

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Approve Change Order No. 3 under RFQ-02-04 Justice Center Expansion Phase VI (Tower), with Centex Construction (Contract #3083) in the amount of \$470,452.50. Further authorize Chairwoman on behalf of the Board to execute Change Order No. 3.

2. WHAT ACTION ACCOMPLISHES: For work to include replacement of two existing generators and three ATS (transfer switches)

3. MANAGEMENT RECOMMENDATION: Staff recommends approval

4. Departmental Category: 2.

CZE

5. Meeting Date: June 27, 2006

6. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

7. Requirement/Purpose: (specify)

- Statute
- Ordinance
- Admin. Code AC-4-4
- Other

8. Request Initiated:

Commissioner _____
 Department Construction & Design
 Division _____
 By: Jim Lavender, Director

9. 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.

On January 24th, 2006 the Board approved Change Order No. 1 to Phase VI (Tower & Parking Garage), with Centex Construction (Contract #3083) to include the Guaranteed Maximum Price (GMP) for Phase VI in the amount of \$44,904,292.00 (which includes the CM Fee of 4% or \$1,688,108.00 and additional preconstruction amount of \$152,207.00). Change Order No. 2 was also approved in the deduct amount of -\$3,642,096.76.

At this time we are requesting approval of Change Order No. 3 to Centex Construction, in the amount of \$470,452.50 for replacement of two existing generators and three ATS (transfer switches)

Funds will be available in accounts: 20864630100.506540.837

Attachments: (1) Change Order #3 for Execution

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>J. J. ... 6-14-06</i>	<i>[Signature]</i>	<i>N/A</i>		<i>U. ... 6-14-06</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>J. J. ... 6-14-06</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN:
6-14-06 YMP
11:40
 COUNTY ADMIN
 FORWARDED TO: [Signature]
U. ...
10:50

Rec. by CoAtty
 Date: 6/14/06
 Time: 10:30 AM
 Forwarded To:
11:00 AM
6/14/06

(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: 3083 - Lee County Justice Center Expansion - Phase 6 Tower

CONTRACTOR: Centex Construction, LLC. PROJECT NO.: 8646 Account #: 20864630100-506540.837

CONTRACT NO.: 3083 BID NO.: RFQ 02-04

CHANGE REQUESTED BY: Centex Construction, LLC. DATE OF REQUEST: May 31, 2006

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: See Attached Exhibit A

Purpose of Change Order: Incorporate Generator & Transfer Switch Replacement into contract scope

Attachments (List documents supporting change)

CHANGE IN CONTRACT PRICE:

Original Contract Price

\$3,167,468.00

Previous Change Orders No. 0 to No. 2

\$41,262,195.24

Contract Price prior to this Change Order

\$44,429,663.24

Net Increase of this Change Order

\$470,452.50

Contract Price with all approved Change Orders

\$44,900,115.74

CHANGE IN CONTRACT TIME:

Original Contract Time

152
Calendar Days

Net change from previous Change Orders

730
Calendar Days

Contract Time prior to this Change Order

882
Calendar Days

Net Increase (Decrease) of this Change Order

N/A
Calendar Days

Contract Time with all approved Change Orders

882
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

ACCEPTED:

By: D. Wells
Contractor
Douglas A. Wells, Vice Pres.
(PRINT NAME)

COUNTY APPROVAL:

By: _____
Department Director
(Under ~~\$25,000~~) 50,000

By: [Signature] 6-8-06
Department Director Date

Date Accepted _____
Contractor

Date Approved: _____

Contracts Management Date

By: _____
County Manager
(Under ~~\$50,000~~) 100,000

Date Approved: _____

APPROVED:

County Attorney's Office Date

By: _____
Chairman
Board of County Commissioners
(Over ~~\$50,000~~) 100,000

Date Approved: _____

CMO:011
09/25/01



CENTEX
CONSTRUCTION

t. 239.226.9073
f. 239.226.9074
2012 Main Street
Fort Myers, Florida 33901
QB 36475
CGC 005623

May 23, 2006

Mr. Rick Dalziel
Lee County
P.O. Box 398
Ft Myers, Florida 33902-0398

RE: Lee County Justice Center Expansion - Phase VI - Tower

SUBJ: Replacement of two (2) Existing Generators & three (3) ATS' - Centex RCO No. 0028

Dear Mr. Dalziel:


Reference is made to BSSW's Proposal Request No. 001(R1) dated 30 March 2006 (and the accompanying Documents) *and subsequent verbal direction* provided by the Owner, in which we were requested to make the subject change and provide our change in contract price and time.

