

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20030015

1. REQUESTED MOTION:

ACTION REQUESTED: Approve Change Order No. 7 with Westwind Contracting, under Contract #1798 (B01-17) Veteran's Parkway – Surfside to Chiquita, in the amount of \$126,671.18, for a revised total Contract amount of \$9,713,307.91.

WHY ACTION IS NECESSARY: Pursuant to Lee County Contract Manual, approved on September 25, 2001, Board approval is required for Change Orders in excess of \$50,000.00.

WHAT ACTION ACCOMPLISHES: Compensates Contractor for unforeseen underground conditions, i.e. the discovery of a muck area and surface rock.

**2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #**

C9A

3. MEETING DATE:

01-21-2003

4. AGENDA:

- CONSENT
- ADMINISTRATIVE APPEALS
- PUBLIC WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:
(Specify)**

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
- B. DEPARTMENT Transportation
- C. DIVISION _____

BY: Scott Gilbertson, Dept. Director

7. BACKGROUND:

The Board approved the award of B-01-07 VETERAN'S PARKWAY – from SR 78 to East Surfside Boulevard to Westwind Contracting on June 26, 2001, in the amount of \$6,847,115.34.

BACKGROUND CON'T ON PAGE TWO

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>1/17/03</i> <i>Scott Gilbertson</i>	<i>[Signature]</i> <i>1/17/03</i>		<i>[Signature]</i>	<i>[Signature]</i> <i>1/17/03</i>	OA <i>[Signature]</i> <i>1/17/03</i>	OM <i>[Signature]</i> <i>1/17/03</i>	Risk <i>[Signature]</i> <i>1/17/03</i>	GC <i>[Signature]</i> <i>1/17/03</i>	<i>[Signature]</i> <i>1/17/03</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *01/08/03*
Time: *3:50PM*
Forwarded To:
Co. Admin
3:50 PM

RECEIVED BY
COUNTY ADMIN. *[Signature]*
1-8-03
3:56
COUNTY ADMIN.
FORWARDED TO:
1/9 2003

PAGE TWO
BACKGROUND (CON'T)

The following Change Orders have been approved:

Change Order #1 was approved on October 22, 2001 in the amount of \$16,451.03, for structure S-134 modification; Change Order #2 was approved on March 11, 2002, in the amount of \$44,657.48, for berm and collector swale relocation, additional surveying, and irrigation; Change Order #3 was approved on April 12, 2002, in the amount of \$31,088.37, for additional clearing, survey and earthwork for four (4) new median openings; Change Order #4 was approved on May 6, 2002, in the amount of \$38,563.43, for exotic vegetation control top remain in compliance with Environmental Resource permit; Change Order #5 was approved on June 3, 2002, in the amount of \$49,026.28, for clearing and easement through Bonita Bay and Gaziano properties; Change Order #6 for \$2,559,833.98 to complete the corridor by building the section from Surfside to Skyline was approved on July 9, 2002.

In this new section from Surfside to Skyline, a large muck area was discovered as well as a layer of cap rock in the roadway area. This Change Order compensates the Contractor to excavate both the rock and muck.

Fund from account string: 20502030721.506540

Attachments: Three (3) Change Orders from Westwind Construction

LEE COUNTY CONSTRUCTION CONTRACT
CHANGE ORDER

NO.: 7

(A Change Order Requires Approval by the Department Director for Expenditures Under \$25,000 or Approval by the County Manager for Expenditures Between \$25,000 and \$50,000 or Approval by the Board of County Commissioners over \$50,000)

CONTRACT/PROJECT NAME: Veteran's Parkway

CONTRACTOR: Westwind PROJECT NO.: 5020 Account #: 20502030721.506540

CONTRACT NO.: 1798 BID NO.: B01-17

CHANGE REQUESTED BY: County/Contractor DATE OF REQUEST: 12/09/02

Upon the completion and execution of this change order by both parties to the contract the contractor is authorized to and shall proceed to make the following changes in the contract documents:

Description: Additional limerock, material and haul; ripper excavation, muck removal, deletion of stabilized subgrade.

Purpose of Change Order: Compensate Contractor for conditions not anticipated in original contract.

