

**BOARD OF COUNTY COMMISSIONERS**

**DATE:** December 11, 2012

**AGENDA ITEM NO.** 14

**Consent Agenda** ☐

**Regular Agenda** ☒

**Public Hearing** ☐

**County Administrator's Signature** 

**Subject:**

Change Order No. 1 - Bear Creek Channel Improvements (Re-bid) PID Nos.: 2055, 2297 & 922306  
Contract No.: 112-0108-CP(DF)

**Department:**

Department of Environment and Infrastructure/  
Purchasing

**Staff Member Responsible:**

Jorge Quintas / Joe Lauro

**Recommended Action:**

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS APPROVE CHANGE ORDER NO. 1 FOR BEAR CREEK CHANNEL IMPROVEMENTS (RE-BID), WITH DAVID NELSON CONSTRUCTION CO., PALM HARBOR, FLORIDA.

I FURTHER RECOMMEND THAT AFTER PROPER EXECUTION OF CHANGE ORDER NO. 1 BY THE CONTRACTOR, THE CHAIRMAN BE AUTHORIZED TO SIGN AND THE CLERK TO ATTEST.

**Summary Explanation/Background:**

The purpose of this project is to complete necessary drainage improvements in the Bear Creek watershed basin, including channel widening, roadway and bridge improvements, and downstream dredging, in accordance with a Joint Project Agreement (JPA) between Pinellas County and the City of St Petersburg.

Change Order No. 1 requests additional funds of \$1,546,502.44 due to errors and omissions by Parsons Water & Infrastructure, Inc., the Consultant Engineer of Record (EOR) for this project.

The County is seeking full reimbursement from the Consultant EOR for cost of changes attributable to design deficiencies, errors and omissions.

Change Order No. 1 authorizes an increase to the original contract amount of \$1,546,502.44 for a revised total of \$8,447,919.94. Additionally, the work and associated design revisions, submittal approvals and additional time required for ordering and manufacturing of replacement sheet piles is estimated to extend the project by two hundred forty three (243) consecutive calendar days resulting in a revised project completion date of December 26, 2013.

**Fiscal Impact/Cost Revenue Summary:**

Original Contract Total Approved:	\$6,901,417.50
Increase due to Change Order No. 1:	\$1,546,502.44
Revised Contract Total Amount:	\$8,447,919.94

Funding for this project is budgeted in the County's Capital Improvement Program: Drainage & Stormwater Management, Drainage Channel Dredging Program Allocation, & Creek Erosion Control Allocation; as well as Transportation & Traffic Flow, Bridge Rehabilitation Program Allocation. The sources of project funding are the Infrastructure Sales Tax (Penny for Pinellas) at 73%, reimbursement from the City of St Petersburg through a JPA at 2%, and grant funding from SWFWMD at 25%.

**Change in Contract Term:**

Original Contract Term Approved:  
Time Extension due to Change Order No. 1:  
Revised Contract Term:

360 Consecutive Calendar Days  
243 Consecutive Calendar Days  
603 Consecutive Calendar Days

**Exhibits/Attachments Attached:**

Contract Review  
Change Order No. 1  
Critical Path Method (CPM) Schedule



**PURCHASING DEPARTMENT  
CONTRACT REVIEW TRANSMITTAL**

CATS  
NO.:

41219

**PROJECT: Change Order No. 1 – Bear Creek Channel Improvements (Re-bid)**  
**(PID Nos. 2055, 2297 & 922306)**

**BID NUMBER: 112-0108-CP(DF)**

**REQ. NUMBER:**

**TYPE:** ☒ **Purchase Contract** ☐ **Other:** ☐ **Construction-Less than \$100,000** ☐ **One Time**

In accordance with the policy guide for Contract Administration, the attached documents are submitted for review and comment.

Upon completion of review, complete Contract Review Transmittal and forward to next Review Authority listed. Please indicate suggested changes by revising, in RED, the appropriate section of the document reflecting the exact wording of the change.

