
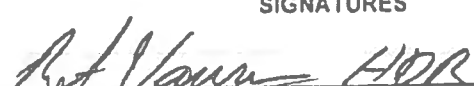
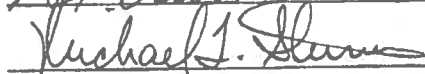




CONTRACT CHANGE ORDER <small>(for Total Contract Adjusted Amount Greater than \$1,000,000)</small>		Change Order No.: 2	
PROJECT: Ft. Hamer Bridge Project with Road Improvements on Upper Manatee River Road		Contract Amount (Present Value) \$33,387,154.92	
		Project Number: 6082660	
NO. OF ITEM	DESCRIPTION OF ITEM AND CHANGE	DECREASE	INCREASE
36	(0334-1-13) Superpave Asphalt Concrete Traffic C - Increase Quantity +1,334.61 Tons at 95.00/Ton = \$126,787.95 <small>BY EXECUTION OF THIS CHANGE ORDER THE CONTRACTOR AGREES THAT ALL CLAIMS FOR ADDITIONAL CONTRACT TIME AND FEES FOR THE ITEMS IN THIS CHANGE ORDER HAVE BEEN SATISFIED</small>		\$126,787.95
		TOTAL DECREASE:	TOTAL INCREASE: \$126,787.95
Contractor: Johnson Brothers a Southland Company Address: 4316 New River Hills Parkway Suite B City / State: Valrico FL 33596 Contractor Signature:  Date <u>7/5/17</u>		THE NET CHANGE OF \$ 126,787.95 ADJUSTS THE CURRENT CONTRACT AMOUNT FROM \$33,387,154.92 TO \$33,513,942.87 0 CALENDAR DAYS ARE ADDED TO THE SCHEDULE WHICH CHANGES THE FINAL COMPLETION DATE TO July 31, 2017	
RECOMMENDATION, CONCURRENCES AND APPROVALS			
	SIGNATURES		DATE
Consultant / Engineer:			<u>7/5/17</u>
Project Manager:			<u>7/5/17</u>
Division Manager:			<u>7-6-17</u>
Manatee County Purchasing	 Melissa M. Wendel, CPPO, Purchasing Official		<u>7/25/17</u>
<small>Authority to execute this contract per Manatee County Code, Chapter 2-26 and per the delegation by the County Administrator effective 1/26/2009</small>			

CONTRACT CHANGE ORDER

(for Total Contract Adjusted Amount Greater than \$1,000,000)

PROJECT: Ft. Hamer Bridge Project with Road Improvements
on Upper Manatee River Road

Change Order No.: 2
Contract Amount (Present Value) \$33,387,154.92
Project Number: 6082660

NO. OF ITEM	DESCRIPTION OF ITEM AND CHANGE	DECREASE	INCREASE
36	(0334-1-13) Superpave Asphaltic Concrete Traffic C - Increase Quantity +1,334.61 Tons at 95 00/Ton or \$126,787.95		\$126,787.95

BY EXECUTION OF THIS CHANGE ORDER THE CONTRACTOR AGREES THAT ALL CLAIMS FOR ADDITIONAL CONTRACT TIME AND FEES FOR THE ITEMS IN THIS CHANGE ORDER HAVE BEEN SATISFIED

TOTAL DECREASE: **TOTAL INCREASE:**
\$126,787.95

Contractor: Johnson Brothers, a Southland Company
Address: 4316 New River Hills Parkway, Suite 8
City / State: Valrico, FL 33596

THE NET CHANGE OF \$ 126,787.95
ADJUSTS THE CURRENT CONTRACT AMOUNT FROM
\$33,387,154.92 TO \$33,513,942.87

Contractor Signature:  Date: 7/5/17

0 CALENDAR DAYS ARE ADDED TO THE SCHEDULE WHICH CHANGES THE FINAL COMPLETION DATE TO July 31, 2017

RECOMMENDATION, CONCURRENCES AND APPROVALS

SIGNATURES

DATE

Consultant / Engineer:

 HDR

7/5/17

Project Manager:



7/5/17

Division Manager:

 Jeff Streitmatter III, P.E., Project Management Division Manager

7-6-17

Manatee County Purchasing:

Melissa M. Wendel, CPPO, Purchasing Official
Authority to execute this contract per Manatee County Code, Chapter 2-26
and per the delegation by the County Administrator effective 1/26/2009

JUSTIFICATION FOR CHANGE

Change Order No : 2

Project Number: 6082660

1. NECESSITY FOR CHANGE:

Change Order #2 provides for the increase of funds to Upper Manatee River Road project funding source #6082660 to allow payment to the contractor for the additional asphalt concrete required to provide proper roadway cross slope drainage.

