

From: olga.valcich@mymanatee.org
To: [Vicki Tessmer](mailto:Vicki.Tessmer)
Cc: anthony.benitez@mymanatee.org; gwen.richards@mymanatee.org; kathleen.casey@mymanatee.org; marsha.colburn@mymanatee.org; sherri.robinson@mymanatee.org; [Greg Galmin](mailto:Greg.Galmin)
Subject: ACA #1 to PO No. T1200169 / Cardinal Contractors, Inc., (REF: IFB #12-1310-OV, SWWRF Lake Filtration System and North Pond Improvements)
Date: Tuesday, July 09, 2013 12:52:04 PM
Attachments: [T1200169.ACA#1.CARD.CONTR.7.9.2013..pdf](#)

Good day Vicki:

In accordance with Resolution R-07-189, adopted on October 9, 2007, please accept the attached ACA #1, which increases the Contract amount by \$31,713.66, from \$13,186,000.00 to \$13,217,713.66, which provides for costs incurred by the Contractor due to additional time required for the County to drain the North Pond. ACA #1 also provides for an addition of 60 calendar days to the completion schedule. Original completion date: May 30, 2014. Revised completion date is July 29, 2014.

Should you have any questions, please do contact me at extension 3055. Thank you.

INSTRUCTIONS TO BOARD RECORDS:

Please send confirmation of acceptance to:
Contractor: email address: ggalmin@cardinalco.com

Public Works:

email: anthony.benitez@mymanatee.org
kathleen.casey@mymanatee.org
gwen.richards@mymanatee.org

Purchasing:

email: olga.valcich@mymanatee.org.

Attachments to Board Records:

1. Department Memorandum dated June 20, 2013
2. Copy of Purchase Order T1200169 dated July 9, 2013
3. (1) Copy of Executed Contract, ACA #1.

Olga Valcich, CPPB
Contract Specialist
Manatee County Government
Purchasing Division
1112 Manatee Avenue West, Suite 803
Bradenton, FL 34205
Ph: 941-749-3055 / Fx: 941-749-3034
email: olga.valcich@mymanatee.org

MEMORANDUM



PUBLIC WORKS DEPARTMENT
Project Management Division
1022 26th Avenue E.
Bradenton, FL 34208

MANATEE COUNTY
FLORIDA

Phone: 941-708-7450
Fax: 941-708-7549
www.mymanatee.org

To: Melissa M. Wendel, CPPO, Purchasing Official
From: Jeff Streitmatter III, P.E., Project Management Division Manager
Date: June 20, 2013
Subject: **Administrative Contract Adjustment No. 1**
SWWRF Lake Filtration System and North Pond Improvements
Cardinal Contractors, Inc.

A handwritten signature in black ink, appearing to be "JS", written over the "From:" field.

RECOMMENDATION:

Execution of Administrative Contract Adjustment No. 1 to P.O. T1200169 with Cardinal Contractors, Inc. increasing the contract amount by \$31,713.66, from \$13,186,000.00 to \$13,217,713.66, and adding 60 calendar days to the contract time. The funding source for this contract is Utility Rates, Utilities 2010B RZEDB Bonds, and Utilities 2010C Rev Improvements Bonds. The increased amount of \$31,713.66 is 0.24 percent of the original contract approval of \$13,186,000.00; and the additional contract time is 9.38 percent of the original 640 contract days.

COMPREHENSIVE PLAN/POLICY DETERMINATION:

The services requested are consistent with Comprehensive Plan Goal 9.1 for wastewater and Manatee County Purchasing Ordinance.

BACKGROUND/DISCUSSION:

- August 7, 2012, the BCC executed a contract with Cardinal Contractors, Inc. in the amount of \$13,186,000.00 for construction of SWWRF lake filtration system and North Pond improvements.
- Administrative Contract Adjustment 1 provides for costs incurred by Contractor during time required by County Utilities staff to drain the North pond per the contract documents.

