

Meeting Date
07/22/2014



AGENDA	
Section	Consent
Item No.	II.A.5

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval Re: Task Order No. BB-021 for Professional Engineering Services Agreement Regarding Barnes Boulevard Widening Project – District 4
DEPT/OFFICE:	Public Works Department – Finance & Contracts Administration

Requested Action:

It is requested that the Board of County Commissioners approve and authorize the Chairman to execute Task Order No. BB-021 in the amount of \$247,355.25 for the Professional Engineering Services Agreement for Construction Phase Services.

Summary Explanation & Background:

The Board of County Commissioners entered into an Agreement with Bussen-Mayer Engineering Group, Inc. on July 14, 2003, to provide engineering and design services for the Barnes Boulevard Widening Project.

The subject of this Task Order (Barnes Blvd-021) is for additional construction phase services. The current contract for the Barnes Blvd. Widening Project for construction services is \$101,380.40. Over the course of the design period for Barnes Boulevard Widening, several factors have developed during the design, permitting and right-of-way acquisition process, which will increase the required scope of construction phase services from the original scope. Those circumstances are as follows:

- The length of the construction phase has increased from a base line pre-design assumed duration of 12 months to the current anticipated post design duration of 33 months. This increase in the project timeframe will increase construction inspection and engineering consulting costs. Further, this revised cost is less than 1.5% of the bid construction amount (over \$21 Million). These services typically exceed this level.
- The addition of the east pond portion of the project will require additional inspections and coordination.

Per the Interlocal Agreements approved by the Board, a portion of this cost \$77,180.00, will be reimbursed by the City of Cocoa for the waterline construction, and the City of Rockledge for the forcemain construction. Brevard County's portion is \$170,175.25.

Fiscal Impact: FY 2014/2015 – \$170,175.25 (County Portion) Funding is available in Business Area 1163, Cost Center 265160.

Clerk to the Board Instructions: Return two copies of Task Order to Department

Exhibits Attached: Two copies of the Task Order and Exhibits

Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager

Assistant County Manager, Mel Scott

Department Director / Extension

Stockton Whitten

Assistant County Manager, Venetta Valdengo

John P. Denninghoff / 57202



Tammy Etheridge, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972

July 23, 2014

MEMORANDUM

TO: John Denninghoff, Public Works Director

RE: Item II.A.5., Task Order No. BB-021 for Professional Engineering Services Agreement Regarding Barnes Boulevard Widening Project

The Board of County Commissioners, in regular session on July 22, 2014, executed Task Order No. BB-021, in the amount of \$247,355.25 for the Professional Engineering Services Agreement for Construction Phase Services. Enclosed are two executed copies of the Task Order for your action.

Upon execution by Bussen-Mayer Engineering Group, Inc., please return a fully-executed copy of the Task Order to this office for inclusion in the official minutes.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK



Tammy Etheridge, Deputy Clerk



/kg

Encls. (2)

cc: Contracts Administration
Finance
Budget

TASK ORDER NO. BB-021
FOR THE
PROFESSIONAL ENGINEERING SERVICES AGREEMENT
BREVARD COUNTY PUBLIC WORKS DEPARTMENT
BARNES BOULEVARD WIDENING PROJECT

This TASK ORDER NO. BB-021, dated the 22nd, of July, 2014, by and between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter referred to as "County", and Bussen-Mayer Engineering Group, Inc., a Florida Corporation, whose local address is 100 Parnell Street, Merritt Island, FL 32953, hereinafter referred to as "Consultant" amending that certain agreement between the parties dated July 14, 2003.

WITNESSETH:

WHEREAS, the County and Consultant entered into a contract dated July 14, 2003, to design a transportation project known as the Barnes Boulevard Widening ("Project"); and

WHEREAS, pursuant to Consultant's fee proposal dated July 3, 2014, addressed to Ms. Tammy Thomas-Wood, concerning this project and the Consultant's proposal for additional construction phase services, as stated in Exhibit "A" hereto; and

WHEREAS, it is necessary to amend the contract dated July 14, 2003, to provide for additional compensation to be paid to the Consultant, the additional fee shall not exceed \$247,355.52, for services rendered pursuant to Phase IV Construction Management as shown in Exhibit "A".

