

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

**Blue Sheet No. 20070475**

**1. ACTION REQUESTED/PURPOSE:**

Approve Change Order #2 under B-06-21 Three Oaks Widening – Alico Road to Corkscrew Road, to Posen Construction Inc., (Contract #3650), in the amount of \$424,000.00. Also authorize Chair to execute Change Order on behalf of the Board.

**2. FUNDING SOURCE:**

Fund: Capital Improvement; Program: Capital Projects; Project: Urban Street Lighting

**3. WHAT ACTION ACCOMPLISHES:**

Funds installation of the lighting system for the roadway.

**4. MANAGEMENT RECOMMENDATION: Approve**

**5. Departmental Category: 9. Transportation** **C9D**

**6. Meeting Date:** APR 24 2007

**7. Agenda:**

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

**8. Requirement/Purpose: (specify)**

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

**9. Request Initiated:**

Commissioner \_\_\_\_\_  
 Department Transportation  
 Division \_\_\_\_\_  
 By: **Scott Gilbertson,**  
 Director

**10. Background:**

On September 5, 2006 the Board approved Blue Sheet #20061018 and entered into a contract with Posen Construction for the project known as B-06-21 Three Oaks Widening (Alico to Corkscrew) in the amount of \$23,794,500.10.

**SUMMARY OF CHANGE ORDER(S)**

Change Order #1 was approved on 3/2/2007 for a deduct amount of -\$101,194.00 to change concrete conveyance swale unit price item to lump sum to assure cost savings.

At this time we are requesting approval of Change Order #2 to Posen Construction in the amount of \$424,000.00 to fund installation of the lighting system for the roadway.

Revised contract total \$24,117,356.10 (original +CO#1 and CO#2).

Funds are available in Account #20408630100.506540

Attachments: 1. Three (3) Change Orders for Execution

**11. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
4/19/07		N/A		4/19/07	4-11-07	4/11/07	4/11/07	4/11/07	4-4-07

**12. Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY  
 COUNTY ADMIN: **EW**  
**4-10-07**  
**10m**  
 COUNTY ADMIN  
 FORWARDED TO:  
**4-12-07 9am**

Rec. by CoAtty  
 Date: **4/19/07**  
 Time: **1:15pm**  
 Forwarded To:  
**4/10/07**  
**8:45 am**

LEE COUNTY CONSTRUCTION CONTRACT  
CHANGE ORDER

Acct# 20408630100.506540

No.: 2

(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: Three Oaks Widening – Alico to Corkscrew  
 CONTRACTOR: Posen PROJECT NO.: 4081  
 CONTRACT NO.: 3650 BID NO.: B06-21  
 CHANGE REQUESTED BY: County DATE OF REQUEST: 2/27/08

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: Convert 106 roadway light pole foundations to foundation and pole.

Purpose of Change Order: Using contract bid prices, supply poles for 106 foundations that would have been a potential safety hazard.

Attachments: (List documents supporting change) See attached back-up. dated 2/17/07

CHANGE IN CONTRACT PRICE:

Original Contract Price  
**\$23,794,550.10**  
 Previous Change Order No. 0 to No. 1  
**\$( 101,194.00)**  
 Contract Price prior to this Change Order  
 \$23,693,356.10  
 Net Increase (Decrease) of this Change Order  
**\$ 424,000.00**  
 Contract Price will all approved Change Orders  
**\$24,117,356.10**

CHANGE IN CONTRACT TIME:

Original Contract Time  
**450 / 480** Calendar Days  
 Net Change from previous Change Orders  
**0** Calendar Days  
 Contract Time prior to this Change Order  
**450 / 480** Calendar Days  
 Net Increase (Decrease) of this Change Order  
**0** Calendar Days  
 Contract Time with all approved Change Orders  
**450 / 480** 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: \_\_\_\_\_ Date \_\_\_\_\_  
 Consultant (if applicable)  
 By: [Signature] 3/9/07  
 Department Director  
 By: [Signature] 3/13/07  
 Contracts Management

ACCEPTED

By: [Signature]  
 Contractor  
 Date Accepted: 3-2-2007  
 (CORPORATE SEAL)

COUNTY APPROVAL:

By: \_\_\_\_\_  
 Department Director (Under \$50,000)  
 Date Approved: \_\_\_\_\_  
 By: \_\_\_\_\_  
 County Administration (Under \$100,000)  
 Date Approved: \_\_\_\_\_  
 By: \_\_\_\_\_  
 Chairman  
 Board of County Commissioners  
 (Over \$100,000)  
 Date Approved: \_\_\_\_\_

APPROVED:

County Attorney's Office Date



9200 Estero Park Commons Blvd suite #4  
Estero, FL 33928  
239-390-9200

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Lee County Department of Transportation  
1500 Monroe Street  
Fort Myers, Florida 33901  
Project: Three Oaks Parkway Widening between Alico and Corkscrew  
Contract: # 3650  
Change Order : # 2  
2/17/07

Posen Construction Incorporated accepts the proposal adding item 715 – 511 – 140 to the phase II lighting, for the above mentioned contract, and deleting item 715 – 10 - 2.

Deletion:

Item 715 – 10 – 2	106 Light Pole Foundations	1,000.00ea.	< 106,000.00>
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Additional to Contract:

Item 715 – 511 – 140	106 Lighting Pole Complete	5,000.00ea	530,000.00
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Please execute this as soon as possible. Posen Construction needs to secure the additional lighting order due to an upcoming price increase.

Please contact me if you have any questions or if I can of any further assistance.

Thank you.

Marcus Bury  
Project Manager