Period | \$507,770.27 |
| OPF New Air Traffic | Total Amount Requisitioned to Date | <u>\$4,262,791.21</u> |
| Control Tower-#L-0854 | | |

7) DBE UTILIZATION

[illegible]

8) Company Officer's Signature and Title _____

9) Date _____

10) Telephone (305) 823-5755

Vice-President
Please Print or Type Name

~~Javier~~ Hermida

11) Sworn before me: This 3 day of March 2010

Notary Public Robert Lane Smith

Please note: this form has to be automated (on a spread sheet)



ENTERPRISES, INC.

General Contractor / Construction Manager

Exhibit "A"

LIST OF PROJECTS

Contracts in effect with Miami Dade County during the last five (5) years:

| | |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PROJECT: | MCC-6-2002 |
| DESCRIPTION: | Manage and build miscellaneous project for Miami Dade Aviation Department |
| CONTRACT AMOUNT: | \$35,175,000.00 |
| FINAL AMOUNT: | On going |
| PERCENT DIFF: | On going |
| START DATE: | March, 2003 |
| LITIGATION: | None |
| PROJECT: | M.I.A. Building 715, US Postal Service Repairs |
| DESCRIPTION: | Roof replacement, stucco repairs, waterproofing, and repainting of a US Post Office while maintaining Post Office Operational. |
| CONTRACT AMOUNT: | \$2,438,438.60 |
| FINAL AMOUNT: | \$2,438,438.60 |
| PERCENT DIFF: | 0% |
| START DATE: | July 27, 2005 |
| LITIGATION: | None |
| PROJECT: | M.I.A. CONCOURSE "H" GLAZING REPLACEMENT |
| DESCRIPTION: | Re-glaze existing curtain wall in order to achieve a fire resistively rating. |
| CONTRACT AMOUNT: | \$4,353,750.36 |
| FINAL AMOUNT: | \$4,343,108.82 |
| PERCENT DIFF: | .2% Under Budget |
| START DATE: | August 2002 |
| LITIGATION: | None |
| PROJECT: | TURNER, GUILFORD, KNIGHT-NEGATIVE AIR NEW HVAC |
| DESCRIPTION: | TGSV will be renovating the existing hospital ward in a Correctional Facility. The renovations include the upgrading of the HVAC system and the adding of a new electric and generator room. |
| CONTRACT AMOUNT: | \$2,493,446.00 |
| FINAL AMOUNT: | \$2,770,042.00 |
| PERCENT DIFF: | 11% Over Budget |
| START DATE: | March 2002 |
| LITIGATION: | None |

PROJECT:
DESCRIPTION:

DADE COUNTY COURTHOUSE

Miscellaneous modifications through existing Courthouse building in order to remove ADA barriers while maintaining building's historical and high end finishes.

CONTRACT AMOUNT:
FINAL AMOUNT:
PERCENT DIFF:
START DATE:
LITIGATION:

\$3,776,300.00
\$3,735,856.00
1% Under Budget
August 2002
None

PROJECT:
DESCRIPTION:

JACKSON MEMORIAL HOSPITAL CHEST PAINT RENOVATION

This project requires the renovation of existing Emergency Room area into New Patient Holding areas, along with nuclear medicine Rooms and Stress Test Rooms.

CONTRACT AMOUNT:
FINAL AMOUNT:
PERCENT DIFF:
START DATE:
LITIGATION:

\$632,860.00
\$441,000.00
30% Under Budget
May 2002
None

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**MIAMI - DADE COUNTY
CHANGE ORDER TO ORIGINAL CONTRACT**

CHANGE ORDER NO. 1

PROJECT NO. L085A

DATE: 03/16/2010

PROJECT NAME: OPF NEW AIR TRAFFIC CONTROL TOWER (ATCT)

TO CONTRACTOR: TGSV ENTERPRISES, INC.

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES TO THE CURRENT CONTRACT, AND TO PERFORM THE WORK SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS

| ITEM NO. | DESCRIPTION | AMOUNT |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| 1 | During the excavation for the air traffic control tower petroleum Product was discovered and work was stopped until DERM could test and publish the results of the testing. TGSV was requested to develop decontamination procedure-approved by DERM. JUSTIFICATION: UNFORESEEN OR UNFORESEEABLE CHANGE This Change Order modifies the Contract by increasing the contract amount to reimburse the contractor for the direct costs of the changed work in the amount of \$553,183.07. | \$553,183.07 |
| 2 | Contract Time adds 128 excusable [compensable] days to the Contract of 128 days @ \$1,800.00 per day | \$230,400.00 |

Release:

In consideration of and conditional upon payment to Contractor by Miami- Dade County (hereinafter "County"), of the Change Order amount and time, the Contractor releases County, its officers, employees and agents from, and waives and relinquishes, any and all claims, disputes or causes of action it has or may have against the County, its officers, employees and agents for all events occurring prior to February 8, 2010, arising out of or in connection with the Contract. The Contractor accepts the Change Order as full accord and satisfaction of all time and monies due it under or in connection with the Change Order except as specifically identified in Exhibit "M" to this Change Order.

