

Business Operations
Ofelia San Pedro, Deputy Superintendent

**SUBJECT: CHANGE ORDER NO. 5
 PROJECT NO. A0654
 ADDITIONS AND RENOVATIONS
 PHILLIS WHEATLEY ELEMENTARY SCHOOL
 1801 NW 1 PLACE, MIAMI, FLORIDA**

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

This request for change in the construction contract includes 41 items for the School Board's confirmation and consideration. Attachment A presents a description of the items, the cause for each change, the effect upon the contract, and the action recommended to the Board. In order to prevent delay in the completion of the project, staff authorized the Contractor to proceed with items 1 through 7, and 8 through 40. These items are presented to the Board for confirmation and consideration as required by State Statute.

Change Items Synopsis: These changes are primarily due to design errors and omissions, and include the disposal of existing lead painted windows removed from this 57-year-old facility.

This change will increase the contract price by \$184,138 and extend the contract completion date by 220 days. These items have been recommended by the Project Architect and were confirmed/approved by the Technical Review Committee, subsequent to completion, on April 19, 2005. They were found to be necessary, fair, and equitable.

The Project Architect will not receive additional fees for the items that resulted from errors and omissions in the design phase of the project. This factor will become part of the evaluation of this firm for consideration of future work with this school system. The Project Architect has received written notification that the errors on this project exceed that allowed by their contract. The District will pursue recovery of costs from the Project Architect as called for in the contract.

This project is one of two projects (Citrus Grove Middle) wherein the original Contractor, Crisal Construction Company, was placed in default and later terminated by the Board. The Contractor filed suit against the Board on both projects and outside legal counsel was assigned by the Board Attorney's office to defend the Board. Under the performance and guarantee bond, the Surety (International Fidelity Insurance Company) was called upon, elected to perform and has completed the project. As the Surety is indirectly involved in the litigation, legal counsel is assisting the Board in closing out the project with the Surety while at the same time protecting the Board's interests in the litigation. Although there are still other close out issues remaining to be resolved with the Surety, legal counsel recommends approval of this Change Order at this time as being in the best interests of the Board. Approval of these items will indirectly benefit the Board by facilitating Surety's payment of its completion contractor, a local contractor also performing work on other Board projects.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, confirm/approve Change Order No. 5 on Project No. A0654, Additions and Renovations, Phillis Wheatley Elementary School for an additional cost of \$184,138 and approve a time extension of 220 days.

NM:ayb

5931 Phillis Wheatley Elementary School
SUMMARY OF CHANGE ORDER NO.: 5
Project No.: A0654 Additions and Renovations

ITEM	ACTION REQ	ORIG.	STAFF AUTH.	ARG APPVD.	TYPE	CAUSE	DOLLARS		DAYS	
							REQ.	AUTH. REC.	REQ.	AUTH. REC.
1	C	C	08/08/2003	04/12/2005	ER	AE	5,551.05	5,551.00	0	0
			Contractor provided labor, material and equipment to furnish and install HVAC system ductwork and a concrete column at the new mechanical room.							
2	C	C	05/16/2003	04/12/2005	ER	AE	2,127.50	2,127.00	0	0
			Contractor provided labor, material and equipment to relocate HVAC system AHU #5 in the remodeled teachers planning room.							
3	C	C	05/16/2003	04/12/2005	ER	AE	10,842.20	9,691.00	0	0
			Contractor provided labor, material and equipment to furnish and install a water line and drywell for the P.E. shelter.							
4	C	C	08/08/2003	04/12/2005	ER	AE	1,058.00	1,058.00	0	0
			Contractor provided labor, material and equipment to furnish and install a new access door for the built-in cabinet at the administration area.							
5	C	C	08/08/2003	04/12/2005	ER	MEE	11,029.22	8,970.00	0	0
			Contractor provided labor, material and equipment to relocate new HVAC system AHU #05 at the administration area. This was necessary because the unit was installed too low in the teachers' planning area.							
6	C	C	08/08/2003	04/12/2005	ER	AE	4,882.04	2,576.00	0	0
			Contractor provided labor, material and equipment to furnish and install an 8'-0" in lieu of a 6'-0" high fence adjacent to the basketball courts and parking area.							
7	C	C	01/30/2004	04/12/2005	ER	MEE	20,807.96	13,494.00	0	0
			Contractor provided labor, material and equipment to revise and relocate the art and music suite HVAC unit and to furnish							

