

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: (1) Approve Change Order # 2 to the contract with Casey Industrial Inc. (Lee Contract #3334) for a not-to-exceed amount of \$343,371.95 primarily for premium time for pipe installation. (2) Authorize staff to allocate any unspent portion of this change order to the existing County controlled contract contingency line item, WTE Expansion Project.

2. WHAT ACTION ACCOMPLISHES: Authorizes payment to Contractor to expedite certain pipe installation tasks that have been delayed due to late receipt of equipment vendor information and changes in detail design, along with other minor project changes/additions.

3. MANAGEMENT RECOMMENDATION: Staff recommends approval.

4. Departmental Category: 8 Solid Waste **C8A**

5. Meeting Date: DEC 05 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 **Public Works**
 Division **Solid Waste**
 By: **Lindsey J. Sampson**

9. Background: On November 22, 2005, the BOCC approved a contract with Casey Industrial Inc. to perform the "Balance of Plant" general contractor construction for the WTE Expansion Project. More than 50 major equipment items have been purchased directly by the County for this project. Vendors of the major equipment are required to provide submittal drawings and information so that the County's Design Engineer, Burns & Roe, can integrate all information and dimensions for accurate pipe installation. Unfortunately, some of the County's equipment vendors have not provided timely information and this action has imposed delays to the design drawings and delays to the construction.

This change order provides additional funds to the Contractor for premium-time work in order to mitigate schedule delays and design changes. All work efforts will be validated by the County or it's Construction Manager, Covanta. The revised, "Mechanical Completion Date" is agreed to by the Contractor and the Contractor will provide any additional efforts and funding required to meet this date.

Any funds remaining in this Change Order item may be transferred to the County controlled contingency amount included in Contract Price Summary, Exhibit C, Item II.3. Note: The Division anticipates an additional change order for related pipe fabrication and electrical light fixture changes in the near future.

Funds are available in the CIP project.

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>[Signature]</i> 11-20-06	<i>[Signature]</i> 11-20-06	N.A.		<i>[Signature]</i> 11/20/06	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i> 11-20-06

11. Commission Action:
 Approved
 Deferred
 Denied
 Other

RECEIVED BY
 COUNTY ADMIN: *[Signature]*
 11/20/06 11:00
 " " 11:30 T.D.
 COUNTY ADMIN
 FORWARDED TO:

Rec. by CoAtty
 Date: 11/20/06
 Time: 10:26 AM
 11/20/06
 11:00 AM

LEE COUNTY CONSTRUCTION CONTRACT

CHANGE ORDER No.: 02

(A Change Order requires approval by the Department Director for expenditures under \$50,000, approval by the County Manger for expenditures between \$50,000.01 and \$100,000, or approval by the Board of County Commissioners for expenditures over \$100,000).

CONTRACT/PROJECT NAME: Balance of Plant General Construction WTE Expansion Project
 CONTRACTOR: Casey Industrial, Inc. PROJECT NO.: _____
 CONTRACT NO.: 3334 BID NO.: RFP B&R 2661GC100
 CHANGE REQUESTED BY: County DATE OF REQUEST: 10/15/06

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:
 (If you need space other than what has been provided, please attach additional sheets.)

Description: Relocate telephone cable & conduit, receive & install dolo lime silo, accelerate pipe installation
 Purpose of Change Order: Compensates Contractor for out of scope work & design changes
 Attachments: (List documents supporting change) Attachment A,

CHANGE IN CONTRACT PRICE:
 Original Contract Price
\$29,696,934.00
 Previous Change Order No. 01 to No. 01
\$1,591,618.00
 Contract Price prior to this Change Order
\$31,288,552.00
 Net Increase (Decrease) of this Change Order
\$343,371.95 Not to Exceed
 Contract Price with all approved Change Orders
\$31,631,923.95 Not to Exceed

CHANGE IN CONTRACT TIME:
 Original Contract Time
See Contract Calendar Days
 Net Change from previous Change Orders
None Calendar Days
 Contract Time prior to this Change Order
See Contract Calendar Days
 Net Increase (Decrease) of this Change Order
See Atfchmt A Calendar Days
 Contract Time with all approved Change Orders
Per Contract and Atch A 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: _____	By: _____	By: _____
Consultant (if applicable) Date	Contractor	Department Director (Under \$50,000)
By: <u>Randy Idogan</u> <u>11/29/06</u>	Date Accepted: _____	Date Approved: _____
Department Director Date		
<u>Randy Idogan</u> <u>11/29/06</u>	(CORPORATE SEAL)	By: _____
Contracts Management		County Administration (Under \$100,000)
APPROVED:		Date Approved: _____
County Attorney's Office Date		By: _____
		Chairwoman
		Board of County Commissioners
		(Over \$100,000)
		Date Approved: _____

Attachment A
Change Order No. 2, Lee Contract No. 3334
Casey Industrial, Inc., WTE Expansion Project

This Change Order includes the total cost of the changes including the direct and indirect cost of all labor, equipment and materials, tools, associated overheads and profit and is inclusive of all impacts on the Work. Except as hereby modified, all terms and conditions of said Contract (as amended), including the schedule, shall remain unchanged and in full force and effect.