SUMMARY OF CONTRACT AMOUNT

ORIGINAL CONTRACT AMOUNT \$ 10,598,332.50
REASON FOR CHANGE: COST OF CONSTRUCTION CHANGES PREVIOUSLY ORDERED
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE ORDER. \$ 10,598,332.50
COST OF CONSTRUCTION CHANGES THIS ORDER \$ 783,583.07*
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE ORDER \$ 11,381,915.57
PERCENT INCREASE, THIS CHANGE ORDER 7.40%*
TOTAL PERCENT INCREASE TO DATE 0.00%
EXTENSION OF TIME ALLOWED BY THIS CHANGE 128 * CALENDAR DAYS TO 02/17/2011
*See Exhibit "M"

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

SIGNATURE CONSULTING ARCHITECT OR ENGINEER

TO BE FILLED OUT BY DEPARTMENT INITIATING CHANGE ORDER

FINANCE
DEPARTMENT

GA401, AV3301, 942100
FUNDS BUDGETED CODE

CERTIFIED BY

ACCEPTED BY:

CONTRACTOR
Hartford Casualty Insurance Company

RECOMMENDED:

BUDGET DIRECTOR

MIAMI-DADE COUNTY, Florida
By its BOARD OF COUNTY COMMISSIONERS

RECOMMENDED:

PROJECT MANAGER CHIEF ARCHITECT/CHIEF ENGINEER

By:

MAYOR

DATE

APPROVED:

(CONSULTING ENGINEER), DEPT. BUSINESS DEVELOPMENT

ATTEST:

By:

Deputy Clerk

cc: A/E Consultant(s), Contractor, M-D Capital Improvements Coordinator, GSA Risk Management, Consulting Engineer (HNTB), Surety, MDAD CIP Contracts, MDAD Contracts Administration (Bldg 5A), MDAD Finance, MDAD Project Manager, MDAD Safety Insurance, MDAD Project Controls, MDAD Properties, Document Control

Allowance Account Work Order

Printed: 8/28/2009 9:38:24 AM

WORK ORDER NUMBER: 1-0006

DERM de-watering contamination

PROJECT : L085A CONTRACT : PMISL085A
 PROJECT NAME : OPF Construct New Air Traffic Control Tower
 PROJECT MGR : Murphy, William C. (Aviation)
 CONTRACTOR : T.G.S.V Enterprises Inc.

The contractor is hereby authorized to make the following changes to the current contract, and perform the work subject to all contract stipulations and covenants.

DESCRIPTION OF WORK:

The work shall consist of the following:

- 1) Contaminated water was discovered during the de-watering process and work was stopped by DERM until options could be explored. The Contractor will proceed with the design of a system to remove contaminants as per TGSV W.O. request # 11.6A (attached).
- 2) The Contractor shall drive sheet pile surrounding the excavated pile cap. The Contractor will then over dig the pile cap excavation and pour a tremie slab. The work will require the use of divers.
- 3) The water within the contained area will have to be treated to remove contaminants. If the tests of the water are satisfactory to DERM we can proceed with the contract work.
- 4) In the event the tests are not satisfactory to DERM an additional Work Order will be generated with new scope
- 5) Remove the sheet piling and contaminants removing equipment from the site. See attachments

Settlement Comments

It is important to get this project re-started as soon as possible to reduce the delay claim so we have PACO Group working on the effects of the time delay with the Contractor. We will generate another work order just dealing with the authorized days of delay. Contractors signature on the W.O. shall not be a waiver of rights for time extension and compensation for delay.

REASON : Unforeseen Conditions

JUSTIFICATION: During the excavation of the pile cap petroleum contaminants were found DERM ordered MDAD to remove the contaminants from the site. See attachments.

ALLOWANCE ACCOUNT :

ALW 1

| | |
|----------------------------------|--------------|
| ORIGINAL ALLOWANCE ACCT AMOUNT : | \$961,300.00 |
| WORK ORDERS TO DATE : | \$15,207.00 |
| PREVIOUS BALANCE : | \$946,093.00 |
| AMOUNT OF THIS WORK ORDER : | \$456,948.00 |
| BALANCE IN ALLOWANCE ACCOUNT : | \$489,145.00 |

PENDING WORK ORDERS : \$472,155.00

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

By: [Signature] 9/1/09
 ACCEPTED: GENERAL CONTRACTOR DATE
 PRINT NAME: JAMES HARRIS, JR.

By: THE TGSV 9/1/09
 APPROVED: PROJECT CONSULTANT DATE
 PRINT NAME: THOMAS F O'DONNELL

By: R Bruce 9/1/09
 APPROVED: MDAD MINORITY AFFAIRS DATE
 PRINT NAME: MILTON COLLINS

By: William C Murphy 08/31/09
 RECOMMENDED: MDAD PROJECT MANAGER DATE
 PRINT NAME: WILLIAM C MURPHY

By: N/A
 APPROVED: CONSULTING ENGINEER DATE
 PRINT NAME:

By: [Signature] 9/3/09
 ACCEPTED: MDAD AUTHORIZED MANAGE DATE
 PRINT NAME:

Allowance Account Work Order

Printed: 9/4/2009 10:45:45 AM

WORK ORDER NUMBER: 1-0008

Removal of contaminated soils

PROJECT : L085A CONTRACT : PMISL085A
 PROJECT NAME : OPF Construct New Air Traffic Control Tower
 PROJECT MGR : Murphy, William C. (Aviation)
 CONTRACTOR : T.G.S.V Enterprises Inc.

