

**1. Requested Motion:**

**Meeting Date: June 6,, 2011**

Approve Change Order No. 2, to the Mound House Landscape Restoration and Park Improvements project in the amount of \$25,831.54 for various contract changes.

**Why the action is necessary:**

Council must approve all purchases over \$25,000.00.

**What the action accomplishes:**

Allows for necessary changes to the project that were identified as needed after project commencement.

**2. Agenda:**

- Consent
- Administrative

**3. Requirement/Purpose:**

- Resolution
- Ordinance
- Other: Change Order

**4. Submitter of Information:**

- Council
- Town Staff – Public Works
- Town Attorney

**5. Background:**

During construction it was determined that changes and modifications were needed based on field conditions. These changes consist of:

- Kayak launch surface material – bid deduct alternate #2 – (\$1,500.00)
- Addition of live plants in the meadow – (\$82.00)
- Addition of 1” cap to the aggregate pathways - \$18,615.69
- Addition of stone wall at the kayak launch - \$8,797.94

There are no pending field directives at this time. I would anticipate one last adjusting change order as the project is being closed-out.

These additions are within the budget that has been set for this project. All of this change order expense is eligible for grant reimbursement.

**6. Alternative Action:**

Do not approve

**7. Management Recommendations:**

Staff recommends the approval of this change order.

**8. Recommended Approval:**

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Cultural Resources Director	Town Clerk
						

**9. Council Action:**

- Approved     Denied     Deferred     Other

**TOWN OF FORT MYERS BEACH CONSTRUCTION CONTRACT  
CHANGE ORDER**

No.: 2

(A Change Order requires approval by the Finance Director for expenditures under \$25,000, approval by the Town Manager for expenditures between \$0 and \$25,000, or approval by the Town Council for expenditures over \$25,000).

CONTRACT/PROJECT NAME: Mound House Landscape Restoration & Park Improvements  
 CONTRACTOR: Wright Construction Group, Inc. PROJECT NO.: 1069-00  
 CONTRACT NO.: CC-10-01-CR BID NO.: 10-01-CR  
 CHANGE REQUESTED BY: Scott Loiacano DATE OF REQUEST: April 29, 2011

Upon the completion and execution of this Change Order by both parties to the Contract the Contractor is authorized to and shall proceed to make the following changes in the Contract Documents:  
*(If you need space other than what has been provided, please attach additional sheets.)*

Description: Deduct Bid Alternate #2; Change Order No. 1 Correction – Live Plants; 1” Cap to Aggregate Pathways; Materials and Installation of Stone Wall at Kayak Launch.

Purpose of Change Order: See Attached

Attachments: (List documents supporting change) Field Directive Changes

**CHANGE IN CONTRACT PRICE:**  
 Original Contract Price  
\$460,000.00  
 Previous Change Order No. 1 to No. \_\_\_\_\_  
\$ 32,752.16  
 Contract Price prior to this Change Order  
\$492,752.16  
 Net Increase (Decrease) of this Change Order  
\$ 25,831.54  
 Contract Price with all approved Change Orders  
\$518,583.70

**CHANGE IN CONTRACT TIME:**  
 Original Contract Time  
105 Calendar Days  
 Net Change from previous Change Orders  
57 Calendar Days  
 Contract Time prior to this Change Order  
162 Calendar Days  
 Net Increase (Decrease) of this Change Order  
10 Calendar Days  
 Contract Time with all approved Change Orders  
172 Calendar Days

It is understood and agreed that the acceptance of this modification by the CONTRACTOR constitutes an accord and satisfaction, and represents payment in full (both time and money) for all costs arising out of, or incidental to, the above mentioned change.

