

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

Blue Sheet No. 20041424

1. REQUESTED MOTION:

ACTION REQUESTED: Request Board approve change order #4 to APAC-SE for the Bonita Beach Road widening project (B04-05) in the amount of \$80,779.80.

WHY ACTION IS NECESSARY: Board approval required for change orders in excess of \$50,000.

WHAT ACTION ACCOMPLISHES: Enables Lee County to compensate APAC-SE (contractor) for a necessary drainage modification on Bonita Beach Road near Arroyal Road.

**2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #3**

C9B

3. MEETING DATE:

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

7. BACKGROUND:

On 3-16-04, Lee County Board of Commissioners approved contract 2750 to APAC-SE to widen and resurface Bonita Beach Road from I-75 to Mango Street in Bonita. This change order enables DOT to compensate APAC-SE for a necessary drainage modification along Bonita Beach Road near Arroyal Road.

Funds are available in: 20404418808.506540

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>11/2/04</i> <i>[Signature]</i>	<i>[Signature]</i>	N/A	<i>DAD</i> <i>11/3/04</i>	<i>[Signature]</i> <i>11/2/04</i>	OA <i>[Signature]</i> <i>11-4-04</i>	OM <i>[Signature]</i> <i>11/4/04</i>	Risk <i>[Signature]</i> <i>11-4-04</i>	GC <i>[Signature]</i> <i>11/4/04</i>	<i>[Signature]</i> <i>11-7-04</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 11/4/04
Time: 1:00
Forwarded To:
Admin 11/4/04

RECEIVED BY
COUNTY ADMIN: [Signature]
11/4/04
2:10 pm
COUNTY ADMIN
FORWARDED TO: [Signature]
[Signature]
5PM

(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: BONITA BEACH ROAD WIDENING: MANGO-I75

CONTRACTOR: APAC-SE

PROJECT NO.: 4044

Account #: 204044/18008.500540

CONTRACT NO.: 2750

BID NO.: B04-05

CHANGE REQUESTED BY: COUNTY/CONTRACTOR

DATE OF REQUEST: 10/15/04

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 drainage work at US41 and Arroyal Road and compensation for unseen sub-surface conditions on a drainage crossing.

Purpose of Change Order: Compensate contractor for additional work not in original contract.

Attachments (List documents supporting change) (See attached)

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIME:
Original Contract Price	Original Contract Time
<u>\$6,848,607.44</u>	<u>420/450</u> Calendar Days
Previous Change Orders No. <u>0</u> to No. <u>3</u>	Net change from previous Change Orders
<u>\$76,631.25</u>	<u>0</u> Calendar Days
Contract Price prior to this Change Order	Contract Time prior to this Change Order
<u>\$6,925,238.69</u>	<u>420/450</u> Calendar Days
Net Increase (Decrease) of this change order	Net Increase (Decrease) of this Change order
<u>\$80,779.80</u>	<u>15</u> Calendar Days
Contract Price with all approved Change Orders	Contract Time with all approved Change Orders
<u>\$7,006,018.49</u>	<u>435/465</u> 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:

BY: [Signature]
 Consultant (if applicable) Date

BY: [Signature] 12/1/04
 Department Director Date

BY: [Signature] 10/26/04
 Contracts Management Date

ACCEPTED:

BY: [Signature]
 Contractor

Date Accepted: 10/20/04
 corporate seal

COUNTY APPROVAL:

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

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

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

APPROVED:

County Attorney's Office Date

APAC-Southeast, Inc.

A subsidiary of Ashland Paving And Construction, Inc.
Southern Florida Division
14299 Alico Road
Ft Myers, FL 33913
Tel: 239 267-7767, Fax: 239 267-1336
www.apac.com

Revised

8 October 2004

Lee County DOT
1500 Monroe Street
Ft Myers, Florida 33901

Attn: Randy Cerchie
Re: Bonita Beach Rd Improvements (Patch at Sta. 295+ 0r -)

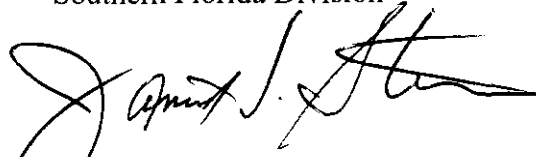
Randy

Please find listed below the price for the extra work at this pipe crossing due to existing conditions. Also please find attached a copy of Stevens and Layton bill and our daily cost for labor equipment, material and haul.