The contractor is hereby authorized to make the following changes to the current contract, and perform the work subject to all contract stipulations and covenants.

DESCRIPTION OF WORK:

The contaminated soil will be disposed of in accordance with DERM requirements. Some material will be disposed of off site and some will be used as fill at OPF.

Settlement Comments:

It is important to get this project re-started as soon as possible to reduce the delay claim so we have PACO Group working with the effects of the time delay with the Contractor. We will generate another work order just dealing with the authorized days of delay. Contractor's signature on the W.O. shall not be a waiver of rights for the time extension and compensation for delay.

REASON : Unforeseen Conditions

ALLOWANCE ACCOUNT :

ALW 1

JUSTIFICATION: During excavation the soil was found to be contaminated by DERM and directions for disposal were issued by DERM. This work order deals with those soils.

| | |
|----------------------------------|--------------|
| ORIGINAL ALLOWANCE ACCT AMOUNT : | \$961,300.00 |
| WORK ORDERS TO DATE : | \$486,588.00 |
| PREVIOUS BALANCE : | \$474,712.00 |
| AMOUNT OF THIS WORK ORDER : | \$73,681.07 |
| BALANCE IN ALLOWANCE ACCOUNT : | \$401,030.93 |

PENDING WORK ORDERS : \$560,269.07

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

By: [Signature] 09/04/09
 ACCEPTED: GENERAL CONTRACTOR
 PRINT NAME: Roy Rodriguez

By: _____
 APPROVED: PROJECT CONSULTANT
 PRINT NAME: _____

By: [Signature] 10/7/09
 APPROVED: MDAD MINORITY AFFAIRS
 PRINT NAME: Milton Collins
 KIMLEY-HORN AND ASSOCIATES, INC.

By: [Signature] 09/04/09
 RECOMMENDED: MDAD PROJECT MANAGER
 PRINT NAME: WILLIAM C MURPHY

By: [Signature] 10/6/09
 APPROVED: CONSULTING ENGINEER
 PRINT NAME: THOMAS F. O'DONNELL

By: [Signature] 10/8/09
 ACCEPTED: MDAD AUTHORIZED MANAGE
 PRINT NAME: _____

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Allowance Account Work Order

Printed: 10/13/2009 3:39:28 PM

WORK ORDER NUMBER: 1-0009

DERM contaminated soil handling requirements

PROJECT : L085A CONTRACT : PMISL085A
 PROJECT NAME : OPF Construct New Air Traffic Control Tower
 PROJECT MGR : Murphy, William C. (Aviation)
 CONTRACTOR : T.G.S.V Enterprises Inc.

The contractor is hereby authorized to make the following changes to the current contract, and perform the work subject to all contract stipulations and covenants.

DESCRIPTION OF WORK:

DERM has requested additional soil work to stockpile and cover soils encountered which may be potentially contaminated. Kimley Horn has evaluated the Contractor's request for Work Order #7.2 for \$6,553.00 and recommends payment. Please see attached.

REASON : Unforeseen Conditions

ALLOWANCE ACCOUNT :

ALW 1

JUSTIFICATION: DERM has required the work to be performed and MDAD must comply by law.

ORIGINAL ALLOWANCE ACCT AMOUNT : \$961,300.00

WORK ORDERS TO DATE : \$560,269.07

PREVIOUS BALANCE : \$401,030.93

AMOUNT OF THIS WORK ORDER : \$6,553.00

BALANCE IN ALLOWANCE ACCOUNT : \$394,477.93

PENDING WORK ORDERS : \$566,822.07

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

By: [Signature] 10/16/09

By: [Signature] 10/20/09
 KIMLEY-HORN AND ASSOCIATES, INC.

ACCEPTED: GENERAL CONTRACTOR DATE

PRINT NAME: JAVIER HERNANDEZ, VP

APPROVED: PROJECT CONSULTANT DATE

PRINT NAME: THOMAS F. O'DONELL

By: [Signature] 11/2/09By: [Signature] 11/02/09

APPROVED: MDAD MINORITY AFFAIRS DATE

RECOMMENDED: MDAD PROJECT MANAGER DATE

PRINT NAME:

PRINT NAME: WILLIAM C. MURPHY

By: N/ABy: [Signature] 11-2-09

APPROVED: CONSULTING ENGINEER DATE

ACCEPTED: MDAD AUTHORIZED MANAGE DATE

PRINT NAME:

PRINT NAME: T. TRONE D. BROWNE



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Allowance Account Work Order

WORK ORDER NUMBER: 1-0016



Additional de-watering DERM fees

PROJECT : L085A CONTRACT : PMISL085A

PROJECT NAME : OPF Construct New Air Traffic Control Tower

PROJECT MGR : Murphy, William C. (Aviation)

CONTRACTOR : T.G.S.V Enterprises Inc.

The contractor is hereby authorized to make the following changes to the current contract, and perform the work subject to all contract stipulations and covenants.

DESCRIPTION OF WORK:

DERM required additional de-watering fees which is a reimbursable expense.