- 2. Is change an alternate bid? (If yes, explain) No
- 3. Does change substantially alter the physical size of the project? (If yes, explain) No
- 4. Effect of this change on other "Prime" contractors? None
- 5. Has the Surety and insurance company been notified, if applicable? CONTRACTOR RESPONSIBILITY



CHANGE PROPOSAL COST SUMMARY

Owner: Manatee County

Project: Ft. Hamer Bridge Project w/ Roadway
Improvements on Ft. Hamer Road and UMRR

Contract #: 14-3257CD

Date: 28-Mar-17

JBC Job #: 27-18

C.P. #: 048

Estimator: ETC

Brief Scope of Work: Contract Units Overrun for pay item 36 for Upper Manatee River Road Project

Does this Change affect the Contract Time? NO **If so, number of days (+/-):** 0.00

UNIT PRICES:				Quantity	Measure	Unit Price	
Pay Item No.	FDOT No.	Description					
36	0334-1-13	Superpave Asphaltic Concrete, Traffic C,	1,334.61	TN	\$ 95.00	\$	126,787.95
SUBTOTAL:						\$	126,787.95

Estimate Subtotal	\$	-
Unit Price Subtotal	\$	126,787.95
Insurance 0.00%	\$	-
Bond 0.00%	\$	-
TOTAL CHANGE PROPOSAL COST:	\$	126,787.95

Notes:

Deduct \$0.00 if contingency is used.

**ZURICH AMERICAN INSURANCE COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**

DALLAS BRANCH OFFICE

15303 Dallas Parkway, Suite 800, Addison, TX 75001

RIDER

To be attached to and form a part of Performance and Payment Bond, No. PRF9149832, originally effective the 24th day of February, 2015, issued by the Zurich American Insurance Company, as Surety, on behalf of Johnson Bros. Corporation, a Southland Company, as Principal, in the penal sum of Thirty-Three Million, Three Hundred Eighty-Six Thousand, Eight Hundred Fifty-Four & 92/100 Dollars (\$ 33,386,854.92), and in favor of Manatee County Board of County Commissioners.

In consideration of the premium charged for the attached bond, it is hereby agreed that the attached bond be amended as follows:

In accordance with Change Order #2 bond penalty is hereby increased by \$126,787.95, which represents the net increase to the contract total.

Provided, However, that the attached bond shall be subject to all its agreements, limitations and conditions except as herein expressly modified, and further that the liability of the Surety under the attached bond and the attached bond as amended by this rider shall not be cumulative.

This rider shall become effective as of the 6th day of July, 2017.

Signed, sealed and dated this 6th day of July, 2017.

ATTEST

By: Kathleen Spradley

PRINCIPAL

Johnson Bros. Corporation, a Southland Company

By: Alena Fields

SURETY

Zurich American Insurance Company

By: Steven B. Siddons

Steven B. Siddons, Attorney-in-Fact
Attorney-in-Fact

J1123



ACCEPTED IN OPEN SESSION 7/25/17
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **GERALD F. HALEY, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Steven B. SIDMONS, Holly A. GRAVENOR, Lorrie SCOTT, Shirong CHEN and Linda K. EDWARDS, all of Fort Worth, Texas, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings, EXCEPT bonds on behalf of Independent Executors, Community Survivors and Community Guardians**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 30th day of September, A.D. 2016.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: *Eric D. Barnes*

Gerald F. Haley

Secretary
Eric D. Barnes
State of Maryland
County of Baltimore

Vice President
Gerald F. Haley

On this 30th day of September, A.D. 2016, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **GERALD F. HALEY, Vice President, and ERIC D. BARNES, Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Constance A. Dunn



Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2019

Project Title: Fort Hamer Road
Department: Public Works
Project Manager: Mike Sturm
Description of Procurement: Change Order
Date of Report: 7/6/2017

Financial Summary of Project #

	<u>Account Key</u>	<u>Object Code</u>	<u>Budget</u>	<u>Encumb</u>	<u>PTD</u>	<u>Remaining Balance</u>	<u>Procurement Item</u>	<u>Remaining Balance</u>
Revenues								
Gas Taxes	307-0000000	381101	2,400,000		2,400,000			
Gas Taxes	309-6054764	381101	975,000		975,000			
Bonds	323-6054764	384001	140,000		140,000			
Bonds	323-0000000	384001	169,174		169,174			
Gas Taxes	341-0000000	381101	1,619,013		1,619,013			
Impact Fees	380-6054764	381180	1,100,000		1,100,000			
Impact Fees	380-0000000	381180	1,000,000		1,000,000			
Impact Fees	382-6054764	381182	393,996		393,996			
Impact Fees	395-6054764	381180	837,606		837,606			
			8,634,789	-	8,634,789	-	-	-
Expenses								
	307-6054764	534000	2,400,000	706,629	1,575,433	117,937	-	117,937
	309-6054764	534000	975,000	196,240	715,110	63,651		63,651
	323-6054764	531000	309,174	309,173		1		1
	341-6054764	534000	1,619,013	334,762	1,144,321	139,931		139,931
	380-6054764	534000	2,100,000	999,537	776,357	324,106	-	324,106
	382-6054764	534000	393,996	107,948	251,694	34,355		34,355
	395-6054764	534000	837,606	137,475	636,301	63,830		63,830
			8,634,789	2,791,764	5,099,215	743,810	-	743,810
Revenues	Gas Taxes	4,994,013	57.84%					
	Debt	309,174	3.58%					
	Impact Fees	3,331,602	38.58%					
Total		8,634,789	100.00%					
Difference			-					

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - July 25, 2017

REVISED July 25, 2017 - Regular Meeting
Agenda Item #27

Approved in Open Session 7/25/17,
Manatee County
Board of County Commissioners

Subject

Change Order 2 to Agreement 14-3257CD: Fort Hamer Bridge Project with Road Improvements on Fort Hamer Road and Upper Manatee River Road

Briefings

None

Contact and/or Presenter Information

Contact: Chris Daley, Financial Management Department, Procurement Division, Ext. 3048.

Presenters: Michael Sturm, Engineer II, Ext. 7332, and Jeff Streitmatter, Public Works Department, Project Management Division, Ext 7335.

Action Requested

Authorize the County Administrator or his designee to execute Change Order 2 and accept the Bond Rider to Agreement 14-3257CD: Fort Hamer Bridge Project with Road Improvements on Fort Hamer Road and Upper Manatee River Road with Johnson Bros. Corporation, a Southland Company, Lithia, FL, increasing the contract sum by \$126,787.95 from \$33,387,154.92 to \$33,513,942.87.

Enabling/Regulating Authority

Manatee County Code of Laws

Background Discussion

At its meeting on February 26, 2015, the Board of County Commissioners executed Agreement 14-3257CD with Johnson Bros. Corporation, a Southland Company, LLC, in the amount of \$32,690,155.48 based on a completion time of 630 calendar days for the construction of a bridge over the Manatee River connecting Upper Manatee River Road to Fort Hamer Road along with roadway functional improvements to both Upper Manatee River Road and Fort Hamer Road.

On April 18, 2016, Administrative Contract Adjustment 1 to the Agreement was executed providing for an additional 70 calendar days claimed by the Contractor due to inclement weather.

On February 14, 2017, Administrative Contract Adjustment 2 to the Agreement was executed providing for an additional 38 calendar days claimed by the Contractor due to inclement weather.

On March 30, 2017, Administrative Contract Adjustment 3 to the Agreement was executed providing for an additional 9 calendar days claimed by the Contractor due to inclement weather.

