

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

Blue Sheet No. 20030364

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve Change Order No. One (1) with Lodge Construction, Inc., under contract #1937 (RFQ-01-09 BEN HILL GRIFFIN PARKWAY LANDSCAPE AND IRRIGATION PHASE II CONTRACT FOR CONSTRUCTION MANAGEMENT), for the Lee County MSTBU Services, to increase the Guaranteed Maximum Price (GMP) in the amount of \$210,120.00, for a revised total GMP (Guaranteed Maximum Price) of \$2,110,120.00 which includes the CM fee.

WHY ACTION IS NECESSARY: Pursuant to Lee County Contract Manual, approved on September 25, 2001, Board approval is required for Change Orders in excess of \$50,000.00.

WHAT ACTION ACCOMPLISHES: Provides for the sufficient GMP for the installation of landscaping and irrigation in the median areas of Ben Hill Griffin Parkway (BHG) from Alico Road to Corkscrew Road, and Corkscrew Road from Ben Hill Griffin Parkway to I-75.

2. DEPARTMENTAL CATEGORY:

01 County Administration
COMMISSION DISTRICT #:

C6C

3. MEETING DATE:

04-08-2003

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 County Manager
- C. DIVISION MSTBU Services
- BY: Elizabeth Walker, Director

7. BACKGROUND:

The Board approved the award of the Construction Management Agreement under RFQ-01-09 for University Overlay Landscape & Irrigation, Phase II on November 13, 2001 to Lodge Construction, Inc. in the amount of \$1,900,000.00.

A post bid report from Lodge Construction revealed that the original amount approved was insufficient. MSTBU held Public Hearings in January, 2003 to provide funds for full construction of the planned scope or to reduce the scope of work in order to meet the originally approved funding provisions.

Based on the decision made as a result of these Public Hearings, it is being requested that Change Order No. One (1) be approved to provide additional funding of \$210,120.00 to cover all costs for the original scope of work.

Funds will be available in account: 806718352 ~~42-506540~~

Attached: Five (5) Change Order Forms

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services: <i>CA/OM/Risk/GC</i>				G County Manager
		N/A			OA	OM	Risk	GC	
<i>[Signature]</i>	<i>[Signature]</i> 3/24		<i>[Signature]</i>	<i>[Signature]</i> 3/24/03	CA 3/25/03	OM 3/25/03	Risk 3/26/03	GC 3/26/03	<i>[Signature]</i> 3-26-03

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 3-24-03
Time: 1:45 PM
Forwarded To:

RECEIVED BY
COUNTY ADMIN. *TD*
3/25 8:00 AM
COUNTY ADMIN.
FORWARDED TO: *OS*
3/26 5:00



LODGE CONSTRUCTION, INC.

2161 McGregor Blvd. Unit B
Ft. Myers, FL 33901
(941) 332-4371
(FAX) 332-0218

March 9, 2003

Libby Walker; Public Resources Manager
Lee County MTSBU
P.O. Box 398
Fort Myers, Fl 33902

FIRST CLASS MAIL

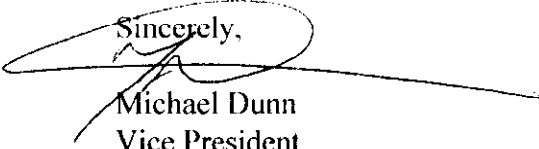
Re: Contract for C.M. Services
Phase II Construction Well Zones 1-13
RFQ-01-09 Ben Hill Griffin Parkway
Contract No.1937

Dear Libby:

Attached you will find Change Order Number 1 for the Phase II contract Amendment. This change order follows your Public Hearings and Commission approval to allow for funding above the budget amount. This action is referenced in our contract amendment letter from December.

The budget for all cost has been established at \$2,100,120.00 This is in accordance with our post bid report from November. Therefore, this Change Order represents the additional funding need to match our budgets and subcontract values. Please process this Change Order and forward one signed copy for my records.