266. PATCH @ STA. 295+&- 1 LS @ \$ 9440.00 \$ 9440.00

If you should have any further questions please feel free to call at any time.

Sincerely
APAC-Southeast, Inc.
Southern Florida Division


James H. Stern
Project Manager

OCT 08 2004





Stevens & Layton, Inc.

11260 Palm Beach Blvd., #1
Fort Myers, Florida 33905

August 25, 2004

Telephone (941) 693-1400
Fax (941) 693-8630

Mr. Jim Stern
Apac-Southeast, Inc.
14299 Alico Road
Fort Myers, Florida 33913

Re: Bonita Beach Road
Unsuitable Material Removal

Dear Jim:

As you know, we uncovered and removed a substantial amount of unsuitable material in the Bonita Beach road crossing between structure S27 and S26. The unsuitable material consisted on a 30' wide stone trench with a 25' wide 8" thick concrete slab. The removal of this material affected our completion of the crossing on Saturday, and resulted in a re-excavation of the trench on Monday, and subsequent backfilling.

The trench was backfilled with 4 loads of the stone that was excavated from the trench Saturday, and 4 loads of stone that was hauled in. The entire stone trench was wrapped in marifi to eliminate siltation into the stone. A cap consisting of 80 cubic yards of flowable fill was installed over the stone with 6" of asphalt base.

The cost for this additional work was not anticipated, nor included in our bid, thus the cost for this work is as follows:

Exc. and Remove Concrete Slab (24'x54')	144 SY	@ \$12.00	\$ 1,728.00
Re-excavate Unsuitable Material (40'x54'x3.5')	280 CY	@ \$ 3.00	\$ 840.00
Supply Stone Fill (20 TN x 4 Loads)	80 TN	@ \$19.00	\$ 1,520.00
Pour Flowable Fill Cap (Labor Only, Material Supplied by Apac)	80 CY	@ \$17.00	\$ 1,360.00

Total Cost \$ 5,448.00

X 3%

Plus some crew
and materials.
(initials)

August 25, 2004
Mr. Jim Stern
Page Two

I hope this information is sufficient for your needs. Please contact me if you require further information, or have any questions.

Best Regards,

STEVENS AND LAYTON, INC.

A handwritten signature in black ink, appearing to read 'V. Keith Dean', followed by a long horizontal line extending to the right.

V. Keith Dean
Vice President

Stevens & Layton APAC	1 LS @	\$ 5612.00	\$ 5612.00
MOT CREW	2 DA @	\$ 344.00	\$ 688.00
BASE CREW	1 DA @	\$ 1510.00	\$ 1510.00
ABC-3 ASPHALT	35 TN @	\$ 38.00	\$ 1330.00
TRUCKING	6 HR @	\$ 50.00	\$ 300.00

Total for change order \$ 9,440.00



APAC-Southeast Inc. Southern Florida Division
14299 Alico Rd. Ft. Myers, FL 33913
TEL (941)267-7767 FAX (941)267-1336 FAX Upstairs (239) 985 - 1101

FAX

Transmittal

DATE: **10 / 11 / 04**

TO: **RANDY CERCHIE**

No. Pages **7**

PHONE NO. **479 - 8520**

If any pages are unreadable, please call JIM @ (941) 267-7767

1. *Message*

RANDY

HERE IS A CHANGE ORDER FOR BONITA BEACH RD.

If you have any questions please feel free to call at any time.

JIM STERN

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ASHLAND**APAC-Southeast, Inc.**

A subsidiary of Ashland Paving And Construction, Inc.
 Southern Florida Division
 14299 Alico Road
 Ft Myers, FL 33913
 Tel: 239 267-7767, Fax: 239 267-1336
 www.apac.com

11 October 2004

Lee County DOT
 1500 Monroc Street
 Ft Myers, Florida 33901

Attn: Randy Cerchie
 Re: Bonita Beach Rd Improvements

Randy

Please find listed below some item changes or new items for the project mentioned above.

