

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

Blue Sheet No. 20051615

**1. ACTION REQUESTED/PURPOSE:** Approve Change Order No. 11 to Contract No. 2750 for B04-05, BONITA BEACH WIDENING, in the amount of \$106,789.00 and authorize Chairman to execute change order on behalf of the Board. Also, approve budget transfer in the amount of \$400,000 from Gas Tax Reserves to the Bonita Beach Road Widening Project #4044 and amend the 05/06 - 09/10 CIP accordingly.

**2. WHAT ACTION ACCOMPLISHES:** Approves change order No. 11 and provides additional funding to the Bonita Beach Road Widening Project to proceed with construction.

**3. MANAGEMENT RECOMMENDATION:** Approve.

**4. Departmental Category:** 9 **C9A** **5. Meeting Date:** 12-13-2005

<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> <input type="checkbox"/> Statute <input type="checkbox"/> Ordinance <input type="checkbox"/> Admin. Code <input checked="" type="checkbox"/> Other		<b>8. Request Initiated:</b> <b>Commissioner</b> <b>Department</b> Transportation <b>Division</b> Traffic <b>By:</b> Scott Gilbertson, P.E., Director, DOT

**9. Background:** The requested change order is to cover additional costs for a weir structure at one of the project ponds. The weir structure in the original plans was found deficient in details on operation and construction. Revised plans were completed and the revised cost is reflected in the change order.

Change orders No. 1-10 have been approved in the amount of \$395,006.30. Approval of change order No. 11 will bring the total contract amount to date to \$7,350,402.74

The budget transfer is necessary to cover current overages, complete streetlight footing work and changes to the weir as outlined in the above change order. The project was originally designed with standard streetlight footers. Once all utilities were field located it became apparent that some of the standard footers could not be installed without relocating a large number of utilities. Staff decided to use spread footers at an additional cost to expedite construction and avoid a delay claim by the contractor. Additional funds transferred will be needed for project management and inspection time by County staff.

Funds will be made available in 20404430700.506540

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
<i>[Signature]</i>	<i>[Signature]</i>	N/A	<i>[Signature]</i>	<i>[Signature]</i>	Analyst	Risk	Grants	Mgr.	<i>[Signature]</i>
					<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	11-17-05

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

COUNTY ADMIN  
 11-23-05  
 8:00  
 COUNTY ADMIN  
 FORWARDED TO:

Rec. by CoAtty  
 Date: 11/21/05  
 Time: 3:45pm  
 Forwarded To:  
 Co. Mgr.  
 11-22-05

## REQUEST FOR TRANSFER OF FUNDS

FUND NAME: Transportation Capital Imp Fund    DATE: 11/3/05    BATCH NO.: \_\_\_\_\_

FISCAL YEAR: 05-06    FUND NO.: 30700    DOC. TYPE: YB    LEDGER TYPE: BA

TO: \_\_\_\_\_  
Capital Projects Transportation Capital Projects  
(Division Name) (Program Name)

NOTE: Please list the account number below in the following order:  
 Business Unit (dept/div, program, fund, subfund); Object Account; Subsidiary; Subledger  
 (Example: BB 5120100100.503450)

<u>Account Number</u>	<u>Object Name</u>	<u>DEBIT</u>
20404430700.506540	Improvement Construction	\$400,000

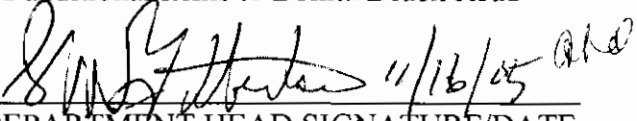
TOTAL TO: \$400,000

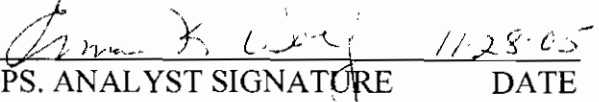
FROM: \_\_\_\_\_  
Non-Departmental Reserves  
(Division Name) (Program Name)

<u>Account Number</u>	<u>Object Name</u>	<u>CREDIT</u>
GC5890130700.509910	Res. For Contingencies	\$400,000

TOTAL FROM: \$400,000

EXPLANATION: Transfer from reserves for needed additional items to Bonita Beach Road project.

DIVISION DIRECTOR SIGNATURE/DATE  DBO: APPROVAL <input checked="" type="checkbox"/> DENIAL <input type="checkbox"/>	DEPARTMENT HEAD SIGNATURE/DATE  11/16/05 <i>JSH</i>
---	--

OPS. ANALYST SIGNATURE  OPS. MGR.: APPROVAL <input type="checkbox"/> DENIAL <input type="checkbox"/>	DATE  11/28/05
--	---

CO. MGR.: APPROVAL <input type="checkbox"/> DENIAL <input type="checkbox"/>	OPS. MGR. SIGNATURE    DATE
---	-----------------------------

BCC APPROVAL DATE: _____	CO. MANAGER SIGNATURE    DATE
--------------------------	-------------------------------

BCC APPROVAL DATE: _____	BCC CHAIRMAN SIGNATURE
--------------------------	------------------------

BA. NO. \_\_\_\_\_    AUTH CODE \_\_\_\_\_    TRANS DATE \_\_\_\_\_

(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 - I-75

CONTRACTOR: APAC, SE PROJECT NO.: 4044 Account #: 20404430700.506540

CONTRACT NO.: 2750 BID NO.: B04-05

CHANGE REQUESTED BY: County DATE OF REQUEST: 10/27/2005

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: wier construction at Pond B.

