

CONSTRUCTION CONTRACTS

24. Approve Change Order #2 to CC-1242-04/TLR – Lake Harney Wetland Restoration with Turnbull Environmental, Inc., of St. Augustine, (\$10,000.00).

CC-1242-04/TLR provides for all materials, equipment, transportation, tools and labor necessary to design, construct, maintain and monitor the restoration of 15 acres of marsh at the north shore of Lake Harney.

Once work began on the project, it was determined that the berm system was comprised of marl/clayey soils which are dense and more difficult to handle than sandy soils normally found around lakes in the area. Also, the outside canal was smaller than the cross sections provided in the bid documents requiring much more equipment time. Extra equipment hours were also utilized to provide adequate slopes and configurations in the shaping of wildlife habitat islands in order to promote more effective use by wildlife. Additional fence posts and pilings were removed from the interior canal so that they would not serve as navigational hazards for boaters. Change Order #2 will provide for these additional services.

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

Original Contract Sum	\$42,500.00
Change Order #1	4,850.00
Change Order #2	<u>10,000.00</u>
Revised Contract Sum	\$57,350.00

This is a budgeted item and funds are available in account number 113010.530340. Planning and Development / Community Resources Division and Fiscal Services / Purchasing and Contracts Division recommend that the Board approve the request and authorize the Purchasing and Contracts Manager to execute Change Order #2.

**SEMINOLE COUNTY, FLORIDA
CHANGE ORDER FOR CONSTRUCTION WORK ORDERS**

**PURCHASING & CONTRACTS DIVISION
(407) 665-7116**

**1101 E. First Street
Sanford, Florida 32771-1468**

Contract Number : CC-1242-04 Work Order No.: _____ Change Order No. #2

Contract Title: Turnbull Environmental, Inc. Project Description/Title: Lake Hamey Restoration

You are requested to make the following change(s) in this Work Order:

Reason for change(s): Please see attached changes

Original Work Order Sum.....	\$ <u>42,500.00</u>
Work Order sum prior to this change order.....	\$ <u>47,350.00</u>
Change order (increase).....	\$ <u>10,000.00</u>
New Work Order sum including this change order will be.....	\$ <u>57,350.00</u>
Work Order time will be (increased)(decreased)(unchanged)	
By () calendar days No calendar day.....	No change

Final completion date through this change order.....

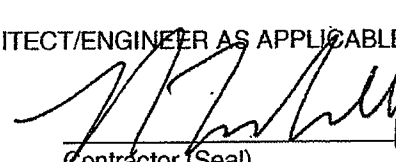
Waiver This Change Order constitutes full and mutual accord and satisfaction for the adjustment of Work Order Price and Time as a result of increases or decreases in costs and time of performance caused directly and indirectly from the change. Acceptance of this Waiver constitutes an agreement between County and Contractor that the Change Order represents an equitable adjustment to the Agreement and that Contractor shall waive all rights to file a Contract Claim of any nature on this Change Order. Execution of this Change Order shall constitute Contractor's complete 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 AND CONTRACTOR AND ARCHITECT/ENGINEER AS APPLICABLE


Project Manager


Architect/Engineer


Contractor (Seal)
TURNBULL Environmental, Inc
50 AGNES Circle, S.A., FL 32080
Address
By: Rich Turnbull, President
Date: 6-1-2006

Plant Dev. Community Relations
Department/Division

Date: 6/13/06

Address
By: _____
Date: _____

**SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS**

WITNESSES:

, Contracts Supervisor

Date: _____

As authorized by Section 330.3, Seminole County
Administrative Code

Jim Duby

From: Rich Turnbull [rich@turnbullenvironmental.com]
Sent: Thursday, May 25, 2006 3:07 PM
To: Jim Duby
Subject: Lake Harney Change Order request

Hi Jim:

As discussed we have evaluated the project at Lake Harney in terms of known and unknown conditions and believe a second change order is warranted, based on the following points:

1. It turned out that much of the berm system was comprised of marl/clayey soils, which are dense and more difficult to handle as opposed to the sandy soils normally encountered around lakes of the area. We believe these were unknown/unforeseen conditions because no soil borings were provided during or after the bid process.
2. The outside canal was much smaller than portrayed in the cross sections provided in the bid documents (Addendum #1). As a result most of the spoil material needed to be placed in the interior canal which required the bulldozer to push material up to 100 feet (extremely inefficient). Our perception during the bid development was that the material would be more evenly distributed between the inside and outside canals, and thus require much less equipment time. (In addition, the size of the levee and volume of dirt was also more extensive than portrayed in the cross sections provided in the bid documents, although we recognize that estimation of volume was left to the bidder).
3. In order to provide adequate slopes and configurations for the wildlife habitat islands extra equipment hours were utilized in the shaping of these islands to promote more effective use by wildlife.
4. Based on my site visit yesterday, I have directed our crew to remove all fence posts and pilings located landward of the interior canal (mostly in the southeast corner of the project). While the contract required removal of the fence line on the levee, this additional work was not contemplated or required. However, we believe it was necessary so that the posts would not serve as navigational hazards for (air)boaters once the marsh reflooded.

We believe with complete soil boring and cross-section information, we would probably have bid the project at around \$70,000; still substantially below the second low bid of \$150,000. This represents about \$20,000 more than the current contract amount (base bid + CO#1). Since some of the shortfall in the project cost can be attributed to our under-estimation, we are respectfully requesting an increase of just \$10,000 to cover our direct costs associated with the above listed items.

We would greatly appreciate Seminole County's consideration of this request. We believe it is fair and reasonable given the situation and conditions, and our willingness to proceed with the project despite these financial considerations. Please advise if additional information

Thanks!

Rich Turnbull, President
Turnbull Environmental, Inc.
50 Agnes Circle

St Augustine, FL 32080
904.461.8305
904.461.0299 (fax)
904.669.8777 (cell)

5/25/2006