

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

Blue Sheet No. 20041421

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve Addendum to the Construction Manager Agreement, for RFQ-02-04 Justice Center Expansion Phase 4 (Sitework Package) and Phase 5 (Vertical Package), with Centex Rooney Construction Company (Contract #2161) to include the Guaranteed Maximum Price (GMP) for Phases 4 and 5 in the amount of \$4,494,306,00 (which includes the 4% CM Fee) with an eight (8) month completion time anticipated for Phase IV and a ten (10) month completion time for Phase V for a total concurrent construction time of fifteen (15) months. Also request Board approve waiving of any formal process (if needed) and authorize the use of the Direct Material Purchase Orders based on CM's competitive process, which allows the County to purchase directly from suppliers of equipment and/or materials as a cost/time saving measure.

WHY ACTION IS NECESSARY: Board approval required.

WHAT ACTION ACCOMPLISHES: Provides Construction Management for the Justice Center Expansion Phases IV and V.

2. DEPARTMENTAL CATEGORY:

02. Construction & Design

COMMISSION DISTRICT #:

C2B

3. MEETING DATE:

11-09-2004

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE AC-4-4
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
- B. DEPARTMENT Construction & Design
- C. DIVISION _____
- BY: Jim Lavender, Director
Public Works

7. BACKGROUND:

On July 9, 2002, the Board approved award to Centex Rooney Construction Company for RFQ-02-04, Construction Management for Justice Center Expansion in the amount of five percent (5%) of the total construction project and also authorized staff to enter into a Construction Manager Agreement.

At this time the Department of Construction & Design is requesting Board approval of Phases IV and V of this project (Sitework and Vertical Packages) for the Guaranteed Maximum Price (GMP) of \$4,494,306.00 (which includes the 4% CM Fee). In order for the County to take advantage of saving the sales tax and as a time saving measure we are requesting authorization to waive any formal process and allow for the purchase of materials/equipment from various vendors selected by the construction manager and the County.

Funds are available in account: 20864631407.506540.824

Attachments: (1) Letter from Centex Rooney dated October 25, 2004.

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
					OA	OM	Risk	GC	
<i>J. Lavender</i> 10-28-04	<i>J. Lavender</i> 10/28	N/A	<i>DAD</i> 10/28/04	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i> 10/28/04	<i>[Signature]</i> 10/28/04	<i>[Signature]</i> 10-28-04	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
 Date: *11/28/04*
 Time: *11:00*
 Forwarded To:
[Signature]
10/28/04

RECEIVED BY
 COUNTY ADMIN: *[Signature]*
11/28/04
 COUNTY ADMIN
 FORWARDED TO: *[Signature]*
10/28/04
4pm

CENTEX ROONEY
CONSTRUCTION CO., INC.

MEMO TO: Rick Dalziel

COPY TO: Kevin Williams
Doug Wells
Gary Vargas

FROM: Phillip Reutebuch *PER*

SUBJECT: LCJC – Shipping/Receiving

REGARDING: GMP Proposal for - Phase 4 (Sitework
Package) and Phase 5 (Vertical Package)
Dated October 7, 2004

DATE: October 25, 2004

2012 Main Street
Fort Myers, FL 33901

Phone: 239-226-9073

Fax: 239-226-9074

CGC 005623

Rick –

As a follow-up to the GMP review meeting from October 20, 2004, we would like to provide you with a revised GMP proposal for the Shipping and Receiving packages. Using the BSSW memo dated October 20, 2004 as an outline to explain the changes or clarifications, each item as pointed out by Kevin has been addressed using bold and italicized text.

The following describes our revisions:

Section 1 – Executive Summary – Phase IV Shipping and Receiving Site Package

Bullet 2 – indicates that the 15,000 gallon tank as owner purchase. We should confirm that the price for the tank and the associated taxes are in the proposal, and that the cost will be removed consistent the counties Direct Material Purchase (DMP) change order procedures.

A sentence clarifying the direct material purchase has been added.

Bullet 4 – indicates to removal of the 6000 gal fuel tank and enclosure. While the enclosure should be included, it was my understanding that the tank was to be removed by owner. (Refer to notes on Sht. A100)

A statement clarifying this tank being removed by the owner has been added.