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							REQ.	AUTH. REC.	REQ.	AUTH. REC.
						and install ducted air return in the new building, in order to meet code.				
8	A	C		04/12/2005	ER	MEE	0.00	0.00	200	200
						This is to extend the contract completion time due to HVAC units' relocation and revision at the art and music suite, including a ducted air return. Time extension in accordance with Board's legal counsels' recommendation (Bosch Group letter, March 23, 2005).				
9	C	C	11/11/2003	04/12/2005	ER	AE	1,552.50	1,552.00	0	0
						Contractor provided labor, material and equipment to furnish and install ventilated block at the new building mechanical courtyard.				
10	C	I	11/17/2004	04/12/2005	ER	EEE	597.59	598.00	0	0
						Contractor provided labor, material and equipment to relocate a fire alarm system horn/strobe unit in the cafeteria, in order to meet code.				
11	C	C	05/16/2003	04/12/2005	ER	AE	871.70	685.00	0	0
						Contractor provided labor, material and equipment to modify the window openings at building #3.				
12	C	I	04/09/2004	04/12/2005	OM	EEO	13,949.81	11,748.00	0	0
						Contractor provided labor, material and equipment to furnish and install additional fire alarm system smoke detectors in the cafetorium.				
13	C	C	10/20/2003	04/12/2005	OM	MEO	3,098.95	3,099.00	0	0
						Contractor provided labor, material and equipment to furnish and install an HVAC ductwork-mounted heater.				

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							REQ.	AUTH. REC.	REQ.	AUTH. REC.
14	C	C	10/20/2003	04/12/2005	OM	MEO	564.65	287.00	0	0
Contractor provided labor, material and equipment to furnish and install a float switch for HVAC AHU #5.										
15	C	C	10/20/2003	04/12/2005	OM	AO	3,077.40	2,277.00	0	0
Contractor provided labor, material and equipment to furnish and install new exhaust fans at remodeled rest rooms.										
16	C	C	10/20/2003	04/12/2005	OM	AO	1,148.00	1,148.00	0	0
Contractor provided labor, material and equipment to furnish and install a backflow preventer at the location of the new irrigation water service.										
17	C	C	09/29/2003	04/12/2005	OM	AO	2,492.07	1,578.00	0	0
Contractor provided labor, material and equipment to relocate existing HVAC system controls that conflicted with new doors to the classrooms in building #1.										
18	C	C	08/08/2003	04/12/2005	OM	AO	1,552.50	1,552.00	0	0
Contractor provided labor, material and equipment to furnish and install new VCT flooring at corridor #02 and room #30.										
19	C	C	08/08/2003	04/12/2005	OM	AO	4,492.25	4,492.00	0	0
Contractor provided labor, material and equipment to furnish and install new metal doors at the building #01 rest rooms, in order to meet code.										
20	C	C	08/08/2003	04/12/2005	OM	AO	1,035.00	1,035.00	0	0
Contractor provided labor, material and equipment to furnish and install flashing and fasteners over the existing parapet at the media center.										

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							REQ.	AUTH. REC.	REQ.	AUTH. REC.	
21	C	C	08/08/2003	04/12/2005	OM	EEO	7,204.21	6,301.00	0	0	
			Contractor provided labor, material and equipment to furnish and install additional grounding at the main electrical room.								
22	C	I	04/09/2004	04/12/2005	OM	EEO	2,548.16	1,847.00	0	0	
			Contractor provided labor, material and equipment to furnish and install electrical power to new exhaust fans in custodial closets, in order to meet code.								
23	C	C	05/16/2003	04/12/2005	OM	AO	2,185.00	1,883.00	0	0	
			Contractor provided labor, material and equipment to furnish and install flashing and rainwater scuppers and leaders at building #3.								
24	C	C	08/08/2003	04/12/2005	OM	AO	4,689.70	3,667.00	0	0	
			Contractor provided labor, material and equipment to furnish and install wood top plate for the parapet cap at building #3.								
25	C	C	05/16/2003	04/12/2005	OM	AO	996.36	996.00	0	0	
			Contractor provided labor, material and equipment to furnish and install additional downspouts at building #3.								
26	C	C	05/16/2003	04/12/2005	OM	EEO	2,759.83	1,072.00	0	0	
			Contractor provided labor, material and equipment to furnish and install a wiring gutter for the main entrance cables, in order meet code.								
27	C	C	05/16/2003	04/12/2005	OM	AO	9,597.51	5,389.00	0	0	
			Contractor provided labor, material and equipment to furnish and install replacement TV and electrical outlets in								

