



Legislation Text

File #: 18-347, **Version:** 1

TO: Mayor and Commissioners
FROM: Susan Geobel-Canning, Public Works Director
THROUGH: Mark R. Lauzier, City Manager
DATE: June 19, 2018

APPROVAL OF CHANGE ORDER NO.1 TO THE AGREEMENT WITH HARTZELL CONSTRUCTION, INC. IN A NOT-TO-EXCEED AMOUNT OF \$19,217.70 WITH TWO HUNDRED AND THIRTY-SEVEN (237) ADDITIONAL CALENDAR DAYS FOR THE CITY LIFEGUARD TOWERS PROJECT.

Recommended Action:

Motion to approve Change Order No. 1 to the Agreement with Hartzell Construction, Inc. (HCI) in an amount not-to-exceed \$19,217.70 with two hundred and thirty-seven (237) additional calendar days for the City Lifeguard Towers, Project No. 17-093.

Background:

On December 11, 2017 the City of Delray Beach (CITY) City Commission approved the award of a construction agreement with HCI for the City Lifeguard Towers in a not-to-exceed amount of \$1,164,978.

The Notice to Proceed was executed on December 12, 2017 with construction commencing on January 8, 2018. Therefore, the original Substantial Completion was scheduled for March 24, 2018 and the Final Completion for April 8, 2018.

On January 23, 2018 The CITY Commission discussed the approval of the proposed Alternate No. 1 to the City Lifeguard Towers which included the standing metal seam Kynar 500 finish in an amount not-to-exceed \$9,600 with zero calendar days.

Construction of the eight new skid-mounted lifeguard towers are nearly complete. They have been designed to enable the lifeguards to see beach-goers in the ocean through clear glass and without blind spots. During the heat of the summer, the towers will provide proper ventilation and shade to provide cooler temperatures. During winter months, the lifeguard towers will enable the lifeguards to withstand cold fronts and NE winds at 20 - 30 mph. These new lifeguard towers are mounted on skids, which are designed to be transportable to allow the lifeguard to be closer to the shoreline following a beach renourishment project.

Change Order No. 1: in a not-to-exceed amount of \$19,217.70 with two hundred and thirty-seven (237) additional calendar days to HCI is requested for the following reasons:

- 1) An additional thirty (30) calendar days is required to pressure treat the lumber through the ACQ treatment process. The ACQ process was found to be more environmentally friendly than

- using typical pressure treated wood.
- 2) An additional seven (7) calendar days is requested to pick the correct color schemes for the eight lifeguard towers. City advisory boards took longer than expected to agree on the color scheme for each lifeguard tower.
 - 3) An additional fourteen (14) calendar days is requested to comply with the Florida Department of Environmental Protection (FDEP) and Fish and Wildlife Commission (FWC) staging site permit criteria. Due to delays in starting the project for the above reasons, the project entered turtle season and new permit conditions became applicable.
 - 4) An additional \$9,600 with zero calendar days is requested for for the roof coating change to Kynar 500 for eight lifeguard towers (previously approved by CITY Commission on January 23, 2018).
 - 5) An additional \$6,707.84 with seven (7) calendar days is requested due to the change in color of the proposed roofing metal. The roofing materials and color pattern now match the pavilion and gazebos.
 - 6) An additional \$2,909.86 with zero calendar days is requested for the 316 Stainless Steel investigation. Note: These costs are time related, based on material investigations and the labor associated with the Contractor along with the Engineer providing the City requested bolts (316 Stainless Steel) to send to the independant labratory for testing and analysis. This cost does not include the metal testing laboratory fees being performed by the independant testing labratory (Applied Technical Services for \$1,245) .
 - 7) An additional one hundred and seventy-nine (179) calendar days is requested because the FWC will not allow the demolition of the existing eight lifeguard towers to commence until after turtle season (November 2018). The Florida Fish and Wildlife have concerns with demolition of the existing eight lifeguard towers occurring during turtle season. Therefore, the Contractor will begin the demolition of the eight existing lifeguard towers after this turtle season. The contractor will need 30 days to complete the demolition once on site, but the new lifeguard towers will be ready for occupancy by June 4, 2018.

With the approved time extension requests (No. 1- No. 5) the revised Substantial Completion will be June 4, 2018 with the Final Completion date of December 1, 2018 (No. 7).

This motion is in accordance with Code of Ordinances Section 36.02.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Funding in the amount of \$19,217.70 is available from the Contingency Line Item No. 4 from the original contract. No additional funding is required.