1. Cancellation of Newco Valves: Reimbursement for Casey's direct costs associated with canceling and restocking Newco valves that Contractor had purchased for the main steam system. Contractor shall use good faith efforts to minimize its costs by reusing or reselling such valves. Not-to-Exceed Price is \$36,131.95

2. Water Treatment Area Work: In consideration that the County has rescheduled delivery to Contractor of certain water treatment area design documents to a later date not yet determined, Contractor is hereby granted schedule relief on the following Contractor Work items:

- Exhibit B, Section 4.1.3.d, foundations, slabs, walls and pads in the Water Treatment Area
- Exhibit B, Section 4.1.4.a, structural and miscellaneous steel for the Water Treatment Area shed roof structure
- Exhibit B, Section 4.3.10, power feeders up to points of interface for the Water Treatment System except for related Work shown on Issued For Construction drawings provided to Contractor as of the date of this Change Order, if any.

These listed items, and only these listed items, shall not be required to be sequenced or completed in accordance with the Master Project Schedule in Exhibit D of the Contract and such items shall be excused from determining Contractor's achievement of Mechanical Completion.

All other Contractor Work not listed above shall continue to be in accordance with the schedule requirements in the Contract, including Exhibit D and the achievement of Mechanical Completion Date.

A separate Change Order shall be developed and issued by the County at a later date establishing new scheduled completion dates for the above listed Work items. Such change order shall also establish scope changes associated with such Work, deletion of such Work, and/or price adjustments as applicable, if any.

3. Expedite the installation of all piping systems: All work performed under this item will be documented by the County's Construction Manager (CM), Covanta, whereby Contractor will maintain a list of direct labor performing and supporting pipe fitting and installation working Saturday and/or Sunday for CM's or County's verification on a weekly basis and such work is performed specifically for this change order work task.

Acceptance by Contractor of this change order item includes acceptance by Contractor of all piping design changes and/or piping "holds" made by the County's design engineer, Burns & Roe, through October 1, 2006, as such changes and/or holds effect pipe installation, with no additional change in the Contract Schedule except as provided herein. The County and the Contractor agree that the "Mechanical Completion Date", as defined by the Contract, is hereby changed from February 15, 2007 to April 1, 2007. This schedule extension also includes the 3 day extension requested by the Contractor

due to delays caused by Tropical Storm Ernesto. Additionally, the Contractor agrees to perform all work necessary such that 'steam blows' may commence on March 7, 2007.

Payment for this change order item will be based on the number of direct labor personnel installing piping systems on Saturdays and Sundays, the number of hours worked and the 'direct overtime cost' per man-hour; plus \$60.00 per day, representing 'per diem' for each substantiated direct labor personnel. The time period for this task will commence on October 14, 2006 and end on April 1, 2007. Additionally, the Contractor agrees that the cost for this work item will not exceed a total amount of \$270,000.00.

The Contractor acknowledges and confirms that it accepts and will meet the "Turn-Over and Start-Up Schedule As of October 1, 2006" as provided to the Contractor on 10/19/06 and incorporated herein as Attachment B, by reference.

4. Telephone Conduit and Cable: Provide labor, material, and equipment necessary to relocate the telephone conduits and cable required for the installation of combustion unit #3. Lump Sum Price is \$18,500.00

5. Install Dolomitic Lime Silo: Provide labor, material, and equipment necessary to receive and install the (County supplied) dolomitic lime storage silo. Work to include the supply and installation of anchor bolts. Work does not include relocation of any existing work-in-place, leveling and grouting, misc. trim, etc. Reference dwgs. S145 R/4, S147 R/4 S148 R/1 and S690 R/0. Lump Sum Price is \$10,690.00.

6. Offloading and storage of Water Treatment Equipment:

Contractor shall Receive, Unload, and store County's delivered Water Treatment Equipment as listed on Covanta's November 13, 2006 Request for Bid [J. Holmes to provide this attachment], with the following clarifications:

1) Bid is based on Receiving and Storage of Tanks and Equipment as listed on Covanta's November 13, 2006 Request for Bid only.

2) Tanks are to be stored outside and in an up-right position.

3) Skids will be stored outside and covered with tarps for protection.

4) Storage responsibility will be inclusive until March 1, 2007.

5) Contractor shall provide all necessary labor, supervision, equipment, and miscellaneous materials to perform this scope of work.

Lump Sum Price is \$8,050.00