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								AUTH. REC.	REQ.	AUTH. REC.	REQ.
						the remodeled administration building.					
28	C	C	05/16/2003	04/12/2005	OM	AO	2,761.06	2,083.00	0	0	
						Contractor provided labor, material and equipment to relocate the existing HVAC system condensate drywell that conflicted with the new parking area.					
29	C	C	05/16/2003	04/12/2005	OM	EEO	15,322.57	10,801.00	0	0	
						Contractor provided labor, material and equipment to furnish and install additional fire alarm system devices and associated conduit and wire, in order to meet code.					
30	C	C	05/16/2003	04/12/2005	OM	EEO	691.22	466.00	0	0	
						Contractor provided labor, material and equipment to furnish and install electrical power and controls for the irrigation system.					
31	C	AM	03/29/2004	04/12/2005	OW	OR	48,627.96	24,222.00	0	0	
						Contractor provided labor, material and equipment for disposal of existing lead painted windows, as required by the MDCPS Asbestos Management Department. There was a previous Change Order #4, Item #1 for the Contractor to remove the windows.					
32	C	C	08/08/2003	04/12/2005	UN	UC	19,021.01	19,021.00	0	0	
						Contractor provided labor, material and equipment to furnish and install conduit, wire and accessories in order to separate the power and control wiring of existing HVAC package units, in order to meet code.					
33	C	C	10/07/2003	04/12/2005	UN	UC	6,095.00	6,095.00	0	0	
						Contractor provided labor, material and equipment to repair existing wall and roof					

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								AUTH. REC.	REQ.	AUTH. REC.	REQ.
						flashing at the cafetorium.					
34	C	C	10/20/2003	04/12/2005	ER	AE	1,361.31	844.00	0	0	
						Contractor provided labor, material and equipment to furnish and install a new HVAC condensate drain at the relocated HVAC location in the teachers' planning area.					
35	C	C	09/29/2003	04/12/2005	UN	UC	4,385.00	4,385.00	0	0	
						Contractor provided labor, material and equipment to furnish and install additional fire hydrant water line at NW 19th Street to avoid conflicts with existing underground FPL ductbank.					
36	C	C	08/08/2003	04/12/2005	UN	UC	29,670.00	3,795.00	0	0	
						Contractor provided labor, material and equipment to relocate new fire water line from the west to the east side of NW 1st Place due to conflicts with existing FPL ductbank and gas line.					
37	C	C	05/16/2003	04/12/2005	UN	UC	11,137.54	10,103.00	0	0	
						Contractor provided labor, material and equipment to replace a damaged underground leaking water line located at the east side of the school.					
38	C	C	05/16/2003	04/12/2005	UN	UC	3,199.37	2,600.00	0	0	
						Contractor provided labor, material and equipment to replace the existing damaged underground copper water line between the meter and the kitchen.					
39	C	C	09/29/2003	04/12/2005	UN	UC	6,578.88	5,300.00	0	0	
						Contractor provided labor, material and equipment to relocate existing storm drainage piping at NW 19th Street due to					

ATTACHMENT A

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							REQ.	AUTH. REC.	REQ.	AUTH. REC.
						conflicts with the existing underground FPL ductbank that was not shown on as-builts and WASA records.				
40	C	C	08/08/2003	04/12/2005	OT	CE	(250.00)	(250.00)	0	0
						Contractor provided a credit to reimburse MDCPS for an additional UBC inspection.				
41	A	C		04/12/2005	OT	CR	0.00	0.00	20	20
						This is to extend the contract completion time for the notice of election period allowed to the surety under the performance bond (non-compensable) in accordance with recommendation of Board's legal counsel (Bosch Group letter, May 5, 2004).				
							CHANGE ORDER TOTAL:	184,138.00		220

