

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

**Blue Sheet No. 20050613**

**1. ACTION REQUESTED/PURPOSE:**

Approve Change Order No. 3 to Westwind Contracting, Inc., under B-04-31 BAYSHORE ROAD (SR 78) SLATER ROAD TO I-75, contract No. 2872 in the amount of \$76,840.00 to relocate steel casing and open-cut Samville Road to the north to complete tie-in to existing 24" watermain. This project was in the CIP and funds are available within the budget.

**2. WHAT ACTION ACCOMPLISHES:** Provides funding and formal approval for corrective activities needed for unforeseen situations and to improve constructability.

**3. MANAGEMENT RECOMMENDATION:** Staff recommends approval.

**4. Departmental Category:** 10 *CIOA* **5. Meeting Date:** *05-24-2005*

<b>6. Agenda:</b> <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	<b>7. Requirement/Purpose: (specify)</b>		<b>8. Request Initiated:</b>	
	Statute		Commissioner	
	Ordinance		Department <u>Public Works</u>	
	<input checked="" type="checkbox"/> Admin. Code	<u>AC-4-4</u>	Division <u>Utilities</u>	
	Other		By: <u>Rick Diaz, P.E., Director</u>	

**9. Background:**

The Board approved the award of B-04-31 BAYSHORE ROAD WATERMAIN RELOCATION to Westwind Contracting, Inc. on August 24, 2004, in the amount of \$3,105,594.00. The department director approved change Order #1 in the amount of \$7,680.00. On February 22, 2005 the Board approved Change Order #2 in the amount of \$119,080.67.

At this time we are requesting Board approval and execution of Change Order #3 so that Westwind Contracting, Inc. can proceed with the Bayshore Road project.

Funds are available in account string 20726648730.506540

Attachment: One (1) original Change Order No. 3 for execution

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
<i>J. J. [Signature]</i> <i>5-2-05</i>	<i>[Signature]</i>	N/A	<i>DAO 5/2/05</i>		Analyst <i>[Signature]</i>	Risk <i>[Signature]</i>	Grants <i>[Signature]</i>	Mgr. <i>[Signature]</i>	<i>[Signature]</i> <i>5-2-05</i>

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty  
Date: *5/5/05*  
Time: *10:00*  
Forwarded To:

RECEIVED BY COUNTY ADMIN: *[Signature]*  
*5-29-05 -ml*  
*11:50*  
COUNTY ADMIN FORWARDED TO: *[Signature]*  
*5/12/05*  
*2 pm*

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

Blue Sheet No. **20050169**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve Change Order No. 2 to Contract 2872 with Westwind Contracting for B-04-31, Bayshore Road (SR 78) Watermain Relocation, for the Utilities Division, in the amount of \$119,080.67.

**WHY ACTION IS NECESSARY:** Board Approval Required.

**WHAT ACTION ACCOMPLISHES:** To provide funding and formal approval for corrective activities needed for unforeseen situations and to improve constructability.

**2. DEPARTMENTAL CATEGORY:**

10 Utilities

COMMISSION DISTRICT #: 4

*C10a*

**3. MEETING DATE:**

*02-23-2005*

**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 Public Works
- C. DIVISION Utilities
- BY: Rick Diaz, P.E., Utilities Director

*[Signature]*  
*2/8/05*

**7. BACKGROUND:**

At the Board meeting August 24, 2004, the Board entered into a contract for B-04-31 Bayshore Road (S.R. 78) Watermain Relocation to Westwind Contracting, Inc., for an original contract amount of \$3,105,594.00; to do the removal of approximately 17,620 LF of various existing DIP and PVC potable water mains up to 24 inches in diameter and replace with approximately 13,804 LF of DIP and PVC Mains up to 30 inches in diameter in conjunction with the widening of 2 miles of Bayshore Road (SR 78) by the Florida Department of Transportation.