JS/ab

cc: Ron Schulhofer, Director, Public Works
Daniel T. Gray, Director, Utilities
Sia Mollanazar, P.E., Deputy Director, Engineering Services
Anthony Benitez, Project Engineer II
Project File: 6079180 10.2

LARRY BUSTLE * MICHAEL GALLEN * JOHN R. CHIAPPIE * ROBIN DISABATINO * VANESSA BAUGH * CAROL WHITMORE * BETSY BENAC
District 1 District 2 District 3 District 4 District 5 District 6 District 7



**MANATEE COUNTY
Purchasing Division**

1112 Manatee Ave. W., Ste. 803
Bradenton, FL 34205
(941) 749-3014

Term Agreement #: T1200169
Date: 07/09/13
Requested by: BENITEZ/GR

VENDOR

V017623 (941) 377-8555
CARDINAL CONTRACTORS INC
10405 TECHNOLOGY TERRACE
BRADENTON, FL 34211

ggalmin@cardinalco.com

ITEM#	DESCRIPTION	DOLLAR AMOUNT
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ADMINISTRATIVE CONTRACT ADJUSTMENT NO. 1 IS ISSUED IN ACCORDANCE WITH RESOLUTION R-07-189 WHICH WAS APPROVED IN OPEN FORUM ON OCTOBER 9, 2007.

 ***** ADMINISTRATIVE *****
 *** CONTRACT ADJUSTMENT #1 ***
 * TO ORIGINAL PURCHASE ORDER *

 ** PAPERLESS TERM AGREEMENT **
 * NO HARD COPY WIL BE SENT *
 ** TO CHANGE YOUR EMAIL **
 *** CONTACT THE BUYER ***

0007	ACA 1 TO T1200169 FOR COSTS INCURRED DURING ADDITIONAL TIME REQUIRED FOR COUNTY TO DRAIN THE NORTH POND
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ORIGINAL CONTRACT - \$13,186,000
 ACA 1 - \$31,713.66
 REVISED CONTRACT - \$13,217,713.66

60 CALENDAR DAYS ARE ADDED TO THE SCHEDULE
 WHICH CHANGES THE FINAL COMPLETION
 DATE FROM MAY 30, 2014 TO JULY 29,
 2014

414-6079180-534000/6079180-0004	31,713.66
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Agreement Total 31,713.66

Request #: TA001311
Reference #: IFB#12-1310-OV
Buyer: OLGA VALCICH CONTRACT SPECIALIST (941) 749-3055

Approved By:

See Agreement for Remittance Instructions

ADMINISTRATIVE CONTRACT ADJUSTMENT

Project Name: SWWRF Lake Filtration System and North Pond Improvements


Contract Adjustment No.: 1
 Contract Amount: \$13,186,000.00
 Project Number: 6079180

ITEM	DESCRIPTION OF ITEM AND CHANGE	DECREASE	INCREASE
1	Costs incurred during additional time required for County to drain the North Pond		\$31,713.66
BY EXECUTION OF THIS ADMINISTRATIVE CONTRACT ADJUSTMENT, THE CONTRACTOR AGREES THAT ALL CLAIMS FOR ADDITIONAL CONTRACT TIME AND FEES FOR THE ITEMS IN THIS ADMINISTRATIVE CONTRACT ADJUSTMENT HAVE BEEN SATISFIED.			

TOTAL DECREASE: **TOTAL INCREASE:**
\$31,713.66

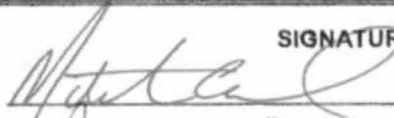

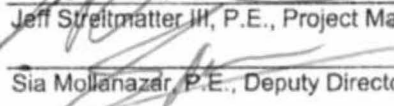

Contractor: Cardinal Contractors, Inc.
Address: 10405 Technology Terrace
City/State: Lakewood Ranch, FL 34211

THE NET CHANGE OF
 \$31,713.66
 ADJUSTS THE CURRENT CONTRACT AMOUNT FROM
 \$13,186,000.00 TO \$13,217,713.66

Contractor Signature:  Date: 06-12-13

60 CALENDAR DAYS ARE ADDED TO THE SCHEDULE WHICH CHANGES THE FINAL COMPLETION DATE FROM MAY 30, 2014 TO JULY 29, 2014.

RECOMMENDATION, CONCURRENCES AND APPROVALS

	SIGNATURES	DATE
Consultant / Engineer:		6/13/13
Project Manager:		6/18/13
Division Manager:		6-18-13
	Jeff Streltmatter III, P.E., Project Management Division Manager	
Department Director / Deputy Director		6-24-13
	Sia Mollanazar, P.E., Deputy Director, Engineering Services	

JUSTIFICATION FOR CHANGE

Contract

Adjustment No.: 1

Project Number: 6079180

1. Necessity for Change: Contractor incurred additional costs and time due to County's inability to drain pond as planned.