At its meeting on May 9, 2017, the Board of County Commissioners executed Change Order 1 to the Agreement providing for an additional \$696,999.44 for the installation of new signalization at the intersections of Fort Hamer Road/Golf Course Road and Fort Hamer Road/ Mulholland Road; and an additional 121 calendar days to the construction schedule for work required at Fort Hamer Bridge piers 7, 8, and 14 due to subsurface conditions that differed from the soil borings.

Change Order 2 provides for an additional \$126,787.95 for the additional asphaltic concrete required to provide proper roadway cross slope drainage for the Upper Manatee River Road portion of the project.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

Original to Board Records

Copies to:

Johnson Bros. Corporation, 5476 Lithia Pinecrest Road, Lithia, FL 33765 (twinn@johnson-bros.com).

Johnnie Yetter (johnnie.yetter@mymanatee.org), Public Works Department;

Towanda Brinson, (towanda.brinson@manateeclerk.com), Accounts Payable Finance Department;

Chris Daley (chris.daley@mymanatee.org), Procurement Division.

Distributed 7/26/17, RT

Cost and Funds Source Account Number and Name

The funding sources for this Agreement are Transportation Bonds, Road Impact Fees, and Gas Taxes - Various Accounts in projects 6035560, 6054764, 6082660

Amount and Frequency of Recurring Costs

N/A

Attachment: [14-3257CD Departmental Memo for CO #2.pdf](#)


Attachment: [14-3257CD Johnson Bros Corporation Contract-CO#2.pdf](#)

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - July 25, 2017

Attachment: [14-3257CD- Bond Rider for CO#2.pdf](#)

MEMORANDUM



To: Melissa M. Wendel, CPPO, Purchasing Official
From:  Jeff Streitmatter III, P.E., Project Management Div. Manager
Date: July 5, 2017
Subject: **Contract Change Order No. 2
Fort Hamer Bridge with Road Improvements on Fort
Hamer Road and Upper Manatee River Road
Johnson Bros a Southland Company**

RECOMMENDATION:

Execution of Change Order No. 2 to P.O. T1400236 with Johnson Bros a Southland Company increasing the contract amount by \$126,787.95, from \$33,387,154.92 to \$33,513,942.87. The funding source for this contract is Transportation Bonds, Road Impact Fees, and Gas Taxes.

COMPREHENSIVE PLAN/POLICY DETERMINATION:

The services requested are consistent with Comprehensive Plan Goal 5.1, and Manatee County Purchasing Ordinance.

BACKGROUND/DISCUSSION:

- February 26, 2015, the BCC executed a contract with Johnson Bros. Corporation in the amount of \$32,690,155.48 for construction of a bridge, roadway improvements and installation of storm sewer and utility infrastructure.
- Administrative Contract Adjustment No. 1 was approved on April 18, 2016 for 70 calendar days and provided for additional days claimed by the contractor due to inclement weather.
- Administrative Contract Adjustment No. 2 was approved on February 14, 2017 for 38 calendar days and provided for additional days claimed by the contractor due to inclement weather.
- Administrative Contract Adjustment No. 3 was approved on March 30, 2017 for 9 calendar days and provided for additional days claimed by the contractor due to inclement weather.
- Change Order No. 1 was approved May 9, 2017 for \$696,999.44 and provided for additional work required at Fort Hamer Bridge Piers 7, 8, and 14 due to subsurface conditions that differed from the soil borings and for the installation of new signalization at the intersections of Fort Hamer Road and Golf Course Road and Fort Hamer Road and Mulholland Road.

Public Works Department
Project Management Division
1022 26th Avenue East, Bradenton, FL 34208-3926
Phone number: (941) 708-7450

- Change Order No. 2 is for \$126,787.95 and provides for additional asphaltic Concrete necessary to provide proper roadway cross slope for the Upper Manatee River Road project.