We propose to make the above changes for the sum of \$470, 453.00 which will be Added to our original contract amount. Attached is a copy of Fortune Electrical Construction, Inc.'s quotation (dated 23 May 2006). This proposal covers only the changes to the specific work as set forth in the attached breakdown, and is subject to any qualifications or conditions noted therein. Changes in the work and associated price adjustments other than those noted in our proposal are not included.

Your early review and acceptance of this proposal will be appreciated. If additional information is required, please advise.

Sincerely,

CENTEX CONSTRUCTION



Thomas P. Favino
Project Manager & M.E.P. Coordinator

cc:

BSSW : Kevin Williams
BSSW : Chuck Newman
Centex Construction : Al Heinrich
Centex Construction : Carol Lively
Centex Construction : Phillip Reutebuch
Centex Construction : Ray Davis

Lee County Justice Center Expansion - Phase VI - Tower Proposal Recap

Proposal Number 0028
Owner's Reference Number 0028 (R1)
Description Replacement of three (3) Existing Generators

	Direct Labor	Direct Material	Direct Other	Total
General Contractor - Direct Costs	\$0.00	\$0.00	\$0.00	\$0.00

Cost Account	Description	Subcontractor	Total
003.160000-S	ELECTRICAL	Fortune Electrical Construction	\$448,050.00
Subcontracting Subtotal...			\$448,050.00

Overhead	Rate (%)	Basis	Total
Overhead Subtotal...			\$0.00

Fees	Rate (%)	Basis	Total
993.300000-F	5	\$448,050.00	\$22,402.50
Fees Subtotal...			\$22,402.50

PROPOSAL GRAND TOTAL... \$470,452.50

General Contractor-Direct Costs Subtotal... \$0.00

FORTUNE ELECTRICAL CONSTRUCTION

FAXED
2-PAGES

May 23, 2006

Centex Construction, LLC
2012 Main Street
Ft. Myers, Fl. 33901

Attention: Tom Favino, Project Manager
Project: Lee Co. Justice Center - Expansion
Subject: RCO #28 & APR #1 Provide (2) Generators & (3) ATS

Dear Tom,

We hereby submit our latest Revised Budget Proposal in the amount of:

- (1) 750 KW Generator @ Justice Center (A) **\$ 200,380.00**
 (2) 600-Amp 4-Pole Transfer Switches
- (1) 750 KW Generator @ Annex Bulding (C) **\$ 247,670.00**
 (1) 1,200-Amp 4-Pole Transfer Switch

Please be advised this proposal is valid for 30 days. Without knowing the complete scope of work, an extension of contract time maybe required.

This proposal is based solely on furnishing and delivery including normal mark-up associated with the equipment described in Specification Sections 16490 & 16650 A & C and as clarified below:

GENERAL COMMENTS:

-
- Cummins/Onan is the manufacturer of the Gen Sets and all ATS's.
 - If units are released after 7/28/06 ADD \$16,000.00 per unit for 2007 EPA emissions requirements.
 - The indoor unit (A) has a lead-time of 20 to 25 weeks.
 - The outdoor unit (C) has a lead-time of 22 to 30 weeks.
 - The equipment will be delivered to the site. Off-loading is not included.
 - The installation design has not been researched. It is assumed that the units will fit into the areas required and physical size is not a concern.
 - Installation of equipment and/or materials of any type are not included in this quotation.
 - Factory start-up, load bank testing & training is included for both units.
 - Florida State Sales Tax is included.

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MAY 24 2006

FORTUNE

ELECTRICAL CONSTRUCTION

SPECIFIC INCLUSIONS/EXCLUSIONS

- Acoustical dampening on block and head is not available.
- Surge Suppression is not included. This is generally placed at the distribution equipment to protect both power sources and needs to be included in the installation design.
- Two 600-Amp Transfer Switches are included for the Justice Center to match the circuit breaker requirements in the generator unit. These switches are not (3) cycle rated.
- Fuel transfer pump is not included for the Justice Center. Float switches and controls are included for signal to the existing pump at the Main Fuel Storage Tank. Fuel piping by others.
- We recommend installing the Fuel/water separator after the day-tank for the Justice Center. There are concerns with head pressure from the Main Fuel Storage Tank.
- A 25dB sound attenuation enclosure is included for the Annex Building. If additional sound reduction is required please specify and request pricing.
- We take exception to the 48-hour Low Fuel Signal required for the Annex Building. A 500-gallon storage tank will provide 9-hours of operation and is insufficient for this request.
- Since installation for these units is not provided no fuel is included in this quotation.

Sincerely,
FORTUNE Electrical Construction, Inc.



Robert J. Gesek Jr.
Project Manager

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MAY 24 2006

Centex Construction