Attachments (List documents supporting change) SEE ATTACHED BACK-UP

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIME:

Original Contract Price

Original Contract Time

\$6,847,116.16

530 / 560
Calendar Days

Previous Change Orders No. 0 to No. 6

Net change from previous Change Orders

\$2,739,520.57

150
Calendar Days

Contract Price prior to this Change Order

Contract Time prior to this Change Order

\$9,586,636.73

680 / 710
Calendar Days

Net Increase (Decrease)
of this Change Order

Net Increase (Decrease)
of this Change Order

\$ 126,671.18

0
Calendar Days

Contract Price with all
approved Change Orders

Contract Time with all
approved Change Orders

\$9,713,307.91

680 / 710
Calendar Days

It is understood and agreed that the acceptance of this modification by the CONTRACTOR constitutes an accord and satisfaction, and represents payment in full (both time and money) for all costs arising out of, or incidental to, the above mentioned change.

RECOMMENDED:

ACCEPTED:

COUNTY APPROVAL:

BY: _____
Consultant (if applicable) Date

BY: [Signature]
Contractor

BY: _____
Department Director
(Under \$25,000)

BY: [Signature] 12/23/02
Department Director Date

Date Accepted: 12-17-02

Date Approved:

[Signature] 12-27-02
Contracts Management Date

Corporate Seal

BY: _____
County Administrator
(Under \$50,000)

APPROVED:

Date Approved:

County Attorney's Office Date

BY: _____
Chairman
Board of County Commissioners
(Over \$50,000)

Date Approved: _____

BACK-UP
CHANGE ORDER #7
VETERAN'S PARKWAY

Bid No: B01-17

Westwind Contracting
Contractor's Name

ITEM NUMBER	DESCRIPTION	UNIT	ESTIMATED QUANTITY	PRICE	AMOUNT
ADDITIONS					
	5" Additional Limerock, Material and Hauling East and West Bound				\$105,718.48
	Rip Rock w/D-8 Dozer and Ripper Attachment Time and Material East and West Bound				\$37,231.92
	Muck Removal STA 828+00 to 832+00 East and West Bound Time and Material				\$23,720.78
DELETIONS					
	Type B Stabilization (12")	SY	30769.24	1.3	(\$40,000.00)
TOTAL CHANGE ORDER					\$126,671.18

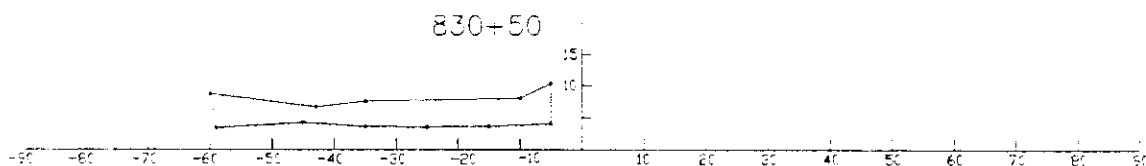
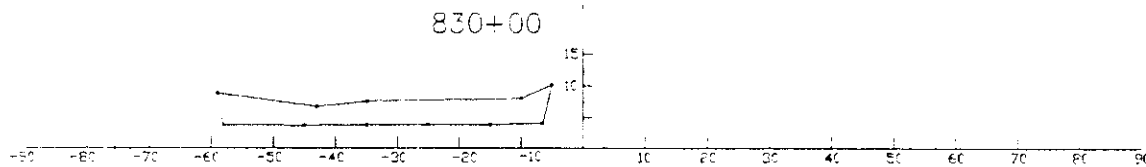
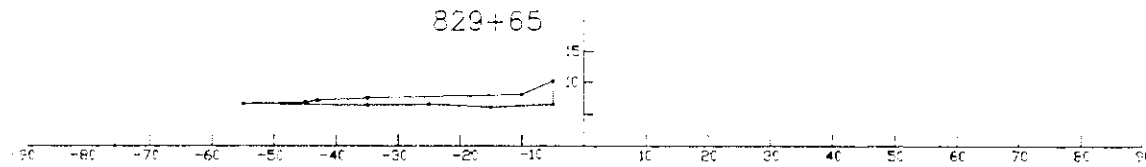
WESTWIND CONTRACTING, INC.

Veteran's Parkway

Demucking Area

29-Oct-02

STATION	AREA (S.F.)	INTERVALS	VOLUME (C.Y.)	VOL. T. (C.Y.)
829+65	59.17	--	0	0
830+00	215.51	35	178.03	178.03
830+50	218.64	50	401.99	580.02
831+00	205.28	50	392.52	972.54
831+10	202.02	10	75.43	1047.97
831+30	87.85	20	107.36	1155.33



VETERAN'S PARKWAY

Demucking Area

DATE: 10/29/02

DWN: R. N. C.

SCALE: 1:35'



WESTWIND CONTRACTING, INC.
 3501 W. Hollandale Ech. Blvd.
 Pembroke Park, FL 33023

Westwind Contracting, Inc.