**RISK MANAGEMENT:** Please enter required liability coverage on pages: N/A

**PRODUCT ONLY** ☐

**Estimated Expenditure:** \$1,300,000.00

REVIEW SEQUENCE	REVIEW AUTHORITY	REVIEW DATE	REVIEW SIGNATURE	COMMENTS (Attach Separate page if necessary)	COMMENTS INCORPORATED
1.	<u>Purchasing Dept.</u> J. Lauro, Director C. Mancuso, Ass't. Director D. Fechter, PA	11/20/12	[Signature]		
2.	<u>Dept. of Environment &amp; Infrastructure</u> Jorge Quintas, Director Tom Menke, PM Merry Celeste, Contracts	11/20/12	[Signature]	PLEASE REVISE IN ACCORDANCE WITH LATEST E-MAILS FROM CONST	[Initials]

Using Dept please provide below information:

☐ Yes, funding for this requisition is using grant Funding. ☐ No, funding for this requisition is not using grant Funding.

If grant funding is being used you must provide Purchasing with the exact clauses that need to be on attached document.

**Please check attached vendor list. Circle vendors you want bids mailed to. Add additional vendors with complete information (Name, Address, Phone and Fax)**

3.	<u>Risk Management Director</u> Attn: Virginia E. Holscher (Check applicable box at right)	11/21/12	[Signature] for Virginia Holscher		HIGH RISK NOT HIGH RISK
4.	<u>BCC Finance</u> Attn: Cassandra Williams	11/26/12	CBW		
5.	<u>Legal</u> Attn: Michelle Wallace	11/21/12	MLW		
6.	<u>Asst. County Administrator</u> Attn: M. Woodard	11/21/12	[Signature]	We should seek to recover the full amt. of the change order from Person's E+O policy. See comments.	[Initials]

**RETURN ALL DOCUMENTS TO PURCHASING**

**Make all inquiries to:** Dave Fechter, Procurement Analyst

at Extension 3154

**In order to meet the following schedule, please return your requirements to Purchasing by: 11/21/12**

**TENTATIVE DATES**

BCC Meeting: 12/11/12

Purchasing Director Approval: 11/26/12



Joseph Lauro, CPPO/CPPB  
Director

### CONSTRUCTION CHANGE ORDER NO. 1

**PROJECT:** Bear Creek Channel Improvements (Re-bid)  
**PROJECT NO.:** 2055, 2297 & 922306  
**CONTRACT NO.:** 112-0108-CP(DF)  
**AGREEMENT DATE:** March 13, 2012  
**COMMENCEMENT DATE:** May 2, 2012  
**OWNER:** Pinellas County  
**CONTRACTOR:** David Nelson Construction Co.

#### REASON FOR CHANGE:

After installation of the steel sheet piles walls, it was discovered that design depth of the piles was inadequate and subject to failure. This also affected the construction of a sump area which is enclosed by the walls. The Consultant Engineer of Record (EOR) redesigned the walls, which now require installation of longer sheets. This change order includes removal and salvage of the installed shorter sheets, furnishing and installation of new longer sheets, modification of construction of the sump area, and contract term extension related to revised pay items.

The work and associate design revisions, submittal approvals and additional time required for ordering and manufacturing of replacement sheet piles is estimated to extend the project by two hundred forty three (243) consecutive calendar days resulting in a revised project completion date of December 26, 2013.

The Contractor agrees to conform to all existing contract specifications as well as those specific to this work

#### CHANGE IN AGREEMENT PRICE:

Original Agreement Amount:	\$6,901,417.50
Increase due to Change Order No. 1:	\$1,546,502.44
<b>Revised Agreement Amount:</b>	<b>\$8,447,919.94</b>

PLEASE ADDRESS REPLY TO:  
400 South Ft. Harrison, Sixth Floor  
Clearwater, Florida 33756  
Phone: (727) 464-3311  
FAX: (727) 464-3925  
Website: [www.pinellascounty.org/purchase](http://www.pinellascounty.org/purchase)



Your acceptance of this Change order shall constitute a modification to our Agreement and will be performed subject to all of the same terms and conditions as contained in our Agreement indicated above, as fully as if the same were repeated in this acceptance. This adjustment to the agreement shall constitute a full and final settlement of any and all claims arising out of or related to the change set forth herein, including claims for impact and delay costs.