Purpose of Change Order: Compensate contractor for materials and installation of a wier that details were not in original bid.

Attachments (List documents supporting change) (See attached backup)

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIME:
Original Contract Price	Original Contract Time
<u>\$6,848,607.44</u>	<u>450</u> Calendar Days
Previous Change Orders No. <u>0</u> to No. <u>10</u>	Net change from previous Change Orders
<u>\$395,006.30</u>	<u>50</u> Calendar Days
Contract Price prior to this Change Order	Contract Time prior to this Change Order
<u>\$7,243,613.74</u>	<u>500</u> Calendar Days
Net Increase (Decrease) of this Change Order	Net Increase (Decrease) of this Change Order
<u>\$106,789.00</u>	<u>0</u> Calendar Days
Contract Price with all approved Change Orders	Contract Time with all approved Change Orders
<u>\$7,350,402.74</u>	<u>500</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: \_\_\_\_\_  
Consultant (if applicable) Date

By: [Signature] 11/16/05  
Department Director Date

By: [Signature] 11/17/05  
Contracts Management Date

APPROVED:

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

CMO:011  
09/25/01

ACCEPTED:

By: [Signature]  
Contractor

Wes Turner  
(PRINT NAME)

Date Accepted: 11-2-05

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: \_\_\_\_\_

**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

23 September 2005

Lee County DOT  
1500 Monroe Street  
Ft Myers, Florida 33901

Attn: Randy Cerchie (Project Manager)

Randy

Please find attached a revised copy of the price for the weir in Pond B. The Following price reflects APAC's mark-up.

This is not in the Roadway section of the project, so there will be no time added. Keep in mind that it will take 2.5 months after the change order is signed to complete, 1 month for ordering material, one month to fabricate and 2 weeks to ship and install.

A. Weir Gates                    1 LS @        \$ 106,789.00            \$ 106,789.00

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



# LOVIN CONSTRUCTION, INC.

6204 33RD STREET EAST  
POST OFFICE BOX 20575  
BRADENTON, FLORIDA 34204-0575

TELEPHONE (941) 755-4312

FAX (941) 758-7184

September 22, 2005

VIA FACSIMILE: 239-267-1336

Apac-Southeast  
Mr. Jim Stern  
14299 Alico Road  
Ft. Myers, FL 33913

Re: Bonita Beach Rd. Project/Lovin Construction #552

Subject: REVISED Weir section & details Pond "B".

Dear Jim:

Our quote to fabricate and install the weir gates on the revised plan for the subject job is as follows:

<b>Materials:</b>	a) Fabrication (see attached)	
	Steel products (67,000.00 + tax 7%)	\$ 71,690.00
	b) Neoprene and epoxy	\$ 1,410.00
	c) Bolts	\$ 520.00
	d) Miscellaneous	\$ 450.00
		<u>\$ 74,070.00</u>
	<b>TOTAL</b>	<b>\$ 74,070.00</b>
<b>Equipment:</b>	Pickup, flat bed truck, miscellaneous (generator, drills, etc) and fuel	
	\$ 300.00/day @ 6 days	\$ 1,800.00
	Transport (1 trip 4 hours @ \$ 65.00)	\$ 260.00
		<u>\$ 2,060.00</u>
	<b>TOTAL</b>	<b>\$ 2,060.00</b>
<b>Labor:</b>	3 man crew \$ 630.00/day @ 6 days	\$ 3,780.00
	Burden 42%	\$ 1,587.60
	Per diem 3 men @ \$ 50.00/man/day @ 6 days	\$ 900.00
		<u>\$ 6,267.60</u>
	<b>TOTAL</b>	<b>\$ 6,267.60</b>

# LOVIN CONSTRUCTION, INC.

6204 33RD STREET EAST  
POST OFFICE BOX 20676  
BRADENTON, FLORIDA 34204-0676

TELEPHONE (941) 755-4312

FAX (941) 758-7184

The FDOT allows the following markups:

Material	17 ½%
Equipment	7 ½%
Labor	25 %

Summary: Materials	\$ 74,070.00 + 17 ½% (12,962.25)	\$ 87,032.25
Equipment	\$ 2060.00 + 7 ½% (154.50)	\$ 2,214.50
Labor	\$ 6,267.60 + 25 % (1566.90)	\$ 7,834.50
	<b>TOTAL COSTS</b>	<b>\$ 97,081.25</b>

Please let us know if additional information is needed and we will honor this quote for 60 days unless other arrangements are made.

Cordially,

*Tonie Lovin by lh*

Tonie Lovin, President

\$ 97,081.25  
X 1.10  
-----  
\$ 106,789.25  
APAC  
*[Signature]*