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES AND OF THE MUTUAL COVENANTS AND AGREEMENTS CONTAINED HEREIN, IT IS AGREED AS FOLLOWS:

1. Amendment of Paragraph 5:

That paragraph 5, Compensation, of the contract dated July 14, 2003, is hereby amended as follows:

The professional services fee relating to Phase IV – Construction Management, shall be increased by an additional Not to Exceed \$247,355.25, as shown in attached Exhibit "A" "subject to the limitations of paragraph 6 (B) of the original contract dated July 14, 2003. The total amount of compensation to be paid pursuant to Phase IV – Construction Management is \$348,735.65.

2. By execution of this task order the additional services described in Exhibit "A" are added to the original scope of service.

3. All other terms and conditions of the contract dated July 14, 2003, between the County and the Consultant are ratified, confirmed and incorporated by reference herein.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals.

John Denninghoff
Public Works Department Director



Mary Bolin Lewis, Chairman

COUNTY ATTORNEY REVIEW BLOCK

Reviewed for legal form and content:

(Assistant) County Attorney

As approved by the Board on 07-22-14.

ATTEST:



Scott Ellis, Clerk

BUSSEN-MAYER ENGINEERING GROUP, INC.
A FLORIDA CORPORATION

BY: _____

ACKNOWLEDGMENT

**STATE OF FLORIDA
COUNTY OF**

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state and county aforesaid to take acknowledgments, personally appeared _____ and _____, to me known to be the _____ and _____ of Bussen-Mayer Engineering Group, Inc., who executed the foregoing instrument, and they acknowledged before me that they executed the same.

WITNESS my hand and official seal, this _____ day of _____, 2014.

Notary Public
State of Florida
My commission expires:



July 3, 2014

Tammy Thomas-Wood, Finance Officer
Brevard County Public Works Department
2725 Judge Fran Jamieson Way, Building A
Viera, FL 32940

**RE: BARNES BLVD. ROAD WIDENING PROJECT
CONSTRUCTION PHASE SERVICES
BUSSEN-MAYER PROJECT NUMBER: 330401**

Dear Ms. Thomas-Wood:

Pursuant to our recent coordination and discussions with County Staff, please consider this our change order request for additional construction phase services relating to the above referenced project. Our original contract for the Barnes Blvd. Widening Project included construction services with a fee of \$87,380.40. A change order (No. BB-005) was issued in November of 2006 in the amount of \$14,000.00, bringing the total contract amount to \$101,380.40. Several factors have developed during the design, permitting and right-of-way acquisition process, which will increase the required scope of construction phase services from that originally contemplated. Those factors are summarized as follows:

1. The original anticipated length of the construction phase of the project was approximately 12 months. The current anticipated construction schedule includes 989 days for the contractor to complete his work (approximately 141 weeks). This increase in the project construction timeframe will increase construction inspection and engineering consulting costs considerably.
2. During development of the project, it was determined to complete a portion of the project; i.e. the Fiske Blvd. intersection improvements, prior to completion of the remainder of the project. A portion of the originally anticipated construction fees (\$12,165.65) was utilized to complete the construction phase services for that initial phase of the project. That leaves a current remainder of \$89,214.75
3. Increased regulations and Brevard County Public Works requirements necessitate additional time by the engineer, transportation engineer, and select consulting staff, during the construction phase of the project.

4. The east pond portion of the project was ultimately included in the overall Barnes Blvd. Widening Project. Additional inspections and coordination will be required in order to address this portion of the project.

Based on this information and our recent project experience, we have completed an updated man-hour estimate as attached in Exhibit "A". In addition, our transportation engineering sub-consultant, Lassiter Transportation Group, has provided an updated proposal, attached as Exhibit "B".

We propose to provide the construction phase services for the total estimated fee contained in Exhibit "A", totaling \$336,570.00. This is a change order addition of \$288,485.25 from the current \$89,214.75 remaining in our existing agreement.