Approval is required for this Change Order No. 2 under B-04-31 Bayshore Road Watermain Relocation in the amount of \$119,080.67 - length adjustments for four contracted HDPE directional borings, substitution of HDPE directional borings for seven contracted open cut installations, installation of two back taps, substitution of traditional jack and bore installations for two contracted open cut installations, and installation of one conflict box.

Funds are available in account string: 20726648730.506540

Attachments: Change Order #2 for Execution (1 original)

**3. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services <i>6897m 2/9/05</i>				G County Manager
					OA	OM	Risk	GC	
<i>[Signature]</i> 2-7-05	<i>[Signature]</i> 2/7	N/A	<i>[Signature]</i>	<i>[Signature]</i> S. Coovert	<i>[Signature]</i>	<i>[Signature]</i> 2/9/05	<i>[Signature]</i> 2/9/05	<i>[Signature]</i>	<i>[Signature]</i> 2-7-05

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: <i>2/8/05</i>
Time: <i>1:30</i>
Forwarded To:

RECEIVED BY COUNTY ADMIN: <i>[Signature]</i>
<i>2/9/05</i>
<i>10:00 a.m. 2005</i>
COUNTY ADMIN
FORWARDED TO: <i>[Signature]</i>
<i>2/9/05</i>
<i>[Signature]</i>

(Prepared by Contracts)

**1. REQUESTED MOTION:**

**ACTION REQUESTED:**

Award B-04-31BAYSHORE ROAD WATERMAIN RELOCATION, for the Utilities Division, to the low bidder meeting all bidding requirements, Westwind Contracting, Inc., for a total not-to-exceed amount of \$3,105,594.00 with a final project completion time of 200 days. To include alternates: ALT 24A, ALT 24B, ALT 24C, ALT 24D, ALT 25A, ALT 25B, ALT 25C, ALT 25D, ALT 25E, ALT 26, ALT 27, ALT 28, ALT 29, ALT 30a, ALT 30b and ALT 31 as needed.

**WHY ACTION IS NECESSARY:** Board approval required.

**WHAT ACTION ACCOMPLISHES:** To select a contractor who will do the removal of approximately 17,620 LF of various existing DIP and PVC potable water mains up to 24 inches in diameter and replace with approximately 13,804 LF of DIP and PVC mains up to 30 inches in diameter in conjunction with the widening of approximately 2 miles of Bayshore Road (SR 78) by the Florida Department of Transportation.

**2. DEPARTMENTAL CATEGORY:**

10. Utilities

C10F

**3. MEETING DATE:**

08-24-2004

COMMISSION DISTRICT #: 4

**4. AGENDA:**

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

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

- STATUTE
- ORDINANCE
- ADMIN. CODE AC-44
- OTHER

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
- B. DEPARTMENT Public Works
- C. DIVISION Utilities
- BY: Rick Diaz, Director

*[Handwritten signature]*  
8/11/04

**7. BACKGROUND:** The Utilities Division submitted a request to Contracts Management to obtain bids for the BAYSHORE ROAD (S.R. 78) WATERMAIN RELOCATION PROJECT. The expected cost of construction required the use of the formal advertised sealed bid procedure.

On the bidding deadline of July 28, 2004, Contracts received seven bids. The Utilities Division has reviewed the bids and it is being recommended that the award be made to the lowest responsive/responsible bidder, Westwind Contracting, Inc., for a total not-to-exceed amount of \$3,105,594.00 with a project completion of 200 days. To include Alternates: ALT 24A - \$79,200.00, ALT 24B - \$22,800.00, ALT 24C - \$25,800.00, ALT 24D - \$52,800.00, ALT 25A - \$6,010.00, ALT 25B - \$6,440.00, ALT 25C - \$7,600.00, ALT 25D - \$7,860.00, ALT 25E - \$20,370.00, ALT 26 - \$6,750.00, ALT 27 - \$14,250.00, ALT 28 - \$750.00, ALT 29 - \$3,000.00, ALT 30a - \$65,400.00, ALT 30b - \$10,000.00 and ALT 31 - \$6,250.00 as needed.