<p><b>RECOMMENDED:</b></p> <p>By: _____                  Consultant (if applicable)      Date</p> <p>By: _____                  Department Director      Date</p> <p>_____                  Contracts Management</p> <p><b>APPROVED:</b></p> <p>_____                  Town Attorney      Date</p>	<p><b>ACCEPTED</b></p> <p>By: _____                  Contractor</p> <p>Date Accepted: _____</p> <p>(CORPORATE SEAL)</p>	<p><b>TOWN APPROVAL:</b></p> <p>By: _____                  Finance Director (Under \$25,000)</p> <p>Date Approved: _____</p> <p>By: _____                  Town Manager (Under \$25,000)</p> <p>Date Approved: _____</p> <p>By: _____                  Mayor, Town Council                  (Over \$25,000)</p> <p>Date Approved: _____</p>
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Mound House Landscape Restoration Project  
Wright Construction Group, Inc.  
Change Order No. 2 Summary

FDR No.	Description	Amount
1	Deduct Bid Alternate #2 - Kayak Launch Material	(\$1,500.00)
11	Correction to Change Order No. 1 - Live Meadow Plants	(\$82.00)
12R	Aggregate Pathways - Add 1" formed cap	\$18,615.60
14	Kayak Launch - Materials for and installation of stone wall	\$8,797.94
	Total Change Order No. 2	<b><u>\$25,831.54</u></b>

TOWN OF FORT MYERS BEACH CONSTRUCTION CONTRACT  
FIELD DIRECTIVE CHANGE

NO.: 1

Project No.: \_\_\_\_\_ Bid No.: 10-01-CR Contract No.: CC-10-01-CR

Contract/Project Name: MOUND HOUSE LANDSCAPE RESTORATION & PARK IMPROVEMENTS

Contractor: Wright Construction Group, Inc.

Request By: David Sacks RLA Date of Request: Jan. 7 2011

1. Directive: The TOWN hereby directs and authorizes the following change(s) in the work required by the contract documents be made and the CONTRACTOR is hereby directed to proceed promptly. In the event that as a result of the CONTRACTOR accepting this Field Directive Change, there are determined to be change(s) in the Contract (1) scope, (2) cost, or (3) time. Subsequent to the CONTRACTOR finalizing the change(s) in the work required, and upon receipt and acceptance by the TOWN of a written and documented claim by the CONTRACTOR, such changes shall be incorporated in a Change Order which is subject to approval by the TOWN and the CONTRACTOR.
2. Description of the change(s): Delete "fabric formed concrete" surface at kayak launch; use instead fabric surface as per Section 01230 Deduct Alternate #2 (submit product data and shop drawings for installation)
3. Purpose or Intent of Field directive Change:  
Change kayak launch resurfacing material as per Deduct Alternate #2
4. Attachments: (List documents supporting change)  
Refer to Project Manual Section 01230
5. Not-to-exceed limits applicable to this Field Directive Change:  
Unless specifically authorized by the TOWN by a written amendment to this Field Directive Change, the CONTRACTOR shall not exceed the following limits:
 

A. Estimated not-to-exceed increase (decrease) in the contract price:	<u>(1,500.00)</u> <del>As bid</del>
B. Estimated not-to-exceed increase (decrease) in completion time in calendar days:	<u>0</u>
6. Claim(s) resulting from Field Directive Change  
In the event that, as a result of the CONTRACTOR providing or performing the change(s) in the required construction work as set forth in this Field Directive Change, the CONTRACTOR determines that consideration should be given to (1) changing the contract scope, (2) increasing the CONTRACTOR's compensation, or (3) increasing the contract time; the CONTRACTOR shall in accordance with the provisions of Articles 11, 12 and 13 of the Contract Document, submit a written claim to the TOWN requesting that a Change Order be executed incorporating changes in the (1) contract scope, (2) CONTRACTOR compensation, or (3) contract time as appropriate. Such a claim shall include documentation to support the claim.

It is understood and agreed by the TOWN in authorizing and by the CONTRACTOR in accepting this Field Directive Change that the following methods shall be used as the basis for considering the issuance of a contract Change Order or any CONTRACTOR claim arising out of this Field Directive Change:

- |  |   |
|--|---|
| A. Method of Determining Change in Contract Price:<br><input type="checkbox"/> Time and Materials<br><input type="checkbox"/> Unit Prices<br><input type="checkbox"/> Cost plus fixed fee<br><input checked="" type="checkbox"/> Other <u>As bid</u> | B. Method of Determining Change in Contract Time:<br><input type="checkbox"/> Contractor's Records<br><input type="checkbox"/> Consultant's Records<br><input type="checkbox"/> Other |
|--|---|

TOWN OF FORT MYERS BEACH CONSTRUCTION CONTRACT  
FIELD DIRECTIVE CHANGE

NO.: 11

Project No.: 1069-00 Bid No.: 10-01-CR Contract No.: CC-10-01-CR

Contract/Project Name: MOUND HOUSE LANDSCAPE RESTORATION & PARK IMPROVEMENTS

Contractor: Wright Construction Group Inc.