20.	MAT. FOR DRWY. MAINT.	403 TN	@	\$ 19.40	\$ 7818.20
123.	MANHOLE (S-16/S-17)	2 EA	@	\$ 3223.50	\$ (6447.00)
123.	M/H (ALREADY MADE)	2 EA	@	\$ 1680.00	\$ 1680.00
134.	36" RCP (DELETE)	288 LF	@	\$ 74.55	\$(21470.40)
267.	REMAKE S-18	1 EA	@	\$ 651.00	\$ 651.00
267.	REMAKE S-31	1 EA	@	\$ 1985.00	\$ 1985.00
267.	REMAKE S-31	1 EA	@	\$ 1985.00	\$ 1985.00
267.	APAC WORK	1 LS	@	\$ 35100.00	\$ 35100.00
268.	REM. / REPL. S-25	1 LS	@	\$ 6110.00	\$ 6110.00
269.	CONFLICT BOX	1 LS	@	\$ 9944.00	\$ 9944.00
270.	29" X 45" ERCP	288 LF	@	\$ 118.00	\$ 33984.00

TOTAL FOR THIS CHANGE ORDER **\$ 71,339.80**

Explanation for Item 267 APAC Work.

1.MOT CREW	1 LS @	\$ 7640.00	\$ 7640.00
2.BASE CREW	5 DA @	\$ 2050.00	\$ 10250.00
3.MAT. (ABC-3	380 TN @	\$ 38.00	\$ 14440.00
4.TRUCKING	54 HRS @	\$ 50.00	\$ 2770.00

TOTAL APAC WORK **\$ 35100.00**

Explanation for Item 268 APAC Work.

1.MOT CREW	1 LS @	\$ 764.00	\$ 764.00
2.BASE CREW	1 DY @	\$ 2050.00	\$ 2050.00
3.MAT ABC-3	19 TN @	\$ 38.00	\$ 380.00



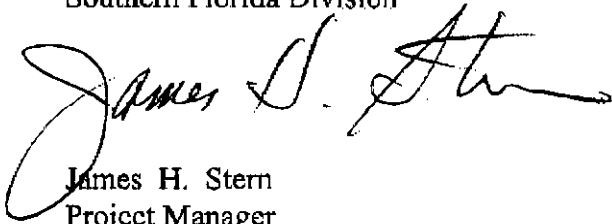
4. TRUCKING	4 HR @	\$ 50.00	\$ 200.00
TOTAL APAC #268		\$ 3395.00	

Explanation for Item APAC Work.

1. MOT CREW	1 LS @	\$ 764.00	\$ 764.00
2. BASE CREW	1 DY @	\$ 2050.00	\$ 2050.00
3. MAT. ABC-3	20 TN @	\$ 38.00	\$ 760.00
4. TRUCKING	4 HR @	\$ 50.00	\$ 200.00
TOTAL APAC #269		\$ 3774.00	

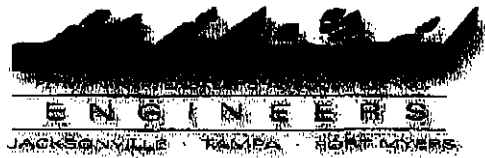
This per new plans by PH & A .If you should have any further questions please feel free to call.

Sincerely
APAC-Southeast, Inc.
Southern Florida Division



James H. Stern
Project Manager

CC: Andy Penny (APAC)
Calvin Prosser APAC)
Keith Dean (Stevens & Layton)



*Pitman-Hartenstein
& Associates, Inc.,
Engineers*

MEMORANDUM

DATE: September 29, 2004
TO: Nicole Maxey, P.E. - LCDOT
FROM: Clair Wright III, E.I. *CW*
SUBJECT: Bonita Beach Road's 36" Storm Drainage

This memo is in regards to the September 23, 2004 transmittal from Stevens & Layton to PHA regarding the 36" storm pipe from approximately US41 to Arroyal Road on Bonita Beach Road. Originally PHA marked up two plan sheets (44 & 45) with our suggestions for the area. In the September 23, 2004 transmittal, Stevens & Layton again marked up their suggestions incorporating PHA's suggestions. Attached is a copy of the two 11"x17" marked up plan sheets from PHA and Stevens & Layton. In general, PHA has no objections to the suggested modifications. PHA has the following minor comments regarding the issue:

- 1) Proposed invert at structure S-15 needs to be lowered from 6.0 to 5.85.
- 2) S-31A needs to have a J-Bottom sized to accept the proposed 29"x45" ERCP.
- 3) S-21 may need a larger bottom structure to accept the proposed 29"x45" ERCP.