Bullet 7 – indicates relocation of existing 3000 amp bus duct. However both the 3000 and the 2000 amp bus ducts we called to be relocated. (Refer to note 13 on Sht. E101 Sra)

Reference to both the 2000 and 3000 amp bus ducts has been added.

Section 2 – Schedule

- Based on concurrent construction activities we recommend that the schedule reflect a priority given to the demolition of the Heitman building and the installation of the chilled water lines and communication duct bank to the Annex Building so that projects in the building can be brought on line.
The latest draft as included in the proposal includes the demolition as an early activity. Further emphasis has been included in the narrative of this section.

- CRCC reserves to right to expend project contingencies for cost of general conditions should construction activities on the Court Room Addition not begin in July 2005. While we all hope and are endeavoring to insure construction activities begin on or before July 2005, as you know many factors out side the teams control might impact that goal. The county will want to consider the risks and benefits of this carefully before committing to this provision.
As a result of the last project coordination meeting on October 22, 2004, Phase V will continue to carry only one month of general conditions. CRCC has provided enough contingency to cover the general conditions for the entire duration should the tower not begin during Phase V.

Section 3 – Exclusions

- Earthwork - Rock Excavation has been excluded. While this exclusion is typical, the exclusion should only cover conditions not indicated on the soils investigation reports. We recommend that further clarification.
This has been clarified with a unit cost for unforeseen rock.

Section 3 – Qualifications & Assumptions

Division 2 – Sitework

Demolition

- Indicates demolition of the Heitman Building to be 24" below grade. Since the Proposed Courtroom Addition will be built over the demolition site, this limitation may be problematic for the new construction.

Subsurface utilities associated with the demolition has been included.

- A premium recycling allowance of \$50,000 is noted. It is unclear if this allowance is included in the proposal or not. I can find no reference to it on the break-down of the GMP. We recommend further clarification.

The scope of demolition for Phase IV does not justify the expense of recycling any materials. For quantifying the cost of recycling, an amount has been provided but not incorporated into the GMP.

Earthwork

- Note 2 – stipulates that the tank to be placed within 14 days of completion of slab. If CRCC is responsible for purchasing and placement the purpose of this qualification is unclear to us. We recommend further clarification.

This note has been removed from the section.

- Note 3 - I believe that the alternate for the "conventional double-walled" tank has been dismissed by the County. Since no alternate is listed in the back up, we recommend deletion.

This note has been removed from the section.

Division 15 – Mechanical

HVAC

- Item 2 indicates an allowance of \$350,000 for Kitchen Equipment. It is our understanding that the kitchen equipment and their installation is by the Society of the Blind. Additionally, we find only a \$75,000 line item allowance on the GMP breakdown.
This item has been corrected to \$75,000 as reflected on the GMP breakdown.
- Please review and confirm that county will be responsible for testing and balancing.
It was confirmed in the GMP review meeting on October 20, 2004 that the owner would be responsible.

Division 16 – Electrical

- Item 4 indicates an allowance of \$75,000 allowance for an alternate routing of the Bus Duct. We would need to have additional information about the proposed alternate route as well as the concerns with the designed route before we could comment on either the necessity or adequacy of the allowance.
Centex will provide a material and labor cost breakdown along with the proposed rerouting.

Owner/Construction Managers Responsibility Matrix.

- Since this document becomes part of the contract between the County and CRCC we would recommend this document be edited to include only those scope of work included in the GMP.
This document was removed from the GMP proposal.

Document List

- Since this document becomes part of the contract between the County and CRCC we would recommend this document be edited to include only those documents issued for this scope of work.
The list has been edited to include only those documents issued for this GMP.

Section 5 – Guaranteed Maximum Price (GMP)

- It should be noted that the documents which are the basis two phases of the GMP are at different levels of completeness:
 - Phase IV – Shipping / Receiving Sitework is based of 100% Construction Drawings and Specifications and the pricing is based on subcontractor bidding.
 - Phase V – Shipping / Receiving Vertical Construction is based on preliminary documents. The Architectural and Structural Drawings are at approximately 80% completeness but no MEP Drawings were issued. No Project Specifications were issued. The pricing associated with this phase of work, we assume, is based the CRCC's estimates.