2. Does this change alter the scope of work? No
(If yes, explain)

3. Effect of this change on other "Prime" contractors. N/A

4. It is the contractor's responsibility to notify the bonding agency.



ENGINEERS

SURVEYORS

PLANNERS

May 17, 2012

1024-0147 (11)

Mr. Anthony Benitez, P.E.
Project Engineer, II
Manatee County Public Works
Project Management Division
1022 26th Avenue East
Bradenton, FL 34208

**Re: Manatee County
SWWRF Lake Filtration System & North Pond Improvements
Settlement of Open Issues**

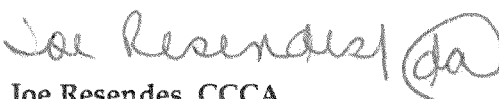
Dear Mr. Benitez:

Cardinal Contractors, Inc. (CCI) has submitted the attached Settlement of Open Issues letter which provides for sixty (60) calendar day time extension and \$31,713.66 for additional cost incurred by CCI subcontractor while County Plant Staff drained the North Pond. The settlement also includes that no additional cost and time for removal of unsuitable material from North Pond and deletion of the excavation 24-inch of North Pond. detailed breakdown of this cost is reflected in the attached letter dated May 14, 2013.

We have reviewed the settlement cost proposal negotiated between the County and CCI and it is the County's Consulting Engineer's recommendation that this proposal be accepted.

Please feel free to contact me if you have any questions or need any additional information.

Sincerely,
McKim & Creed, Inc.


Joe Resendes, CCCA
Senior Construction Administrator

1365 Hamlet Avenue

Clearwater, FL 33756

727.442.7196

Fax 727.461.3827

www.mckimcreed.com

Enclosure: CCI's May 14, 2013 letter

CC: Mitch Chiavaroli, PE
File w/enclosures



CARDINAL CONTRACTORS, INC.

A subsidiary of Primoris Services Corporation

10405 Technology Terrace
Lakewood Ranch, FL 34211
P: 941.377.8555
F: 941.377.8542
www.cardinalco.com

14 May 2013

Mr. Anthony Benitez, P.E.
Project Engineer II
Manatee County Public Works
Project Management Division
1022 26th Ave E
Bradenton, FL 34208

Via Email

Subject: Manatee County, SWWRF Lake Filtration System and North Pond Improvements
County Project No. 6079180
M&C Project No. 01024-0147
CCI Project No. 31210
Settlement of Open Issues

Dear Mr. Benitez:

As discussed on 30 April 2013 in our Monthly Construction Status Meeting, Cardinal Contractors, Inc. ("CCI") accepts Manatee County's ("County") counter offer for time and costs associated with draining of the stored water from the North Pond, removal of the unsuitable materials from the pond bottom, and deletion of the excavation of 24" of pond bottom soils. The comprehensive resolution of these issues is as follows:

- An equitable adjustment of sixty (60) days added to the contract time.
- An equitable adjustment of \$31,713.66 (Thirty-one thousand, seven hundred thirteen and 66/100 dollars) added to the contract amount for costs incurred by CCI's subcontractor (see attached) during the extra time to drain the stored water.
- No cost or time adjustment to the contract for removal of the unsuitable materials from the pond bottom.
- No cost or time adjustment to the contract for deletion of the excavation of 24" of pond bottom soils.

Please prepare the necessary documentation for our execution to close these issues revise the contract time and amount accordingly.

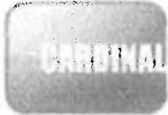
Respectfully,

Cardinal Contractors, Inc.

Dave Heller
Project Manager

Xc: Greg Galmin, CCI
Mitchel Chiavaroli, McKim & Creed
Joe Resendes, McKim & Creed

CARDINAL CONTRACTORS, INC.