If there are any questions or comments, please feel free to call.

cc: Keith Dean. — *Stevens and Layton*
Jim Stern - APAC



Stevens & Layton, Inc.

11260 Palm Beach Blvd., #1
Fort Myers, Florida 33905

August 25, 2004

Telephone (941) 693-1400
Fax (941) 693-8630

Mr. Jim Stern
Apac-Southeast, Inc.
14299 Alico Road
Fort Myers, Florida 33913

Re: Bonita Beach Road
Conflict Box & S25 Removal

Dear Jim:

Lee County has requested a cost for additional work required due to field conditions. Existing structure S25 has settled and will need to be replaced, and upon installation of the storm drainage between S38 and S39, a conflict with a phone duct system was encountered.

The cost for this additional work was not anticipated, nor included in our bid, thus the cost for this work is as follows:

- (268) 1. Remove and Replace Structure S25 \$ 5,818.00 $\times 5\% = 6110^00$
P6 Inlet with Top
Remove Existing Structure
- (269) 2. Install Conflict Box \$ 9,470.00 $\times 5\% = 9944^00$
Precast Structure + 14" x 23" ZEPH P142
30" Split Casing

Please note that these prices do not include the cost to install the traffic maintenance or replace the baserock and asphalt.

I hope this information is sufficient for your needs. Please contact me if you require further information, or have any questions.

Best Regards,

STEVENS AND LAYTON, INC.

V. Keith Dean
Vice President



Stevens & Layton, Inc.

11260 Palm Beach Blvd., #1
 Fort Myers, Florida 33905

October 5, 2004

Telephone (941) 693-1400
 Fax (941) 693-8630

Mr. Jim Stern
 Apac-Southeast, Inc.
 14299 Alico Road
 Fort Myers, Florida 33913

Re: Bonita Beach Road
 36" Storm Drainage

Dear Jim:

As you know the Engineer has revised the storm drainage plan for the 36" outfall from structure S15 to S21. Unfortunately, all of the structures for this system have been built ready to ship based on original plans. The changes proposed will eliminate several structures and change the size of some, thus a change order for the change will be necessary. The cost for the change is below:

Additions

	<i>Quantity Made</i>				
Delete Structure S16	<i>28</i>		\$ 1,599.00	<i>1680</i>	<i>Unit Price</i>
Delete Structure S17	<i>28</i>		\$ 1,599.00	<i>44800</i>	<i>Unit Price</i>
Remake Structure S18 (Price for Plan Structure)	<i>1</i>		\$ 620.00	<i>651"</i>	
Remake Structure S31 (Price for Plan Structure)			\$ 1,889.00	<i>P to J</i>	
Remake Structure S21 (Price for Plan Structure)			\$ 1,889.00	<i>P to J</i>	
29"x45" ORCP 288lf @ \$ 112.00	<i>118</i>		\$ 32,256.00	<i>New Item</i>	
Subtotal Additions			\$ 39,852.00		

Credits

Delete Structure S16	<i>28</i>	\$ 3,073.00	<i>Delete</i>
Delete Structure S17	<i>28</i>	\$ 3,073.00	<i>Delete</i>
36" RCP 288lf @ \$ 71.00		\$ 20,448.00	
(These are unit prices from Contract)			
Subtotal Credits		\$ 26,594.00	

Total Cost \$ 13,258.00

October 5, 2004
Mr. Jim Stern
Page Two

I hope this information is sufficient for your needs. Please contact me if you require further information, or have any questions.

Best Regards,

STEVENS AND LAYTON, INC.



V. Keith Dean
Vice President