Request By: Scott Loiacano Date of Request: 3.17.11

1. Directive: The TOWN hereby directs and authorizes the following change(s) in the work required by the contract documents be made and the CONTRACTOR is hereby directed to proceed promptly. In the event that as a result of the CONTRACTOR accepting this Field Directive Change, there are determined to be change(s) in the Contract (1) scope, (2) cost, or (3) time. Subsequent to the CONTRACTOR finalizing the change(s) in the work required, and upon receipt and acceptance by the TOWN of a written and documented claim by the CONTRACTOR, such changes shall be incorporated in a Change Order which is subject to approval by the TOWN and the CONTRACTOR.

2. Description of the change(s):  
Add 1,500 live plants to seeded meadow area

3. Purpose or Intent of Field directive Change:  
Increase diversity, hasten meadow establishment

4. Attachments: (List documents supporting change)  
Email from David Sacks RLA with species &

5. Not-to-exceed limits applicable to this Field Directive Change: quantities  
Unless specifically authorized by the TOWN by a written amendment to this Field Directive Change, the CONTRACTOR shall not exceed the following limits:

A. Estimated not-to-exceed increase (decrease) in the contract price: \$6,181  
B. Estimated not-to-exceed increase (decrease) in completion time in calendar days: (82.00)

6. Claim(s) resulting from Field Directive Change  
In the event that, as a result of the CONTRACTOR providing or performing the change(s) in the required construction work as set forth in this Field Directive Change, the CONTRACTOR determines that consideration should be given to (1) changing the contract scope, (2) increasing the CONTRACTOR's compensation, or (3) increasing the contract time; the CONTRACTOR shall in accordance with the provisions of Articles 11, 12 and 13 of the Contract Document, submit a written claim to the TOWN requesting that a Change Order be executed incorporating changes in the (1) contract scope, (2) CONTRACTOR compensation, or (3) contract time as appropriate. Such a claim shall include documentation to support the claim.

It is understood and agreed by the TOWN in authorizing and by the CONTRACTOR in accepting this Field Directive Change that the following methods shall be used as the basis for considering the issuance of a contract Change Order or any CONTRACTOR claim arising out of this Field Directive Change:

- A. Method of Determining Change in Contract Price:
 Time and Materials
 Unit Prices
 Cost plus fixed fee
 Other
- B. Method of Determining Change in Contract Time:
 Contractor's Records
 Consultant's Records
 Other

BID NO.: 10-01-CR

01/25/2010

TOWN OF FORT MYERS BEACH CONSTRUCTION CONTRACT  
FIELD DIRECTIVE CHANGE

NO.: 12R

Project No.: 1069-00 Bid No.: 10-01-CR Contract No.: CC-10-01-CR

Contract/Project Name: MOUND HOUSE LANDSCAPE RESTORATION & PARK IMPROVEMENTS

Contractor: Wright Construction Group, Inc.

Request By: Scott Loiacano Date of Request: April 29, 2011

1. Directive: The TOWN hereby directs and authorizes the following change(s) in the work required by the contract documents be made and the CONTRACTOR is hereby directed to proceed promptly. In the event that as a result of the CONTRACTOR accepting this Field Directive Change, there are determined to be change(s) in the Contract (1) scope, (2) cost, or (3) time. Subsequent to the CONTRACTOR finalizing the change(s) in the work required, and upon receipt and acceptance by the TOWN of a written and documented claim by the CONTRACTOR, such changes shall be incorporated in a Change Order which is subject to approval by the TOWN and the CONTRACTOR.
2. Description of the change(s):  
Additional costs related to addition of 1" topping to aggregate paths.
3. Purpose or Intent of Field directive Change:  
Scope Change
4. Attachments: (List documents supporting change)  
Back-up from WCG and Gulf Paving Company, Inc. attached.
5. Not-to-exceed limits applicable to this Field Directive Change:  
Unless specifically authorized by the TOWN by a written amendment to this Field Directive Change, the CONTRACTOR shall not exceed the following limits:
  - A. Estimated not-to-exceed increase (decrease) in the contract price: \$18,615.69
  - B. Estimated not-to-exceed increase (decrease) in completion time in calendar days: 5
6. Claim(s) resulting from Field Directive Change  
In the event that, as a result of the CONTRACTOR providing or performing the change(s) in the required construction work as set forth in this Field Directive Change, the CONTRACTOR determines that consideration should be given to (1) changing the contract scope, (2) increasing the CONTRACTOR's compensation, or (3) increasing the contract time; the CONTRACTOR shall in accordance with the provisions of Articles 11, 12 and 13 of the Contract Document, submit a written claim to the TOWN requesting that a Change Order be executed incorporating changes in the (1) contract scope, (2) CONTRACTOR compensation, or (3) contract time as appropriate. Such a claim shall include documentation to support the claim.

