

21. Approve Change Order #4 to FC-1168-01/BJC – Markham Regional Water Treatment Plant, with Wharton Smith, Inc., Lake Monroe (\$1,031,464.66) (Time Extension).

FC-1168-01/BJC provides for all labor materials, equipment, coordination and incidentals necessary for the construction of the new Markham Regional Water Treatment Plant, ground storage tank, high service pumps, chemical feed pumps emergency generators, electrical and control/instrumentation systems, yard piping and meters, and off-site potable water transmission mains. Change Order #4 will provide for three additional off-site monitor wells required by Water Management District Consumptive Use permit; add a third raw water supply well on site to provide a backup well for the two previously approved wells which will bring the plant to design capacity; and site security equipment.

An extension to the contract of three hundred forty-six (346) calendars days necessary for the completion of this project.

The following is a summary of the cost of the contract:

Original Contract Sum	\$5,652,000.00
Change Orders #1-#3	882,441.00
Add Change Order #4	<u>1,031,464.66</u>
Revised Contract Sum	\$7,565,905.66

Funds are available in account number 087801/087816 -56065000 (Water and Sewer 21 M Debt Proceeds, Construction in Progress) CIP #DF85341X. Environmental Services and Fiscal Services/Purchasing and Contracts Division recommend the Board to approve and authorize the Chairman to execute the Change Order.

**SEMINOLE COUNTY, FLORIDA
CHANGE ORDER FOR CONSTRUCTION PROJECTS**

**PURCHASING DIVISION
(407) 321-1130**

**1101 E. First Street
Sanford, FL 32771**

CONTRACT NO: <u>FC-1168-01/BJC</u>	INITIATION DATE: <u>02/28/03</u>	ORIGINAL	CONTRACT DATE: <u>12/03/01</u>
CHANGE ORDER NO: <u>4</u>	ACCOUNT NO: _____		ARCH/ENG PROJECT #: <u>07-1000.50</u>
CONTRACT FOR: <u>Wharton Smith, Inc.</u>			

YOU ARE REQUESTED TO MAKE THE FOLLOWING CHANGE(S) IN THIS CONTRACT:

- Item 1: Addition of three off-site monitor wells
- Item 2: Addition of third raw water supply well on site
- Item 3: Site security equipment

REASON FOR CHANGE(S):

- Item 1: Monitor wells required by water management district consumptive use permit
- Item 2: Provides backup well for the two previously approved wells. Brings plant up to design capacity
- Item 3: Covers cost of security equipment only. Equipment to be installed under separate contract.

ORIGINAL CONTRACT SUM:	\$ <u>5,652,000.00</u>
CONTRACT SUM PRIOR TO THIS CHANGE ORDER	\$ <u>6,534,441.00</u>
CHANGE ORDER (increase) (decreased) (<u>unchanged</u>)	\$ <u>1,031,464.66</u>
NEW CONTRACT SUM INCLUDING THIS CHANGE ORDER WILL BE	\$ <u>7,565,905.66</u>

CONTRACT TIME WILL BE (increased) (~~decreased~~) (unchanged)

SUBSTANTIAL BY <u>346</u> CALENDAR DAYS	346 days *
FINAL BY <u>324</u> CALENDAR DAYS	324 days

SUBSTANTIAL COMPLETION DATE THROUGH THIS CHANGE ORDER	02/08/04 *
FINAL COMPLETION DATE THROUGH THIS CHANGE ORDER	03/08/04

WAIVER This Change Order constitutes full and mutual accord and satisfaction for the adjustment of Contract Price and Time as a result of increases or decreases in costs and time of performance caused directly and indirectly from the change. Acceptance of this Waiver constitutes an agreement between COUNTY and CONTRACTOR that the Change Order represents and equitable adjustment to the Agreement and that CONTRACTOR shall waive all rights to file a Contract Claim or claim of any nature on this Change Order. Execution of this Change Order shall constitute CONTRACTOR's completion acceptance and satisfaction that it is entitled to no more costs or time (direct, indirect, impact, etc.) pursuant to this Change Order.

ACKNOWLEDGEMENTS The aforementioned change, and work affected thereby, is subject to all provisions of the original Agreement not specifically changed by this Change Order; and it is expressly understood and agreed that the approval of the Change Order shall have no effect on the original agreement other than matters expressly provided herein.

NOT VALID UNTIL SIGNED BY OWNER, ARCHITECT/ENGINEER AND CONTRACTOR

Hugh Sipes
PROJECT MANAGER
Utilities Division
DEPT/DIV.
By: [Signature]
Date: 3-14-03

PBS&J
ARCHITECT/ENGINEER
Orlando, Florida
Address
By: [Signature]
Date: 3/12/03

Wharton-Smith, Inc.
CONTRACTOR (Seal)
Lake Monroe, Florida
Address
By: [Signature]
Date: 3-13-03

Approved as to from & legal sufficiency:

[Signature]
County Attorney

3/25/03
Date

SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS

CLERK OF THE CIRCUIT
ATTEST:

Chairman

BCC APPROVAL DATE: _____

DATE: _____

NOTE: Explanation and stipulations of contract time extension:

Substantial Completion: The items added under this change order are to be implemented on separate time constraints than the work already under contract. The work already under contract is to proceed and be complete in accordance with the existing construction schedule and as amended by this change order. The following substantial completion dates apply to the work by implementing this change order:

- Substantial Completion as a Repump Facility: 3/28/03 (extended by 29 days)
- Substantial Completion as a Treatment Facility: 4/03/03 (extended by 22 days)
- Substantial Completion for Monitor Wells: 8/08/03 (includes up to 1 week for permit approval)
- Substantial Completion for Well 3 Drilling: 8/08/03 (includes up to 1 month for permit approval)
- Substantial Completion for Well 3 Operation: 2/08/04 (6 months after well drilling complete)

Final Completion: The work currently under contract is to continue on the existing construction schedule. As such, all work is expected to be complete within thirty days of the treatment facility substantial completion date (complete by 5/03/03). At that time, release of retainage will be processed (retainage on this change order work only will still apply), warrantee period of work already constructed will begin, and Contractor shall provide release of liens for final payment of work through Change Order 3. The final completion date for the project for work included under this change order is March 8, 2004.