PINELLAS COUNTY, FLORIDA  
by and through its Board of County  
Commissioners

ATTEST:

By: \_\_\_\_\_  
Ken Burke  
Clerk of the Court

By: \_\_\_\_\_  
Chairman  
Board of County Commissioners

Date: \_\_\_\_\_

By: Michelle Wallace  
APPROVED AS TO FORM  
Office of County Attorney

ATTEST:

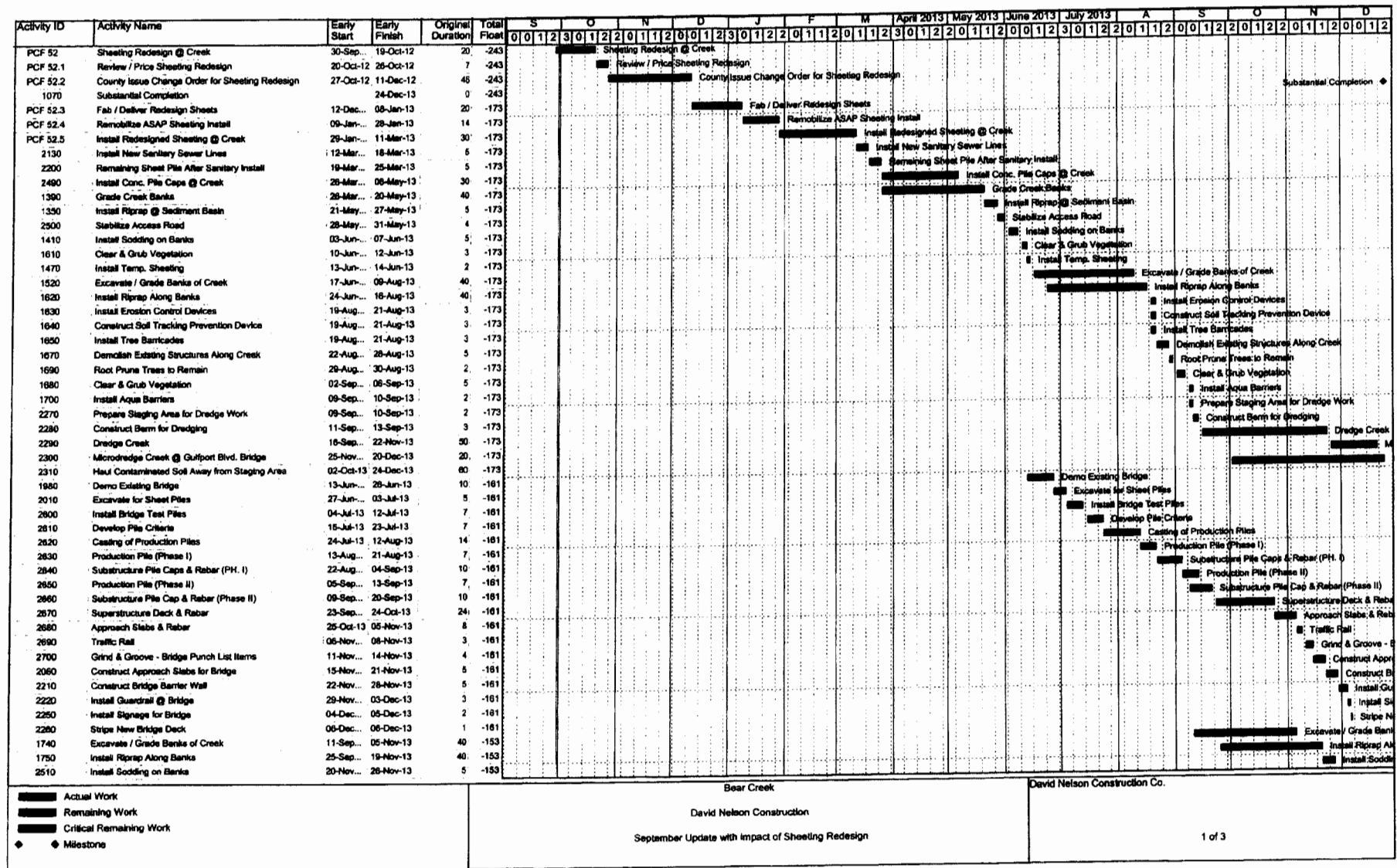
CONTRACTOR:

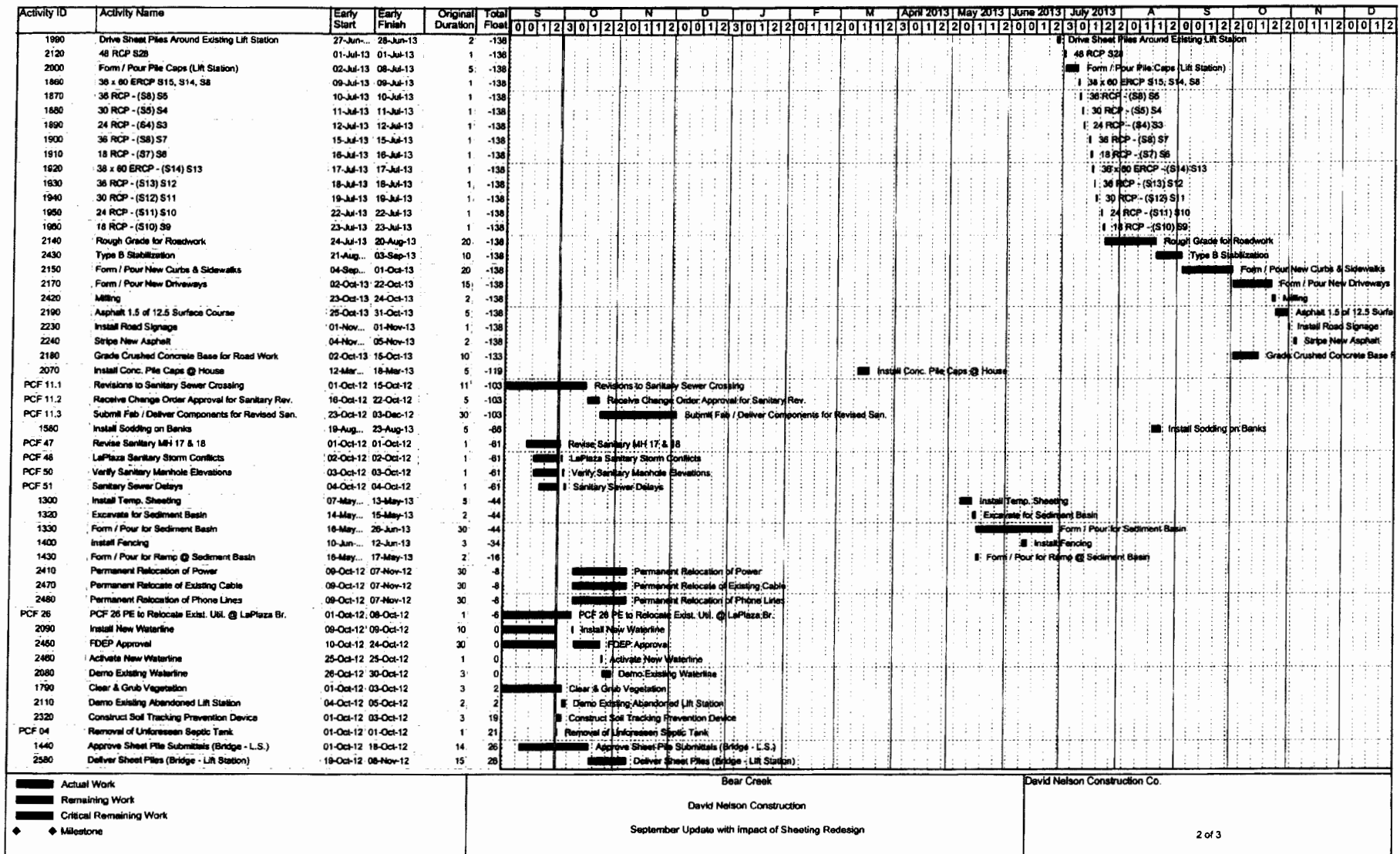
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Type/Print Name and Title

By: \_\_\_\_\_  
  
\_\_\_\_\_  
Type/Print Name and Title





(SEAL)

# CPM SCHEDULE





Activity ID	Activity Name	Early Start	Early Finish	Original Duration	Total Float	S												O												N												D												J												F												M												April 2013												May 2013												June 2013												July 2013												A												S												O												N												D																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
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 Actual Work  
 Remaining Work  
 Critical Remaining Work  
 Milestone

Bear Creek  
 David Nelson Construction  
 September Update with impact of Sheeting Redesign

David Nelson Construction Co.