Funds are available in account: 20726648730.506540 - \$2,040,193.00  
20708648712.506540 - \$1,065,401.00

- Attachments: 1. Bid Tabulation  
2. Department Recommendation for Award

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services 8/12/04				G County Manager
					OA	OM	Risk	GC	
<i>[Signature]</i> 8-11-04	<i>[Signature]</i> 8/10	NIA	CAD 8/11/04	<i>[Signature]</i> 8/12/04	<i>[Signature]</i> 8/12/04	<i>[Signature]</i> 8/12/04	<i>[Signature]</i> 8/12/04	PM 8/12/04	<i>[Signature]</i> 8-11-04

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: 8/11/04  
Time: 1:50  
Forwarded To:

RECEIVED BY  
COUNTY ADMIN:  
8/12/04  
9:55 am 507  
COUNTY ADMIN:  
FORWARDED TO:  
8/12/04  
9:30 PM

LEE COUNTY CONSTRUCTION CONTRACT  
CHANGE ORDER

NO.: 3

(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: Bayshore Road (SR 78) Slater Road to I-75

CONTRACTOR: Westwind Contracting, Inc. PROJECT NO.: (LCU 7266) Account #: \_\_\_\_\_

CONTRACT NO.: 2872 BID NO.: B-04-31

CHANGE REQUESTED BY: Lee County Utilities Div (Mike Crumpton) DATE OF REQUEST: 3-1-05

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: To relocate steel casing 60 feet + west to approximately sta 201+17 and open cut Samville Road to the north to complete tie in to existing 24" watermain.

Propose if Change Order: To provide funding and formal approval for corrective activities needed for unforeseen situations and to improve constructability.

Attachments (List documents supporting change)

Field Directive Change #11 \$76,840.00 4 Days

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIME:

Original Contract Price

Original Contract Time

\$3,105,594.00

270  
Calendar Days

Previous Change Orders No. 0 to No. 1

Net change from previous change orders

\$ 126,940.67 (Change Order #1-\$7,860.00)  
(Change Order #2-\$119,080.67)

12  
Calendar Days

Contract Price prior to this change order

Contract Time prior to this change order

\$3,232,534.67

282  
Calendar Days

Net Increase (Decrease)  
of this Change Order

Net Increase (Decrease)  
of this Change Order

\$ 76,840.00

4  
Calendar Days

Contract Price with all  
approved change orders

Contract Time with all  
approved change orders

\$3,309,374.67

286  
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] 4/29/05  
Consultant (if applicable) Date

ACCEPTED:  
BY: [Signature]  
Contractor  
Robert D. Park  
(PRINT NAME)

BY: [Signature] 4/29/05  
County Project Manager Date

BY: [Signature] 4/29/05  
Department Director Date

[Signature] 5/2/05  
Contracts Management Date

Date Accepted: 4/19/05  
Corporate Seal:

COUNTY APPROVAL:  
BY: \_\_\_\_\_  
Department Director  
(Under \$25,000)

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

BY: \_\_\_\_\_  
County Manager  
(Under \$50,000)

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

BY: \_\_\_\_\_

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

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

APPROVED:  
\_\_\_\_\_  
County Attorney's Office Date

CMO:011  
09/25/01

LEE COUNTY CONSTRUCTION CONTRACT  
FIELD DIRECTIVE CHANGE

NO.: 11

Project No.: \_\_\_\_\_ Bid No.: B-04-31 Contract No.: \_\_\_\_\_

Contract/Project Name: Bayshore Rd. (Sr 78) Watermain Relocation (Slater Rd. to I-750)

Contractor: Westwind Contracting, Inc.