JS/ms

cc: Ron Schulhofer, Director, Public Works
Sia Mollanazar, P.E., Deputy Director, Engineering Services
Carmen Mosley, MA, Senior Fiscal Services Division Manager
M4 Michael L. Sturm, P.E., Project Manager
Project File: 6035560, 6082660, 6054764 10.2

MEMORANDUM



To: Ed Hunzeker, County Administrator
From: Diane Vollmer, Agenda Coordinator
Date: July 24, 2017
Subject: **Agenda Update for Meeting of July 25, 2017**

THIS MEMO AND THE CHANGES INDICATED BELOW ARE REFLECTED IN THE ELECTRONIC AGENDA (E-AGENDA)

CHANGES TO CONSENT AGENDA

CLERK OF CIRCUIT COURT

14. **Clerk's Consent Agenda** – The Clerk's Consent was revised to *delete* the acceptance of the Construction Agreement with Green Roofing and Waterproofing Technologies LLC.

FINANCIAL MANAGEMENT

27. **Change Order 2 to Agreement 14-3257CD: Fort Hamer Bridge Project with Road Improvements on Fort Hamer Road and Upper Manatee River Road** – The requested action was updated to read: *"Authorize the County Administrator or his designee to execute Change Order 2 and accept the Bond Rider to Agreement 14-3257CD..."*
28. **Change Order 2 to Agreement 15-1519DS: Manatee Agricultural Reuse Supply (MARS) Management Improvements** – The requested action was updated to read: *"Authorize the County Administrator or his designee to execute Change Order 2 and accept the Bond Rider to Agreement 15-1519DS..."*

PUBLIC SAFETY

40. **Emergency Management Preparedness & Assistance (EMPA) Trust Fund Agreement - FY 2017–2018 – Deferred**
41. **Emergency Management Performance Grant (EMPG) Fund Agreement - FY 2017–2018 - Deferred**

July 25, 2017 - Regular Meeting
Agenda Item #27

Subject

Change Order 2 to Agreement 14-3257CD: Fort Hamer Bridge Project with Road Improvements on Fort Hamer Road and Upper Manatee River Road

Briefings

None

Contact and/or Presenter Information

Contact: Chris Daley, Financial Management Department, Procurement Division, Ext. 3048.

Presenters: Michael Sturm, Engineer II, Ext. 7332, and Jeff Streitmatter, Public Works Department, Project Management Division, Ext 7335.

Action Requested

Authorize the County Administrator or his designee to execute Change Order 2 to Agreement 14-3257CD: Fort Hamer Bridge Project with Road Improvements on Fort Hamer Road and Upper Manatee River Road with Johnson Bros. Corporation, a Southland Company, Lithia, FL, increasing the contract sum by \$126,787.95 from \$33,387,154.92 to \$33,513,942.87.

Enabling/Regulating Authority

Manatee County Code of Laws

Background Discussion

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REPLACED

On March 30, 2017, Administrative Contract Adjustment 3 to the Agreement was executed providing for an additional 9 calendar days claimed by the Contractor due to inclement weather.

At its meeting on May 9, 2017, the Board of County Commissioners executed Change Order 1 to the Agreement providing for an additional \$696,999.44 for the installation of new signalization at the intersections of Fort Hamer Road/Golf Course Road and Fort Hamer Road/ Mulholland Road; and an additional 121 calendar days to the construction schedule for work required at Fort Hamer Bridge piers 7, 8, and 14 due to subsurface conditions that differed from the soil borings.

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County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

Original to Board Records

Copies to:

Johnson Bros. Corporation, 5476 Lithia Pinecrest Road, Lithia, FL 33765 (twinn@johnson-bros.com).

Johnnie Yetter (johnnie.yetter@manatee.org), Public Works Department;

Towanda Brinson, (towanda.brinson@manateeclerk.com), Accounts Payable Finance Department;

Chris Daley (chris.daley@manatee.org), Procurement Division.

Cost and Funds Source Account Number and Name

The funding sources for this Agreement are Transportation Bonds, Road Impact Fees, and Gas Taxes - Various Accounts in projects 6035560, 6054764, 6082660

Amount and Frequency of Recurring Costs

N/A

Attachment: [14-3257CD Departmental Memo for CO #2.pdf](#)

Attachment: [14-3257CD Johnson Bros Corporation Contract-CO#2.pdf](#)

Attachment: [14-3257CD- Bond Rider for CO#2.pdf](#)

REPLACED