10405 Technology Terrace
 Lakewood Ranch, Florida 34211
 Phone: 941/377-8555 Fax: 941/377-8542

SWWRF Lake Filtration & Pond Improvements (JOB#: 31210)
 5101 65th Street West, Bradenton, FL 34210

PROJECT NAME/PROPERTY ADDRESS

SUBCONTRACTOR NAME/ADDRESS

OWNER NAME/ADDRESS

Graber Excavating 13407 N Branch Rd, Sarasota FL 34240
 Manatee County, 1112 Manatee Avenue West, Bradenton, FL 34205

APPLICATION FOR PAYMENT NO. _____ FOR PERIOD FROM _____ TO _____

STATEMENT OF CONTRACT ACCOUNT:

1.	Original Contract Amount	1,665,250.00
2.	Approved Changes (Net)(Add/Deduct) (As per attached breakdown)	0.00
3.	Adjusted Contract Amount	1,665,250.00
4.	Value of Work Completed to Date (As per attached breakdown)	106,871.31
5.	Value of Approved Change Orders Completed to Date (As per attached breakdown)	41,666.16
6.	Materials Stored on Site: (As per attached breakdown)	
7.	Total (4+5+6)	148,537.47
8.	Less Amount Retained (<u>0.00%</u>)	0.00
9.	Total Less Retainage	148,537.47
10.	Less Previous Application for Payment	(65,043.00)
11.	Amount of This Application for Payment	83,494.47

CERTIFICATE OF THE SUBCONTRACTOR AND RELEASE OF LIEN & CLAIMS

SUBCONTRACTOR hereby certifies that the work performed and the materials supplied to date, as shown above, represent the actual value of work accomplished under the terms of the SUBCONTRACT (and all authorized changes thereto) between the undersigned and Cardinal Contractors, Inc. ("CARDINAL") relating to the above referenced PROJECT. SUBCONTRACTOR certifies that all materials and/or supplies furnished are new, of good quality, free from defects and in accordance with all applicable plans and specifications and that SUBCONTRACTOR has complied with all Federal, State and local building codes, regulations, ordinances, and tax laws, including Social Security laws and Unemployment Compensation laws and Workers' Compensation laws insofar as applicable to the performance of its SUBCONTRACT.

SUBCONTRACTOR, as an inducement and upon receipt of payment in the amount approved by CARDINAL, the value and sufficiency of which is hereby acknowledged, does hereby on its own behalf and on behalf of its heirs, assigns and successors, as of the Effective Date hereof, freely, knowingly, intentionally and without any undue influence whatsoever waive, relinquish, release and forever discharge OWNER; CARDINAL; Liberty Mutual Insurance Company and any other surety on any applicable payment bond where CARDINAL is the Principal; and, the following described real property, to wit:

Manatee County SWWRF Lake Filtration & Pond Improvements

(the "PROPERTY") from any claim, demand, lien, claim of lien, right of lien, and causes of action at law or equity of any kind whatsoever of SUBCONTRACTOR, specifically including, but not limited to, the rights contemplated by Chapters 255 and 713, Florida Statutes, arising out of or by reason of SUBCONTRACTOR having furnished labor, materials, and/or supplies incorporated or to be incorporated into the PROPERTY or PROJECT. SUBCONTRACTOR further represents that all laborers, materialmen, suppliers, subcontractors and sub-subcontractors supplying labor, materials and/or supplies to or through SUBCONTRACTOR from the beginning of the PROJECT through and including the Effective Date hereof, have been paid in full, except those specifically listed by name and amount on the reverse side hereof.

(Initial for PARTIAL RELEASE) This is a PARTIAL RELEASE for the PROPERTY and PROJECT, but it is a full, final and complete release for all labor, materials, equipment and/or supplies furnished through the Effective Date hereof, whether or not the reasonable value of such is represented by any amount paid heretofore or paid hereunder with the sole exception of earned and unpaid retainage. The Effective Date of this Partial Release shall be the date of its execution.

(Initial for FINAL RELEASE) This Release is FULL, FINAL and COMPLETE for all labor, materials, equipment and/or supplies ever furnished or to be furnished to the PROPERTY or PROJECT, whether or not the reasonable value of such is represented by any amount paid heretofore or paid hereunder. The Effective Date of this Final Release shall be the date of its execution.