REASON : County Requested Changes

ALLOWANCE ACCOUNT :

ALW 1

JUSTIFICATION:

DERM required additional de-watering fees which is a reimbursable expense.

ORIGINAL ALLOWANCE ACCT AMOUNT : \$961,300.00

WORK ORDERS TO DATE : \$561,071.07

PREVIOUS BALANCE : \$400,228.93

AMOUNT OF THIS WORK ORDER : \$1,143.00

BALANCE IN ALLOWANCE ACCOUNT : \$399,085.93

SETTLEMENT COMMENTS:

PENDING WORK ORDERS : \$9,276.00

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

By: [Signature] 11/24/09

By: [Signature] 11/24/09
KINLEY-HOLLAND ASSOCIATES, INC.

ACCEPTED: GENERAL CONTRACTOR

DATE

PRINT NAME: [Signature]

APPROVED: PROJECT CONSULTANT

DATE

PRINT NAME: THOMAS F. O'DONNELL

By: [Signature] 11/30/09

By: [Signature] 11/24/09

APPROVED: MDAD MINORITY AFFAIRS

DATE

PRINT NAME:

RECOMMENDED: MDAD PROJECT MANAGER

DATE

PRINT NAME: WILLIAM C MURPHY

By: N/A

By: [Signature] 11/30/09

APPROVED: CONSULTING ENGINEER

DATE

PRINT NAME:

ACCEPTED: MDAD AUTHORIZED MANAGE

DATE

PRINT NAME:

Allowance Account Work Order

WORK ORDER NUMBER: 1-0018

Contaminated pile #6



PROJECT : L085A CONTRACT : PMISL085A
 PROJECT NAME : OPF Construct New Air Traffic Control Tower
 PROJECT MGR : Murphy, William C. (Aviation)
 CONTRACTOR : T.G.S.V Enterprises Inc.

The contractor is hereby authorized to make the following changes to the current contract, and perform the work subject to all contract stipulations and covenants.

DESCRIPTION OF WORK:

TGSV #25.0

Excavation of the foundation created a soil pile #6 and this pile was determined by DERM to be contaminated with an unacceptable amount of mercury. We were required by DERM to dispose of this contaminated soil in accordance with DERM protocol. The final amount of this work order will be based upon certified shipping tickets from the waste management facility.

REASON : Unforeseen Conditions

ALLOWANCE ACCOUNT : ALW 1

JUSTIFICATION:

The work on soil pile #6 was required by DERM. Please see attached files.

ORIGINAL ALLOWANCE ACCT AMOUNT : \$961,300.00

WORK ORDERS TO DATE : \$563,402.07

PREVIOUS BALANCE : \$397,897.93

AMOUNT OF THIS WORK ORDER : \$14,858.00

BALANCE IN ALLOWANCE ACCOUNT : \$383,039.93

SETTLEMENT COMMENTS:

PENDING WORK ORDERS : \$14,858.00

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

By: [Signature] 1-20-10

ACCEPTED: GENERAL CONTRACTOR DATE

PRINT NAME: John Harmon, VP

By: [Signature] 1/26/10
 RIGLEY-KOENIG AND ASSOCIATES, INC.

APPROVED: PROJECT CONSULTANT DATE

PRINT NAME: THOMAS F. O'DONNELL

By: [Signature] 1/26/10

APPROVED: MDAD MINORITY AFFAIRS DATE

PRINT NAME:

By: [Signature] 01/26/10

RECOMMENDED: MDAD PROJECT MANAGER DATE

PRINT NAME: WILLIAM C MURPHY

By: N/A

APPROVED: CONSULTING ENGINEER DATE

PRINT NAME:

By: [Signature] 1/27/10

ACCEPTED: MDAD AUTHORIZED MANAGE DATE

PRINT NAME:



POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-4

P.O. BOX 2103, 690 ASYLUM AVENUE
HARTFORD, CONNECTICUT 06115

call: 888-266-3488 or fax: 860-757-5835

Agency Code: 21-229752

KNOW ALL PERSONS BY THESE PRESENTS THAT:

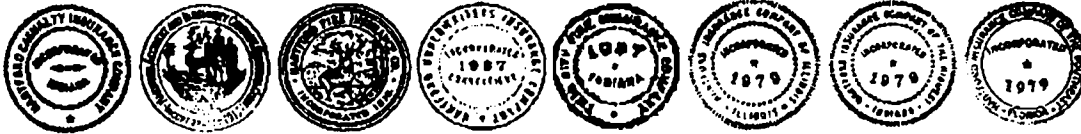
- ☒ **Hartford Fire Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- ☒ **Hartford Casualty Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- ☒ **Hartford Accident and Indemnity Company**, a corporation duly organized under the laws of the State of Connecticut
- ☐ **Hartford Underwriters Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- ☐ **Twin City Fire Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- ☐ **Hartford Insurance Company of Illinois**, a corporation duly organized under the laws of the State of Illinois
- ☐ **Hartford Insurance Company of the Midwest**, a corporation duly organized under the laws of the State of Indiana
- ☐ **Hartford Insurance Company of the Southeast**, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, **up to the amount of unlimited:**

Charles J. Nielson, Mary C. Aceves, Warren Alter, Charles D. Nielson, Joseph Penichet Nielson, David R. Hoover
of
Miami, FL