BULLETIN
No. 00124

3501 W. Hallandale Beach Blvd.
Pembroke Park, FL 33023

Phone: 954-961-7200
Fax: 954-961-7222

TITLE: Additional Equipment

DATE: 8/26/2002

PROJECT: Veteran's Parkway

JOB: 23401

TO: Attn: Randy P. Cerchie
Lee County, Department of Transport
1500 Monroe Street
Fort Myers, FL 33901
Phone: 941-479-8573 Fax: 941-479-8520

STARTED: 8/26/2002

COMPLETED: 8/26/2002

REQUIRED:

REMARKS:

Per our conversation on Friday 8/23/02, Lee County directed Westwind to proceed with the cap rock excavation on a time and material basis. Westwind is informing Lee County that a D-8 dozer with a ripper attachment will be utilized at a rate of \$158.50 per hour to perform the excavation beginning tomorrow 8/27/02.

Reported By: Westwind Contracting, Inc.

Date: _____

Signed: _____

Chad Vincent

AMOUNT

17444.08
0.00
0.00
0.00
0.00
0.00
17444.08
1744.41
19188.49

AMOUNT

26406.73
0.00
0.00
0.00
0.00
0.00
26406.73
1584.40
4898.45
32889.58

Phase: 62220
 Cost Type: ALL
 Tran. Type: ALL
 Vendor: ALL
 Employee: ALL
 Inv. Item: ALL

Phase Status: ALL
 Division: ALL
 Pre-Time Card Batch: Not Applicable
 Customer: ALL
 Draw Appl. #: ALL

WESTWIND CONTRACTING, INC.
Job Cost History Report From Inception To 10/31/02
Includes Posted Transactions Only

UnPosted?

Unit of Measure

Date	Tran Type	Reference	Description	Additional Information	Hours	Quantity	Amount
Job: 23401 VETERANS PARKWAY							
Phase: 62-220 DEMUCKING Cost Type: 2 LABOR							
10/22/02	PR	FRAKIN	FRANK H KING	Check# 3645	2.00		31.67
10/22/02	PR	JAMCOM	JAMES LEE COMBS	Check# 3639	2.00		38.98
10/22/02	PR	JERKIM	JERRY KIMBERLIN	Check# 3643	5.00		73.09
10/22/02	PR	JERKIM	JERRY KIMBERLIN	Check# 3643	3.50		51.16
10/22/02	PR	JUDKIM	JUDY L KIMBERLIN	Check# 3644	7.50		96.02
10/23/02	PR	ALMMOR	ALMA LEE MORETZ	Check# 3648	10.00		134.01
10/23/02	PR	WALZAR	WALTER G ZARZYCKI	Check# 3651	11.00		180.63
10/24/02	PR	ALMMOR	ALMA LEE MORETZ	Check# 3648	10.00		134.01
10/24/02	PR	BRIMEN	BRIAN MENDO	Check# 3647	5.00		57.61
10/24/02	PR	FRAKIN	FRANK H KING	Check# 3645	10.00		158.37
10/24/02	PR	JAMCOM	JAMES LEE COMBS	Check# 3639	3.00		58.47
10/24/02	PR	WALZAR	WALTER G ZARZYCKI	Check# 3651	4.00		65.69
10/25/02	PR	BRIMEN	BRIAN MENDO	Check# 3647	10.00		115.22
10/25/02	PR	FRAKIN	FRANK H KING	Check# 3645	5.00		114.17
10/25/02	PR	JERKIM	JERRY KIMBERLIN	Check# 3643	10.00		210.77
10/28/02	PR	JERKIM	JERRY KIMBERLIN	Check# E03556	10.00		146.18
10/28/02	PR	RODKIT	RODNEY J KITLEY	Check# 3703	10.50		188.19
10/28/02	PR	WAMPET	WANDA L PETRYKOWSKI	Check# 3706	10.00		127.47
10/29/02	PR	RODKIT	RODNEY J KITLEY	Check# 3703	10.00		179.23
10/29/02	PR	WAMPET	WANDA L PETRYKOWSKI	Check# 3706	10.00		127.47
10/30/02	PR	RODKIT	RODNEY J KITLEY	Check# 3703	5.00		89.61
Subtotal for Phase: 62-220 DEMUCKING Cost Type: 2 LABOR					153.50	0.00	2,378.02
Phase: 62-220 DEMUCKING Cost Type: 3 BURDEN							
10/22/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				3.17
10/22/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				3.90
10/22/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				7.31
10/22/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				5.12
10/22/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				9.60
10/23/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				13.40
10/23/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				18.86
10/24/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				13.40
10/24/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				5.76
10/24/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				15.84
10/24/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				5.85

JOB COST HISTORY REPORT FROM INCEPTION TO 10/31/02
Includes Posted Transactions Only

UnPosted?

