



## Legislation Text

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File #: 17-427, Version: 1

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**TO:** Mayor and Commissioners  
**FROM:** Dale S. Sugerman Ph.D., Assistant City Manager  
**THROUGH:** Neal de Jesus, Interim City Manager  
**DATE:** May 16, 2017

APPROVAL OF CHANGE ORDER NO. 2 IN THE AMOUNT OF \$85,008 WITH MBR CONSTRUCTION INC FOR THE BEACH MASTER PLAN PROJECT

**Recommended Action:**

Motion to Approve Change Order No. 2 in the amount of \$85,008 with MBR Construction, Inc. for the Beach Master Plan (Project No. 15-008).

**Background:**

On March 13, 2017, the City awarded a contract to MBR Construction, Inc. (MBR) for the Beach Master Plan. On March 20, 2017, MBR was given the Notice to Proceed date of April 3, 2017. At that time, staff directed MBR to mobilize to the north end of the project to accommodate beach access by the public for this season. MBR has identified an issue concerning the contracted repairs to the existing knee-wall. MBR cannot guarantee that additional rust spots in the knee-wall will not appear at new locations in the future. Therefore, staff along with MBR recommends completely encapsulating the knee-wall in a new concrete reinforced wall.

Change Order No. 2 is to completely encapsulate approximately 2,800 linear feet of the existing knee-wall in a concrete reinforced cap that is about 4" thick on each side. The proposed design allows for the possibility of a one inch separation of the existing knee-wall from the cap (pending final structural engineering design). This design will effectively prevent any potential rusting of the existing re-bar from penetrating into the new knee-wall cap. Furthermore, the reinforced knee-wall cap will be constructed with galvanized reinforcing steel. The galvanized reinforcing steel will further add an additional layer of protection in the highly corrosive marine environment of the beach.

With the addition of a minimum of four inches of concrete on each side of the existing knee-wall, the new dimensions of the knee-wall will be approximately 26" wide by 22" high. This additional height and width will be more accommodating to the public who utilize the knee-wall for exercise, sitting, and enjoying the view. MBR has agreed to provide the City with an extended two-year material and labor guarantee for the proposed capped knee-wall. This proposed solution is based on the contractor's analysis of the conditions along with best management practices. Staff recommends that the City Commission approve Change Order No. 2 to encapsulate the existing knee-wall in the amount of \$85,008 with zero additional construction days.

This recommendation complies with the City Code of Ordinances, Chapter 36, Section 36.06(A)(1), "*Beyond the Scope of Work*".

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

Finance recommends approval.

**Funding Source:**

Funding in the amount of \$85,008 will be available from account number 334-4144-572.63-20 (General Construction Fund: Landscaping/Beautification) after a mid-year budget amendment is approved.

**Timing of Request:**

Approval of Change Order No. 2 is of high importance because the encapsulation of the knee-wall is on the Contractor's critical path.