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on January 22, 2004 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Paul A. Bergenholtz

Paul A. Bergenholtz, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Assistant Vice President

STATE OF CONNECTICUT

COUNTY OF HARTFORD

ss. Hartford

On this 1st day of February, 2004, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

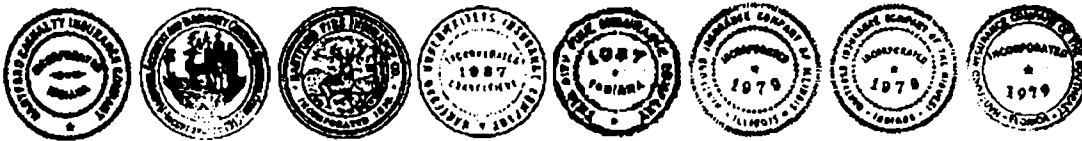
Scott E. Paseka

Scott E. Paseka
Notary Public

My Commission Expires October 31, 2012

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of February 16th, 2010.

Signed and sealed at the City of Hartford.



Gary W. Stumper

Gary W. Stumper, Assistant Vice President

17

03/26/10

EXHIBIT "M"

included Change Order # 1 for the Opa-Locka
Executive Airport OPF New Air Traffic Control

2

RWO's to date

| RWO # | DATE | DESCRIPTION | AMOUNT | ASSOCIATED TIME IN CALENDAR DAYS | COMMENTS / NOTES |
|-------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13.3 | 01/28/10 | Additional cost to be incurred due to dewatering stoppage of work. Revised to include actual impact of idle time for equipment since it was agreed to remove equipment from site on 7/15/09 and to include MWI invoice. | \$5,909.00 | 0 | |
| 21.0 | 09/21/09 | Additional work to provide coverage over area which was not included in work order modification #8.0 where limited use soil is being relocated to (Option "A" is Bahia sod, Option "B" Bahia seeding, Option "C" Bahia hydro seeding). Qualifications: 1) All options require periodic watering which is not included in this RCO since it is TGSV's understanding that Owner will provide. 2) Option "B" only includes one (1) seeding application, but additional applications may be required. A separate RWO will be issued for any additional applications which may be required. 3) Owner to provide required personnel to be able to perform this work on airside since TGSV nor subcontractor have required badges/access. | OPTION "A" \$18,605.00 OPTION "B" \$5,168.00 OPTION "C" \$7,235.00 | 0 | Owner to provide direction and fully executed work order no later than 11/20/10 in order to have a 0 calendar day impact. Failure to meet this date may result in required time extension and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should this date not be met |
| 23.0 | 10/08/09 | Additional work being performed on a unit price to handle contaminated soil which was not included in previously issued RWO#19.0. Qualifications: 1) Truck route to be per TGSV email dated 8/27/09 (See attached). 2) Refer to TGSV email dated 8/25/09 and KHA email dated 8/18/09 and 8/10/09 for clarifications to scope and procedure. 3) No temporary dust/dirt control measures to silt fence included. 6) Fill to be imported to replace fill leaving site shall be crushed lime rock. 7) No. 57 rock or ballast rock is excluded. 8) No replacement of visqueen at dewatering retention hole is included. 9) Owner escort must be provided in order to assure constant flow in order to avoid added costs | \$35,464.00 | 0 | This RWO is for contaminated soil found to date. TGSV reserves it rights for additional costs and time extensions if additional contaminated soil is encountered |

03/26/10

EXHIBIT "M"

5

included Change Order # 1 for the Opa-Locka
Executive Airport OPF New Air Traffic Control

RWO's to date

| RWO # | DATE | DESCRIPTION | AMOUNT | ASSOCIATED TIME IN CALENDAR DAYS | COMMENTS / NOTES |
|------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 24.2 A & 24.2 B modified to indicate revised approval / direction dates as stated in comment column) | | Additional work associated with cab glass modifications (TGSV RFI#17 and #17A) and revised sheets A-1.06, A-5.02, S-305, S-502 dated 2/11/10. Qualifications: 1) Glass pricing is based on attached Pena-Alum quote dated 2/26/10, engineering qualifications and approval of building official. 2) No testing of any product is included | \$469,100.00 | 60 | This pricing is based on the information and directives as described in TGSV's RWO 24.2A. Should design change from that described in TGSV RWO 24.2A, TGSV shall be allowed to revise claimed amount accordingly. Also note that current redesign of cab glass may require modifications due to energy efficiency calculations, but TGSV has yet to receive any directive on what changes may be required; therefore any changes required due to energy efficiency calculations are excluded from RWO. Should changes be required TGSV hereby reserves its rights to cost for required changes and associated time extensions and compensation as may be required. Also note in order to limit the 60 calendar time extension, TGSV must be provided approved shop drawings for cab glass system no later than 4/6/10, cab glass permit must be approved no later than 4/12/10 and a fully executed work order for cab glass and all associated changes must be provided no later than 4/15/10. Failure to meet these dates will result in additionally required time extensions and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should these dates not be met |
| 28.1 | 01/14/10 | Additional work per A/E's response to RFI#102. Revised to include settlement offer made by TGSV and agreed too at 1/12/10 Owner meeting. | \$4,424.00 | 0 | |