These references were included under this section of the GMP.

Phase IV – Div 1

- The General Condition for this Phase is \$509,676 for a phase total of \$2,339,811 or 22%. This is much higher than we are accustomed. RS Means list the industry average at 10% to 16%. In review of other Lee County Projects (Lakes Library 11.8%) we find General Conditions more consistent with the Industry average.

General Conditions need to be combined for both phases. Separation of the phases was done on the GMP breakdown in an effort to track the corresponding bid packages as released by BSSW. The result of this proposal will be a single GMP for both projects combined.

Phase IV – Div 2

- Demolition – it is unclear if the allowance for recycling is included in this line item or not.
As qualified in Section 3, Qualifications and Assumptions, this allowance is not included in the GMP.
- Landscape and Irrigation indicates Phase 2 but no budget is included in the Phase V column.
A \$5,000 allowance has been added to the GMP.

Phase IV – Div 5

- We are unclear what structural steel is included in the Phase of work.
Phase IV includes concrete filled bollards as well as metal grating for the relocated trash compactor. Additional miscellaneous metal may be required to accommodate the loading dock equipment.

Phase IV – Div 16

- The cost of the electrical work seems real high for the scope work included on the contract documents. We would like to look further into this scope to isolate potential for cost savings. We are already looking into options to eliminate the need to relocate the 3000 amp and 2000 amp bus duct.
CRCC will provide a material and labor cost breakdown along with the proposed rerouting.

Phase V – Div 1

- The General Conditions indicated \$ 77,229 this however represents only one month of General Conditions on the assumption that activities for the Proposed Courtroom Addition will overlap the activities of Phase V which we have addressed already in this analysis. Looking at this phase independent from future activities the potential for general conditions for Phase V (7 months @ \$77,229) would be \$540,603 for a Phase total of \$ 2,249,857 (Phase \$1,786,483 plus 6 additional months of general conditions) or 24%. Assuming the over lap is feasible the combined Phase IV and Phase V is \$ 586,905 for a combined total of \$ 4,126,294 or 14% RS Means list the industry average at 10% to 16%. In review of other Lee County Projects (Lakes Library 11.8%) we find General Conditions more consistent with the Industry average.
General Conditions need to be combined for both phases. Separation of the phases was done on the GMP breakdown in an effort to track the corresponding bid packages as released by BSSW. The result of this proposal will be a single GMP for both projects combined.
- The Bailiff's Trailer should be included in Phase IV since the demolition of the Heitman Building which facilitates the need for the trailer occurs during this phase.

This change has been reflected in the latest breakdown.

Phase V – Div 2

- Earthwork – only \$1,000 is included, we question whether this is adequate to prepare the slab for the proposed construction.

A \$20,000 allowance has been incorporated to cover the cost of this scope.

- Pilings/Sheeting and Shoring - on cost are indicated for piling work which under this phase. Clearly pile work will be required and may be included elsewhere in the cost estimate, we feel clarification is required.

Cost associated with this work scope has been added to the latest breakdown.

Phase V – Div 9

- Stucco/Plaster – no cost have been indicated for this line item for this Phase. Both stucco and plaster will be required and may be included elsewhere in the cost estimate, we feel clarification is required.

This work scope has been included under the drywall total for Phase V.

Phase V – Div 10

- Aluminum Canopies - no cost have been indicated for this line item for this Phase. Aluminum Canopies are indicated in Phase V and may be included elsewhere in the cost estimate, we feel clarification is required.

Cost associated with this work scope has been added to the latest breakdown.

Phase V – Div -13

- Kitchen Equipment as mentioned elsewhere in the analysis, we are not sure this allowance is necessary.

This allowance will remain as shown as a reserve through the project budget should the Society of the Blind not be able to provide equipment for the project. To date, the Society has been unresponsive in providing plans, specifications, or procurement information for the proposed kitchen.

I hope this memo provides responses to the GMP review as discussed in the team discussions. Should you have any questions please contact this office.