Sincerely,


Michael Dunn
Vice President

cc:

File

RECEIVED
PUBLIC RESOURCES
2003 MAR 11 AM 10:25

**LEE COUNTY CONSTRUCTION CONTRACT
CHANGE ORDER**

No. (1) one

A Change Order Requires Approval by the Department Director for Expenditures Under \$25,000 or Approval by the County Administrator for Expenditures Between \$25,000 and \$50,000 or Approval by the Board of County Commissioners over \$50,000.00

CONTRACT/PROJECT NAME: Ben Hill Griffin Parkway Landscape and Irrigation Phase II

CONTRACTOR: Lodge Construction, Inc.

PROJECT NO:

CONTRACT NO: 1937

Bid No: RFQ-01-09

CHANGE REQUESTED BY: Construction Manager - Lodge Construction

Date of Request 03/08/02

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: Adjustment to allow for full funding of GMP

Purchase or Change Order: Following Public Hearings Lee County was to allow for additional funding above the original budgetary amounts

Attachments: (Phase II contract amendment letter)

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIME:

Original Contract Price
\$ 1,900,000.00

Original Contract Time
480 days

Previous Change Orders No. 0 to No.0
\$ 0.00

Calendar Days
Net change from previous Change Orders
0

Contract Price prior to this Change Order
\$ 1,900,000.00

Calendar Days
Contract Time prior to this Change Order
480 days

Net **Increase** Net (Decrease) of this Change Order
\$ 210,120.00

Calendar Days
Net Increase Net Decrease of this Change Order
0 days

Contract Price with all approved Change Orders
\$ 2,110,120.00

Calendar Days
Contract Time with all Approved Change Orders
480 days

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

By: [Signature] 3-14-03
Department Director Date

[Signature] 3/24/03
Dept of Public Works Date

Approved: _____

County Attorney's Office Date

ACCEPTED:

[Signature]
Contractor

Date accepted 3/8/03

Corporate Seal

COUNTY APPROVAL:

Department Director

(Under \$25,000)
Date approved _____

By: _____
County Administrator

(Over Level III, Under \$50,000)
Date Approved: _____

December 10th , 2002

Libby Walker; Public Resources Manager
Lee County MTSBU
P.O. Box 398
Fort Myers, Fl 33902

Re: Contract for C.M. Services
Phase II Construction Well Zones 1-13
RFQ-01-09 Ben Hill Griffin Parkway
Contract No.1937

Dear Libby:

The below revises the project GMP. This revision shall represent the amended agreement between Lodge Construction and the Lee County. It is understood that the funding for the project as of this date is not sufficient to cover the full cost of construction. It is also understood that the MTSBU Department has scheduled a public hearing for this topic to be held in January, 2003. The Public Hearing will be called to provide to the project additional funding necessary to provide for full and complete construction and general project cost. The below addendum is being issued to permit the project to go forward with contractual agreements and is not to be construed as the full value of the GMP.

Therefore, following the Public hearing either the project will be funded to provide full construction of the planned scope or the scope of work will be reduced in order to meet the funding provisions outlined.

The GMP for the project Phase II Construction Ben Hill Griffin Parkway shall be \$1,900,000.00 One Million Nin Hundred Thousand, Dollars...00/100.

(See attach Break Down of GMP Summary) Exhibit X.1

Article 3 Section 3.01 "... the amount of \$119,440.00 shall represent the entire fee due the CM for Phase I Ben Hill Griffin Parkway.

Article 3, Section 3.01, 2, "... Notice to Proceed the Sum of \$21,293.33 and a like amount for a (4) month period." to be followed by an amount of \$1,081.18 for a period of 12 months during

the maintenance period.

Article 3, 3.03 “. . . for Phase II Construction Shall be 5 months with a 12 month maintenance period following, from the date of Notice to Proceed. The Notice to Proceed is recognized as being January 17th, 2003. CM shall be entitled to \$ 522.30 per day or \$15,734.44 per month.. .” for Phase II.

Please contact me with any comments or questions.

Sincerely,

Michael Dunn
Vice President

cc:

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