



## Legislation Text

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File #: 20-868, Version: 1

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**TO: Mayor and Commissioners**  
**FROM: Missie Barletto, Public Works Director**  
**THROUGH: Jennifer Alvarez, Interim City Manager**  
**DATE: November 17, 2020**

APPROVAL OF AMENDMENT NO. 2 TO BAXTER & WOODMAN, INC. FOR CONSTRUCTION, ENGINEERING, AND INSPECTION SERVICES (CEI) FOR THE NE 2ND AVENUE SEACREST BEAUTIFICATION PHASE 3 PROJECT (NE 22ND STREET NORTH TO GULFSTREAM BOULEVARD) IN THE AMOUNT OF \$55,186 (PROJECT NO. 17-010).

**Recommended Action:**

Motion to Approve Amendment No. 2 to the Agreement with Baxter & Woodman, Inc. for Construction, Engineering, and Inspection Services (CEI) for the NE 2nd Avenue Seacrest Beautification Phase 3 Project, in the amount of \$55,186, for a total contract amount not to exceed \$330,222.

**Background:**

On June 4, 2019, City Commission approved Resolution No. 103-19 to Baxter & Woodman, Inc. (BWI) for Professional Construction, Engineering and Inspection Services (CEI) for the construction of the NE 2nd Avenue Seacrest Beautification Phase 3 Project in the amount of \$242,108. The original time frame for the CEI Services was six (6) months.

The original Notice to Proceed to begin the construction project was issued to Rosso Site Development, Inc. (Contractor) on September 23, 2019, with Final Completion scheduled for March 21, 2020. Due to issues relating to the Florida Department of Transportation approved green bike lane material, the notice to proceed date was extended 133 calendar days. Including inclement weather days and holidays, the Final Completion date was extended to August 15, 2020.

On September 30, 2020, the Interim City Manager approved Amendment No. 1 in the amount of \$32,928 to BWI for additional CEI services necessary due to the Contractor's projected construction schedule completion time delay. The City also issued a Notice of Concern to the Contractor due to them not achieving their contractual final completion date.

The Contractor did not meet their revised completion date of September 22, 2020. The Contractor, through no construction delays from the City nor BWI, has revised their construction completion date to November 25, 2020.

As a result of the Contractor's extended construction delays, BWI has submitted a request for additional professional CEI services in the amount of \$55,186. Since this project is a LAP FDOT project, the City is obligated to have full time CEI construction services during the construction period.

This motion is in accordance with the City Code of Ordinances, Section 36 and City Policies and Procedures, Change Orders and Amendments.

**Attachments:**

Legal Review Checklist

Amendment No. 2

Executed Amendment No. 1

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source:**

Funding will be available from Account No. 377-72-730-572.63-20 (Capital Outlay Osceola Pk. / Other Landscp. Beaut.) upon approval and execution of a fund transfer from the Infrastructure Surtax fund balance.

**Timing of Request:**

Approval of this amendment is time sensitive.