SUMMARY OF CHANGE ORDER NO.: 5
 Facility: 5931 Phillis Wheatley Elementary School
 Project No.: A0654
 Description: ADDITIONS AND RENOVATIONS
 Architect: BROWN & BROWN ARCHITECTS
 EFCO: N/A
 Contractor: SURETY FOR CRISAL CONSTRUCTION COMPANY PRIME:

CONTRACT STATUS

ORIGINAL CONTRACT PRICE.....\$	2,197,000.00
PREVIOUS EXTRAS.....\$	134,766.00
PREVIOUS CREDITS.....\$	143,132.00
PREVIOUS APPROVED NET CHANGE.....\$	-8,366.00
PREVIOUS APPROVED CONTRACT PRICE.....\$	2,188,634.00
THIS CHANGE.....\$	184,138.00
TOTAL NET CHANGE.....\$	175,772.00
ADJUSTED CONTRACT PRICE AFTER THIS CHANGE.....\$	2,372,772.00
CONTRACT AWARD DATE.....	June 20, 2001
ORIGINAL CONTRACT COMPLETION DATE.....	September 13, 2002
PREVIOUS TIME EXTENSION.....	46
PREVIOUS ADJUSTED COMPLETION DATE.....	October 29, 2002
TIME EXTENSION THIS CHANGE.....	220
ADJUSTED COMPLETION DATE AFTER THIS CHANGE.....	June 06, 2003
PROJECTED COMPLETION DATE.....	N/A
SUBSTANTIAL COMPLETION DATE.....	March 25, 2004

CHANGE CAUSE SUMMARY:

(Totals Including This Change Order. Errors threshold = 1-1/2%)

TYPE	AMOUNT	%	DAYS
ERRORS.....\$	47,146.00	2.15	200
OMISSIONS.....\$	105,185.00	4.79	18
OWNER REQUESTS...\$	16,468.00	0.75	0
UNFORESEEN.....\$	142,601.00	6.49	28
OTHER.....\$	-135,628.00	-6.17	20
SCOPE CHANGE.....\$	0.00	0.00	0
HURRICANE.....\$	0.00	0.00	0
Totals\$	175,772.00	8.01	266

LEGEND:

ORIGIN:

- A-- A/E
- E-- Educational Fac. Plan.
- P-- Project Manager
- D-- DCPS Specialists/Depts.
- C-- Contractor
- S-- State DOE
- M-- Maintenance Dept.
- U-- User (Principal/Admin.)
- I-- UBCI
- AM--Asbestos Mgmt.
- DS--Design Services (Group)
- CM--Construction Manager

ACTION:

- A-- Approve
- C-- Confirm Staff/TRC Authorize
- C/A--Confirm/Approve Authorize

TYPE:

- ER--PA/E Error
- HC--Hurricane
- OM--P/A Omission
- OT--Other
- OW--Owner Request
- SC--Scope Change
- UN--Unforeseen

CAUSE:

- AE --Architectural Error
- AO --Architectural Omission
- EEE--Electrical Engineering Error
- EEO--Electrical Engineering Omission
- MEE--Mechanical Engineering Error
- MEO--Mechanical Engineering Omission
- SEE--Structural Engineering Error
- SEO--Structural Engineering Omission
- CEE--Civil Engineering Error
- CEO--Civil Engineering Omission
- DER--Design-Builder Request
- DBE--Design-Builder Error

DBO--Design-Builder Omission

- DBD--Design-Builder Default
- CD-- Contractor Default
- CE-- Contractor Error
- CR-- Contractor Request
- FE-- Fastrack/Coord. Error
- FO-- Fastrack/Coord. Omission
- ID-- Inspection Delay
- MD-- Manufacturer's Delay
- OO-- Owner Omission
- OD-- Owner Delay
- OR-- Owner Request
- RA-- Reinstate Alternate
- SC-- Scope Change
- SR-- State Requirement/Local/City
- RD-- Rain Delay
- UC-- Unforeseen Conditions
- UD-- Utility Co. Delay
- CL-- Clerical Error
- UP-- Unit Price
- UR-- Utility Requirement
- CMO--Construction Manager Omission
- CME--Construction Manager Error
- CC-- Criteria Change