03/26/10

EXHIBIT "M"

included Change Order # 1 for the Opa-Locka
Executive Airport OPF New Air Traffic Control

RWO's to date

| RWO # | DATE | DESCRIPTION | AMOUNT | ASSOCIATED TIME IN CALENDAR DAYS | COMMENTS / NOTES |
|-------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 29.0 | 11/19/09 | Additional work to supply and install an additional column at base building per A/E's response to RFI#191. | \$2,219.00 | | Owner to provide direction and fully executed work order no later than 5/15/10 in order to have a 0 calendar day impact. Failure to meet this date may result in required time extension and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should this date not be met |
| 31.0 | 12/01/09 | Additional cost associated with TGSV's concrete subcontractor remobilization and repairs at grade beams due to delays encountered. | \$3,173.00 | 0 | |
| 32.0 | 12/02/09 | Additional work to provide dual utility fire pump controller/transfer switch per A/E's response to RFI#206. | \$13,923.00 | 0 | Owner to provide direction and fully executed work order no later than 4/15/10 in order to have a 0 calendar day impact. Failure to meet this date may result in required time extension and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should this date not be met |
| 36.0 | 01/07/10 | Cost breakdown associated with A/E's response to TGSV RFI#127, #127A, and #127B and associated revised Sheet #'s A-105 (Revision 1 dated 6/11/09), S-404 (Revision 5 dated 10/12/09), M-105 (Revision 1 dated 8/11/09), E-105 (Revision 1 dated 6/11/09), E-305 (Revision 1 dated 6/11/09), E-405 (Revision 1 dated 6/11/09), S-411a dated 10/12/09, S-413a dated 10/12/09, S-414a dated 10/12/09, and S-421a dated 10/12/09. | (\$448.00) | 0 | |

03/26/10

EXHIBIT "M"**included Change Order # 1 for the Opa-Locka
Executive Airport OPF New Air Traffic Control****RWO's to date**

| RWO # | DATE | DESCRIPTION | AMOUNT | ASSOCIATED TIME IN CALENDAR DAYS | COMMENTS / NOTES |
|-------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 37.0 | 01/07/10 | Additional work per A/E's response to RF#179, #179A, and associated Sheet #E-104 (Revision 1 dated 9/24/09), E-105 (Revision 2 dated 9/27/09), E-201 (Revision 1 dated 9/24/09), E-202 (Revision 1 dated 9/24/09), and E-205 (Revision 1 dated 9/24/09). Qualifications: 1) We have inputted the revised durations for required activities per attached time impact analysis into the updated schedule with a data date of 12/30/09 which was previously provided to all via TGSV's rough draft December request for payment. Since revised durations do not extend projects critical path no additional time will be required for this added work but modifications to the durations on the baseline schedule will be made upon approval of this RWO to account for added work. | \$7,769.00 | 0 | Owner to provide direction and fully executed work order no later than 5/28/10 in order to have a 0 calendar day impact. Failure to meet this date may result in required time extension and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should this date not be met |
| 38.1 | 03/01/10 | Additional work to provide and install door closers for two (2) fire rated doors (T11 and T1248). It is TGSV's recommendation to proceed with Option "A" (LCN closers) due to the strength in air pressure throughout the tower. Revised due to revised Sheet A-105 (Rev. 2 dated 1/27/10. Qualifications: 1) Although Option "B" is cheaper, TGSV recommends Option "A" since the use of a closer is what was specified in other similar applications on this project. | OPTION "A" \$700.00 OPTION "B" \$243.00 | 0 | Owner to provide direction and fully executed work order no later than 11/20/10 in order to have a 0 calendar day impact. Failure to meet this date may result in required time extension and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should this date not be met |
| 39.0 | 01/21/10 | Additional work to install "primary" conduit for electrical feed as requested at Owner meeting and per FPL sketches and KHA 1/6/10 email. Qualifications: 1) FPL to provide conduit at no cost to TGSV/Solares. 2) FPL to provide, install, and terminate all cable and equipment. 3) This RWO does not include any assumptions/costs associated with contaminated soil. If contaminated soil is encountered, a separate RWO shall follow. | \$37,395.00 | 0 | Owner to provide direction and fully executed work order no later than 5/28/10 in order to have a 0 calendar day impact. Failure to meet this date may result in required time extension and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should this date not be met |

03/26/10

EXHIBIT "M"**included Change Order # 1 for the Opa-Locka
Executive Airport OPF New Air Traffic Control**

22

RWO's to date

| RWO # | DATE | DESCRIPTION | AMOUNT | ASSOCIATED TIME IN CALENDAR DAYS | COMMENTS / NOTES |
|-------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 40.2 | 01/28/10 | Additional work to perform precast grout testing per Leo A. Daly's 1/27/10 email and NMB's email dated 1/28/10 (See qualifications below for description of each option). Revised to include work per A/E's response to RF#230, KHA email dated 1/29/10, emails dated 2/4/10, and pricing from Allstate Engineering. Revised to include actual invoice from Universal Engineering. Qualifications: 1) This RWO excludes any testing at any levels which are complete prior to b) 1st full day of splice sleeve grouting two (2) test will occur subsequent to this, One (1) test per day will occur, c) One (1) pancake test to be done onsite with every test set, 3) No testing of joint grout or grout for horizontal pour strips is required. | \$10,281.00 | 0 | TGSV was directed to proceed with this additional work per Article 8.1.09 of the project's general conditions. All agreed it was in the best interest of the project to proceed with work in order not to further impact the project's schedule; therefore additional work is currently ongoing and there is no associated time extensions |
| 43.0 | 03/08/10 | Additional work per response to RF#s 98 and 98A to change door 102A from wood door with hollow metal frame to an aluminum door and frame. Also to make doors 101 and 102B custom door width in lieu of standard. | \$2,521.00 | 0 | Owner to provide direction and fully executed work order no later than 4/12/10 in order to have a 0 calendar day impact and avoid separate shipping costs. Failure to meet this date may result in required time extension and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should this date not be met |