Unit of Measure

Date	Tran Type	Reference	Description	Additional Information	Hours	Quantity	Amount
Job: 23401 VETERANS PARKWAY							
Phase: 62-220 DEMUCKING Cost Type: 3 BURDEN							
10/24/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				6.57
10/25/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				11.52
10/25/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				11.42
10/25/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				21.08
10/28/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				14.62
10/28/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				18.82
10/28/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				12.75
10/29/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				17.92
10/29/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				12.75
10/30/02	OH	OVERHEAD - PR	PAYROLL OVERHEAD BURDEN				8.96
Subtotal for Phase: 62-220 DEMUCKING Cost Type: 3 BURDEN					0.00	0.00	237.82
Phase: 62-220 DEMUCKING Cost Type: 4 EQUIPMENT							
10/23/02	AP	NEFREN	NEFF RENTAL, INC.	Invoice 519473-001 dated 10/29/02 SAWS 10/23/02 - 10/29/02			387.80
10/22/02	EQ	422	CAT 12H MOTOR GRADER	Rate: 50.00	2.00		100.00
10/22/02	EQ	6098	CAT 966F LOADER	Rate: 55.00	4.00		220.00
10/22/02	EQ	7028	CAT 613C SCRAPER	Rate: 60.00	2.00		120.00
10/22/02	EQ	7086	JOHN DEERE 310E COMBO EXCAVATO	Rate: 35.00	5.00		175.00
10/22/02	EQ	7086	JOHN DEERE 310E COMBO EXCAVATO	Rate: 35.00	3.00		105.00
10/23/02	EQ	6207	KOMATSU PC400LC6 EXCAVATOR	Rate: 70.00	10.50		735.00
10/24/02	EQ	422	CAT 12H MOTOR GRADER	Rate: 50.00	3.00		150.00
10/24/02	EQ	1333	INGERSOLL/RAND ROLLER	Rate: 30.00	5.00		150.00
10/24/02	EQ	6207	KOMATSU PC400LC6 EXCAVATOR	Rate: 70.00	3.50		245.00
10/24/02	EQ	7086	JOHN DEERE 310E COMBO EXCAVATO	Rate: 35.00	10.00		350.00
10/25/02	EQ	6098	CAT 966F LOADER	Rate: 55.00	10.00		550.00
10/25/02	EQ	7086	JOHN DEERE 310E COMBO EXCAVATO	Rate: 35.00	1.00		35.00
10/25/02	EQ	7086	JOHN DEERE 310E COMBO EXCAVATO	Rate: 35.00	5.00		175.00
10/28/02	EQ	331	CAT D3C DOZER	Rate: 40.00	9.00		360.00
10/28/02	EQ	6098	CAT 966F LOADER	Rate: 55.00	10.00		550.00
10/29/02	EQ	330	CAT D3G DOZER	Rate: 40.00	9.00		360.00
10/30/02	EQ	330	CAT D3G DOZER	Rate: 40.00	5.00		200.00
Subtotal for Phase: 62-220 DEMUCKING Cost Type: 4 EQUIPMENT					97.00	0.00	4,967.80
Phase: 62-220 DEMUCKING Cost Type: 6 SUBCONTRACTORS							
10/27/02	AP	ADVTRA	ADVANTAGE TRANSPORTATION	Invoice 16319 dated 10/27/02 MISC HOURLY HAULING		39.00 HR	1,755.00
Subtotal for Phase: 62-220 DEMUCKING Cost Type: 6 SUBCONTRACTORS					0.00	39.00	1,755.00

**Job Cost History Report From Inception To 10/31/02
Includes Posted Transactions Only**

UnPosted?

Unit of Measure

Hours Quantity Amount

250.50 39.08 9,338.64

Total for Job: 23401 VETERANS PARKWAY

Job 23401 Recap

Hours Amount	BURDEN	EQUIPMENT	LABOR	SUBCONTRACTORS	Total
62-220 DEMUCKING	0.00 237.82	97.00 4,967.80	153.50 2,378.02	0.00 1,755.00	250.50 9,338.64
Total	0.00 237.82	97.00 4,967.80	153.50 2,378.02	0.00 1,755.00	250.50 9,338.64