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|---|---|
| <p>A. Method of Determining Change in Contract Price:</p> <p><input type="checkbox"/> Time and Materials</p> <p><input type="checkbox"/> Unit Prices</p> <p><input checked="" type="checkbox"/> Cost plus fixed fee</p> <p><input type="checkbox"/> Other</p> | <p>B. Method of Determining Change in Contract Time:</p> <p><input type="checkbox"/> Contractor's Records</p> <p><input type="checkbox"/> Consultant's Records</p> <p><input checked="" type="checkbox"/> Other</p> |
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BID NO.: 10-01-CR

01/25/2010

TOWN OF FORT MYERS BEACH CONSTRUCTION CONTRACT  
FIELD DIRECTIVE CHANGE

NO.: 14

Project No.: 1069-00 Bid No.: 10-01-CR Contract No.: CC-10-01-CR

Contract/Project Name: MOUND HOUSE LANDSCAPE RESTORATION & PARK IMPROVEMENTS

Contractor: Wright Construction Group, Inc.

Request By: Scott Loiacano Date of Request: April 29, 2011

1. Directive: The TOWN hereby directs and authorizes the following change(s) in the work required by the contract documents be made and the CONTRACTOR is hereby directed to proceed promptly. In the event that as a result of the CONTRACTOR accepting this Field Directive Change, there are determined to be change(s) in the Contract (1) scope, (2) cost, or (3) time. Subsequent to the CONTRACTOR finalizing the change(s) in the work required, and upon receipt and acceptance by the TOWN of a written and documented claim by the CONTRACTOR, such changes shall be incorporated in a Change Order which is subject to approval by the TOWN and the CONTRACTOR.
2. Description of the change(s):  
Additional costs related to installation of the kayak stone wall.
3. Purpose or Intent of Field directive Change:  
Scope Change
4. Attachments: (List documents supporting change)  
Back-up from WCG and Gulf Paving Company, Inc. attached.
5. Not-to-exceed limits applicable to this Field Directive Change:  
Unless specifically authorized by the TOWN by a written amendment to this Field Directive Change, the CONTRACTOR shall not exceed the following limits:
  - A. Estimated not-to-exceed increase (decrease) in the contract price: \$8,797.94
  - B. Estimated not-to-exceed increase (decrease) in completion time in calendar days: 5
6. Claim(s) resulting from Field Directive Change  
In the event that, as a result of the CONTRACTOR providing or performing the change(s) in the required construction work as set forth in this Field Directive Change, the CONTRACTOR determines that consideration should be given to (1) changing the contract scope, (2) increasing the CONTRACTOR's compensation, or (3) increasing the contract time; the CONTRACTOR shall in accordance with the provisions of Articles 11, 12 and 13 of the Contract Document, submit a written claim to the TOWN requesting that a Change Order be executed incorporating changes in the (1) contract scope, (2) CONTRACTOR compensation, or (3) contract time as appropriate. Such a claim shall include documentation to support the claim.

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- |  |  |
|--|--|
| <p>A. <u>Method of Determining Change in Contract Price:</u></p> <p><input type="checkbox"/> Time and Materials</p> <p><input type="checkbox"/> Unit Prices</p> <p><input checked="" type="checkbox"/> Cost plus fixed fee</p> <p><input type="checkbox"/> Other</p> | <p>B. <u>Method of Determining Change in Contract Time:</u></p> <p><input type="checkbox"/> Contractor's Records</p> <p><input type="checkbox"/> Consultant's Records</p> <p><input checked="" type="checkbox"/> Other</p> |
|--|--|