Please note this Exhibit "B" has been modified from that Exhibit "A" which is attached to the release of each monthly requisition in order to list all potential claims associated with issue prior 2/8/10 only, as required by the "release language" of Change order # 1

EXHIBIT "M"

Exceptions / Exclusions to Release Language included Change Order # 1 for the Opa-Locka Executive Airport OPF New Air Traffic Control Tower Project

23

| RWO # | DATE | DESCRIPTION | AMOUNT | ADDITIONAL ASSOCIATED TIME IN CALENDAR DAYS | COMMENTS / NOTES |
|-------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13.3 | 01/28/10 | Additional cost to be incurred due to dewatering stoppage of work. Revised to include actual impact of idle time for equipment since it was agreed to remove equipment from site on 7/15/09 and to include MWI invoice. | \$5,909.00 | 0 | |
| 21.0 | 09/21/09 | Additional work to provide coverage over area which was not included in work order modification #8.0 where limited use soil is being relocated to (Option "A" is Bahia sod, Option "B" Bahia seeding, Option "C" Bahia hydro seeding). Qualifications: 1) All options require periodic watering which is not included in this RCO since it is TGSV's understanding that Owner will provide., 2) Option "B" only includes one (1) seeding application, but additional applications may be required. A separate RWO will be issued for any additional applications which may be required., 3) Owner to provide required personnel to be able to perform this work on airside since TGSV nor subcontractor have required badges/access. | OPTION "A" \$18,605.00 OPTION "B" \$5,168.00 OPTION "C" \$7,235.00 | 0 | Owner to provide direction and fully executed work order no later than 11/20/10 in order to have a 0 calendar day impact. Failure to meet this date may result in required time extension and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should this date not be met |

EXHIBIT "M"

Exceptions / Exclusions to Release Language included Change Order # 1 for the Opa-Locka Executive Airport OPF New Air Traffic Control Tower Project

56

| RWO # | DATE | DESCRIPTION | AMOUNT | ADDITIONAL ASSOCIATED TIME IN CALENDAR DAYS | COMMENTS / NOTES |
|----------------------------------------------------------------------------------------------------------------------------------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 23.0 | 10/08/09 | Additional work being performed on a unit price to handle contaminated soil which was not included in previously issued RWO#19.0. Qualifications: 1) Truck route to be per TGSV email dated 8/27/09 (See attached). 2) Refer to TGSV email dated 8/25/09 and KHA email dated 8/18/09 and 8/10/09 for clarifications to scope and procedure, 3) No temporary dust/dirt control measures to be implemented, 4) No temporary traffic control measures to be implemented, 5) No silt fence included, 6) Fill to be imported to replace fill leaving site shall be crushed lime rock, 7) No. 57 rock or ballast rock is excluded, 8) No replacement of visqueen at dewatering retention hole is included, 9) Owner escort must be provided in order to assure constant flow in order to avoid added costs | \$35,464.00 | 0 | This RWO is for contaminated soil found to date. TGSV reserves it rights for additional costs and time extensions if additional contaminated soil is encountered |
| 24.2 A & 24.2 B (modified to indicate revised approval / direction dates as stated in comment column) | | Additional work associated with cab glass modifications (TGSV RFI#17 and #17A) and revised sheets A-1.06, A-5.02, S-305, S-502 dated 2/11/10. Qualifications: 1) Glass pricing is based on attached Pena-Alum quote dated 2/26/10, engineering qualifications and approval of building official. 2) No testing of any product is included | \$469,100.00 | 60 | This pricing is based on the information and directives as described in TGSV's RWO 24.2A. Should design change from that described in TGSV RWO 24.2A, TGSV shall be allowed to revise claimed amount accordingly. Also note that current redesign of cab glass may require modifications due to energy efficiency calculations, but TGSV has yet to receive any directive on what changes may be required; therefore any changes required due to energy efficiency calculations are excluded from RWO. Should changes be required TGSV hereby reserves its rights to cost for required changes and associated time extensions and compensation as may be required. Also note in order to limit the 60 calendar time extension, TGSV must be provided approved shop drawings for cab glass system no later than 4/6/10, cab glass permit must be approved no later than 4/12/10 and a fully executed work order for cab glass and all associated changes must be provided no later than 4/15/10. Failure to meet these dates will result in additionally required time extensions and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should these dates not be met |

EXHIBIT "M"

Exceptions / Exclusions to Release Language included Change Order # 1 for the Opa-Locka Executive Airport OPF New Air Traffic Control Tower Project