CENTEX ROONEY CONSTRUCTION CO., INC

PROJECT: LEE COUNTY JUSTICE CENTER - Shipping and Receiving GMP

BID DATE: 08/12/2004 (Revised 10/25/04)

BLDG. AREA:

N/A

SECT	ITEM	ASSIGNMENTS	Phase IV Sitework	Phase V Vertical	SUB NAME
DIV 1	Testing Laboratory	Excluded	By Owner	By Owner	
	General Conditions	CRCC	509,676	77,229	
	Site Clean-Up	CRCC	29,416		
	Bailiff Trailer	Allowance	12,000		Allowance
DIV 2	Dewatering Systems	CRCC	w/Piling		
	Demolition	CRCC	43,420	27,716	Gruelle
	Demolition of North Heitman	CRCC	16,715		Allowance
	Earthwork	CRCC	207,800	20,000	Cougar/Gruelle/CRCC
	Termite Protection	CRCC		744	
	Offsite storage of excess fill	CRCC	10,000		Allowance
	Sediment & Erosion Control	CRCC	In Earthwork		
	Groundwater filtration	CRCC	10,000		Allowance
	Piling/Sheeting & Shoring	CRCC	198,525	110,250	Ebsary
	Site Utilities	CRCC	w/Earthwork		
	Asphalt Paving	CRCC	w/Earthwork		
	Concrete Paving	CRCC	w/Earthwork		
	Landscape	CRCC	In Phase 2	5,000	Allowance
	Irrigation	Excluded	In Phase 2		
	Fencing	CRCC	8,672		Anek/CRCC
	Soil Treatment	CRCC	165		Southeast
DIV 3	Cast-In-Place Concrete	CRCC	13,500	156,899	Southeast
DIV 4	Masonry	CRCC	11,275	65,094	Southeast
DIV 5	Structural Steel/Misc Metals	CRCC	3,569	178,536	CRCC
DIV 6	Rough Carpentry	CRCC		8,489	
	Millwork	CRCC		7,313	
DIV 7	Waterproofing/ Caulking	CRCC		2,390	
	Fireproofing	CRCC		55,672	
	Roofing	CRCC		104,000	
	Metal Wall Panel rework for tie-in	CRCC		10,000	
DIV 8	Doors/ Frames/ Hardware	CRCC		17,969	
	Overhead Doors and Frames	CRCC		4,466	
DIV 9	Stucco/Plaster	CRCC	2,632	In Drywall	CRCC
	Drywall	CRCC		39,760	
	Acoustical	CRCC		15,811	
	Tile	CRCC		27,855	
	Painting	CRCC	1,499	24,050	CRCC
DIV 10	Aluminum Canopies	CRCC	14,794	65,528	Perfection
	Wire mesh partitions	CRCC		77,219	
	Loading Dock Equipment	Excluded		8,077	
	Trash Compactor Relocation	Excluded		1,294	
	Fire Extinguishers and Cabinets	CRCC		966	
DIV 13	Fuel Tank/System	Agreed Scope	188,399		Guardian/ J&M
	Kitchen Equipment	Allowance		75,000	
DIV 14	Elevators	CRCC		8,821	
DIV 15	Plumbing	CRCC	140,711	60,331	
	HVAC	CRCC	66,525	168,218	United
	Fire Protection	CRCC		15,188	
DIV 16	Electrical	CRCC	523,802	270,181	B&I
	Re-routing of Elect. in lieu of as drawn	Allowance	75,000		B&I
	Re-work the existing Grounding Loop	CRCC		10,000	
	Subguard	CRCC	26,101	21,749	
			2,114,198	1,761,635	
	BUILDING PERMIT		Excluded	Excluded	
	OWNERS PROT LIAB INSURANCE		By Owner	By Owner	
	BUILDERS RISK INSURANCE		27,196	23,786	
	PERFORMANCE BOND		18,461	16,145	
	SAFETY AWARDS		2,396	2,097	
	INFORMATION TECH SUPPORT		8,392	7,339	
	GENERAL LIABILITY		24,935	21,806	
	CONTINGENCY		109,779	183,281	
	Sub-subtotal		2,305,361	2,016,087	
	FEE		92,214	80,643	
	SUBTOTAL -->		\$2,397,575	\$2,096,730	
	PRECONSTRUCTION -->		\$0	\$0	
	TOTAL -->		\$2,397,575	\$2,096,730	\$4,494,306