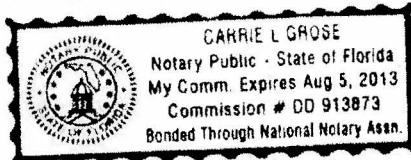
Executed this 30 day of April, 2013

Graber Excavating
 SUBCONTRACTOR
 By: [Signature]
 Printed Name: Anthony Dell'Pozzo
 As its: Project Manager

STATE OF FL
 COUNTY OF Sarasota

The foregoing instrument was sworn to and acknowledged before me, an officer duly authorized in the state and county aforesaid to take acknowledgments, this 30 day of April, 2013, by Anthony Dell'Pozzo us _____ of SUBCONTRACTOR, who is personally known to me or who has produced as identification and who did or did not (circle as applicable) take an oath.

Name: [Signature]
 Notary Public
 My Commission Expires:



SCHEDULE OF VALUES

Date: _____

Project No.: MCE 1024-0147
 Project: SWWRF Lake Filtration
 Contractor: Graber Excavating

Contract No.: _____
 CR No.: _____

Work Completed

Item Number	Description	Scheduled Value	UM	QTY	Previous	This Period	Work Not in F&G	Total Completed and Stored F+G+H
	Mobilization	\$ 16,000.00			\$ 16,000.00			\$ 16,000.00
	Excavate Unsuitable Mat	\$ 89,400.00			\$ -	\$ 19,583.81		\$ 19,583.81
	Place and Compact Material In Pond Bottom	\$ 1,387,000.00			\$ -	\$ 14,347.50		\$ 14,347.50
	Demolition	\$ 41,000.00			\$ 4,100.00	\$ -		\$ 4,100.00
	Clear, Grub and Stockpile Outside Slopes	\$ 46,400.00			\$ 39,440.00	\$ -		\$ 39,440.00
	Clear and Remove Inside Slopes	\$ 13,400.00			\$ 12,730.00	\$ 670.00		\$ 13,400.00
	Cut and Fill Perimeter Roadway	\$ 67,300.00			\$ -	\$ -		\$ -
	Excavate and Install Center Berm Road	\$ 4,750.00			\$ -	\$ -		\$ -
	Subtotal	\$ 1,665,250.00			\$ 72,270.00	\$ 34,601.31		\$ 106,871.31
	Change Order No. 1							
	Equipment Rental		LS	1.00	\$ -	\$ 9,952.50		\$ 9,952.50
	Compensatory Time		LS	1.00	\$ -	\$ 31,713.66		\$ 31,713.66
	Subtotal					\$ 41,666.16		\$ 41,666.16
	TOTAL					\$ 76,267.47		\$ 148,537.47

CCI Project No. 31210
SWWR Lake Filtration System and North Pond Improvements
Manatee County, Florida

Graber Excavation, Inc. Daily Project Costs

Item	Hourly Rate	Hours	Daily Rate	Days	Total
Dozer 1	\$ 23.89	10.00	\$ 238.85	34	\$ 8,120.90
Dozer 2	\$ 23.89	10.00	\$ 238.85	38	\$ 9,076.30
TOPCON 3DMCsq #1	\$ 11.36	10.00	\$ 113.63	34	\$ 3,863.42
TOPCON 3DMCsq #2	\$ 11.36	10.00	\$ 113.63	38	\$ 4,317.94
New Holland E160-1	\$ 27.24	10.00	\$ 272.35	21	\$ 5,719.35
Job Trailer	\$ 5.63	8.00	\$ 45.00	11	\$ 495.00
Portable Fuel Tank	\$ 2.16	8.00	\$ 17.25	7	\$ 120.75
					\$ 31,713.66



To: Vicki Tessmer <vicki.tessmer@ManateeClerk.com>,
Cc: Anthony Benitez/MCG, Gwen Richards/MCG, Kathleen Casey/MCG, Marsha Colburn/MCG,
Sherri Robinson/MCG, Greg Galmin <ggalmin@cardinalco.com>,
Bcc: olga.valcich@mymanatee.org.,
Subject: ACA #1 to PO No. T1200169 / Cardinal Contractors, Inc.,
(REF: IFB #12-1310-OV, SWWRF Lake Filtration System and North Pond Improvements)

Good day Vicki:

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1112 Manatee Avenue West, Suite 803
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EMail to BK