52

| RWO # | DATE | DESCRIPTION | AMOUNT | ADDITIONAL ASSOCIATED TIME IN CALENDAR DAYS | COMMENTS / NOTES |
|-------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 28.1 | 01/14/10 | Additional work per A/E's response to RF#102. Revised to include settlement offer made by TGSV and agreed too at 1/12/10 Owner meeting. | \$4,424.00 | 0 | |
| 29.0 | 11/19/09 | Additional work to supply and install an additional column at base building per A/E's response to RF#191. | \$2,219.00 | | Owner to provide direction and fully executed work order no later than 5/15/10 in order to have a 0 calendar day impact. Failure to meet this date may result in required time extension and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should this date not be met |
| 31.0 | 12/01/09 | Additional cost associated with TGSV's concrete subcontractor remobilization and repairs at grade beams due to delays encountered. | \$3,173.00 | 0 | |
| 32.0 | 12/02/09 | Additional work to provide dual utility fire pump controller/transfer switch per A/E's response to RF#206. | \$13,923.00 | 0 | Owner to provide direction and fully executed work order no later than 4/15/10 in order to have a 0 calendar day impact. Failure to meet this date may result in required time extension and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should this date not be met |
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EXHIBIT "M"

Exceptions / Exclusions to Release Language included Change Order # 1 for the Opa-Locka Executive Airport OPF New Air Traffic Control Tower Project

| RWO # | DATE | DESCRIPTION | AMOUNT | ADDITIONAL ASSOCIATED TIME IN CALENDAR DAYS | COMMENTS / NOTES |
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| 37.0 | 01/07/10 | Additional work per A/E's response to RFI#179, #179A, and associated Sheet #E-104 (Revision 1 dated 9/24/09), E-105 (Revision 2 dated 9/27/09), E-201 (Revision 1 dated 9/24/09), E-202 (Revision 1 dated 9/24/09), and E-205 (Revision 1 dated 9/24/09). Qualifications: 1) We have inputted the revised durations for required activities per attached time impact analysis into the updated schedule with a data date of 12/30/09 which was previously provided to all via TGSV's rough draft December request for payment. Since revised durations do not extend projects critical path no additional time will be required for this added work but modifications to the durations on the baseline schedule will be made upon approval of this RWO to account for added work. | \$7,769.00 | 0 | Owner to provide direction and fully executed work order no later than 5/28/10 in order to have a 0 calendar day impact. Failure to meet this date may result in required time extension and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should this date not be met |
| 38.1 | 03/01/10 | Additional work to provide and install door closers for two (2) fire rated doors (T11 and T1248). It is TGSV's recommendation to proceed with Option "A" (LCN closers) due to the strength in air pressure throughout the tower. Revised due to revised Sheet A-105 (Rev. 2 dated 1/27/10. Qualifications: 1) Although Option "B" is cheaper, TGSV recommends Option "A" since the use of a closer is what was specified in other similar applications on this project. | OPTION "A" \$700.00 OPTION "B" \$243.00 | 0 | Owner to provide direction and fully executed work order no later than 11/20/10 in order to have a 0 calendar day impact. Failure to meet this date may result in required time extension and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should this date not be met |
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EXHIBIT "M"

Exceptions / Exclusions to Release Language included Change Order # 1 for the Opa-Locka Executive Airport OPF New Air Traffic Control Tower Project

ft
2

| RWO # | DATE | DESCRIPTION | AMOUNT | ADDITIONAL ASSOCIATED TIME IN CALENDAR DAYS | COMMENTS / NOTES |
|-------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 40.2 | 01/28/10 | Additional work to perform precast grout testing per Leo A. Daly's 1/27/10 email and NMB's email dated 1/28/10 (See qualifications below for description of each option). Revised to include work per A/E's response to RF#230, KHA email dated 1/29/10, emails dated 2/4/10, and pricing from Allstate Engineering. Revised to include actual invoice from Universal Engineering. Qualifications: 1) This RWO excludes any testing at any levels which are complete prior to b) 1st full day of splice sleeve grouting two (2) test will occur subsequent to this, One (1) test per day will occur, c) One (1) pancake test to be done onsite with every test set, 3) No testing of joint grout or grout for horizontal pour strips is required. | \$10,281.00 | 0 | TGSV was directed to proceed with this additional work per Article 8.1.09 of the project's general conditions. All agreed it was in the best interest of the project to proceed with work in order not to further impact the project's schedule, therefore additional work is currently ongoing and there is no associated time extensions |
| 43.0 | 03/08/10 | Additional work per response to RF#s 98 and 98A to change door 102A from wood door with hollow metal frame to an aluminum door and frame. Also to make doors 101 and 102B custom door width in lieu of standard. | \$2,521.00 | 0 | Owner to provide direction and fully executed work order no later than 4/12/10 in order to have a 0 calendar day impact and avoid separate shipping costs. Failure to meet this date may result in required time extension and compensation for additional delays. TGSV hereby reserves their rights to time extension and compensation should this date not be met |

Please note this Exhibit "B" has been modified from that Exhibit "A" which is attached to the release of each monthly requisition in order to list all potential claims associated with issue prior 2/8/10 only, as required by the "release language" of Change order # 1