Request By: Rick Camp Date of Request: 2/15/05

1. **Directive:** The COUNTY hereby directs and authorizes the following change(s) in the work required by the contract documents be made and the CONTRACTOR is hereby directed to proceed promptly. In the event that as a result of the CONTRACTOR accepting this Field Directive Change, there are determined to be change(s) in the Contract (1) scope, (2) cost, or (3) time. Subsequent to the CONTRACTOR finalizing the change(s) in the work required, and upon receipt and acceptance by the COUNTY of a written and documented claim by the CONTRACTOR, such changes shall be incorporated in a Change Order which is subject to approval by the COUNTY and the CONTRACTOR.
2. Description of the change(s):  
42" Jack & Bore @ Sta.201+72 ( Bid Alternate # 15E )
3. Purpose or Intent of Field directive Change:  
To relocate steel casing 60' +/- west to approx Sta. 201+17 & open cut Samville Rd. to the north to complete tie in to existing 24" watermain
4. Attachments: (List documents supporting change)  
See attached worksheet
5. Not-to-exceed limits applicable to this Field Directive Change:  
Unless specifically authorized by the COUNTY by a written amendment to this Field Directive Change, the CONTRACTOR shall not exceed the following limits:
  - A. Estimated not-to-exceed increase (decrease) in the contract price: \$76,840.00
  - B. Estimated not-to-exceed increase (decrease) in completion time in calendar days: 4
6. **Claim(s) resulting from Field Directive Change**  
In the event that, as a result of the CONTRACTOR providing or performing the change(s) in the required construction work as set forth in this Field Directive Change, the CONTRACTOR determines that consideration should be given to (1) changing the contract scope, (2) increasing the CONTRACTOR's compensation, or (3) increasing the contract time; the CONTRACTOR shall in accordance with the provisions of Articles 11, 12 and 13 of the Contract Document, submit a written claim to the COUNTY requesting that a Change Order be executed incorporating changes in the (1) contract scope, (2) CONTRACTOR compensation, or (3) contract time as appropriate. Such a claim shall include documentation to support the claim.

It is understood and agreed by the COUNTY in authorizing and by the CONTRACTOR in accepting this Field Directive Change that the following methods shall be used as the basis for considering the issuance of a contract Change Order or any CONTRACTOR claim arising out of this Field Directive Change:

- A. Method of Determining Change in Contract Price:  Time and Materials
- B. Method of Determining Change in Contract Time:  Contractor's Records

- Unit Prices
- Cost plus fixed fee
- Other

- Consultant's Records
- Other

7. ACCEPTANCE:

COUNTY AUTHORIZATION

By Thomas A. Manott  
Printed Name

By THOMAS A. MANOTT  
Signature

Title/Position ENGINEER MANAGER I

Date 3/8/05

CONTRACTOR AUTHORIZATION

By Westwind Contracting, Inc.  
Contractor's Business Name

By Robert A. Parks III  
Print Name

By [Signature]  
Signature

[Signature]  
Witness

Title/Position Exec. VP

Date 2/15/05

Corporate Seal (Affix if applicable, if not enter "None")

Copies Distributed to:

- Contractor (Signed Original)
- Director Project Sponsoring Department (Signed Original)
- Project Manager
- Consultant (if applicable)
- Contracts Management





# WESTWIND CONTRACTING

8220 Bayshore Rd. N. Ft. Myers, Fl.  
Ph. 239 731-5731 ~ Fax 239 731-8731

**FDC 11**

## Field Directive Worksheet

42" Jack & Bore (Alternate # 24D)

Location	Add / Deduct	Description	Unit / If	Unit price	Total
J&B @ Sta. 201+72	Add	42" Jack & Bore	102.00	\$880.00	\$89,760.00
		Open Cut (Bid Item 15E)	95.00	\$170.00	\$16,150.00
	<b>Total Add for 42" J&amp;B</b> →				<b>\$105,910.00</b>
	Deduct	Open Cut (Bid Item 15E)	-171.00	\$170.00	(\$29,070.00)

**Total Item** → **\$76,840.00**