We respectfully request a change order in the amount of \$247,355.25.

Please note that this Change Order request and the total estimated fee referenced above include the required utility inspection and certification services for the waterline JPA with the City of Cocoa Utilities Department and the forcemain/reuse JPA with the City of Rockledge Utilities Department. As per Exhibit "A" attached, we estimate the City of Cocoa JPA will require \$43,130.00 (12.8%) of the overall fee; and the City of Rockledge JPA will require \$34,050.00 (10.1%) of the overall fee.

If you have any questions or require additional information, please advise. Thank you for your continued cooperation.

Sincerely,

BUSSEN-MAYER ENGINEERING GROUP, INC.



Joseph W. Mayer, P.E.
President

cc: Richard Szpyrka, P.E.

Exhibit "A"
Barnes Blvd. Widening Project
BMEG #330401
Construction Services Fee Estimate

- Active Construction Time Frame = 140 weeks

- Estimated Time Requirements:

Professional Engineer	4 hrs/week x 141 weeks x \$100/hr.	\$ 56,400.00
Project Technician	6 hrs/week x 141 weeks x \$60/hr.	\$ 50,760.00
Project Inspector (in-house)	6 hrs/week x 141 weeks x \$50/hr.	\$ 42,300.00
Office Administrative	6 hrs/week x 141 weeks x \$35/hr.	<u>\$ 29,610.00</u>
Engineering Subtotal		\$179,070.00

- Inspection Time 20 hrs/week x 141 weeks x \$50/hr. \$141,000.00

BMEG Subtotal	\$320,070.00
LTG Services	<u>\$ 16,500.00</u>

Total Estimate Fee	\$336,570.00
Current Available Fee	\$ 89,214.75

Change Order Amount \$247,355.25

- Subtotal; City of Cocoa JPA

- Estimated waterline construction time = 19 weeks

- Estimated Time Requirements:

Professional Engineer	4 hrs/week x 19 weeks x \$100/hr.	\$ 7,600.00
Project Technician	6 hrs/week x 19 weeks x \$60/hr.	\$ 6,840.00
Project Inspection (in-house)	6 hrs/week x 19 weeks x \$50/hr.	\$ 5,700.00
Office Administrative	6 hrs/week x 19 weeks x \$35/hr.	\$ 3,990.00
– Inspection Time	20 hrs/week x 19 weeks x \$50/hr.	<u>\$ 19,000.00</u>
	City of Cocoa Subtotal	\$ 43,130.00

- Subtotal; City of Rockledge JPA

- Estimated forcemain/reuse construction time = 15 weeks

- Estimated Time Requirements:

Professional Engineer	4 hrs/week x 15 weeks x \$100/hr.	\$ 6,000.00
Project Technician	6 hrs/week x 15 weeks x \$60/hr.	\$ 5,400.00
Project Inspection (in-house)	6 hrs/week x 15 weeks x \$50/hr.	\$ 4,500.00
Office Administrative	6 hrs/week x 15 weeks x \$35/hr.	\$ 3,150.00
– Inspection Time	20 hrs/week x 15 weeks x \$50/hr.	<u>\$ 15,000.00</u>
	City of Rockledge Subtotal	\$ 34,050.00

Via E-mail (joebmeg@bellsouth.net)

Ref: 2006144/3489

April 9, 2014

Joe Mayer, PE
Bussen-Mayer Engineering Group, Inc.
100 Parnell Street
Merritt Island, FL 32953

Re: Barnes Boulevard – *Additional Traffic Engineering Services – Post Design Services*
Brevard County, FL

Dear Mr. Mayer:

Lassiter Transportation Group, Inc. (LTG) will revise the October 9, 2006 agreement for the Barnes Boulevard project (the PROJECT) located in Brevard County, Florida (the COUNTY) to reflect an additional Task for the for Post Design Services. All terms and conditions of the original contract will continue to govern.

Task 1.1 – Specification Support

LTG will provide a one-time review and editing of the traffic signal and intelligent transportation systems (ITS) portion of the standard technical specifications and bid documents. LTG will respond in writing to the CLIENT, providing recommendations for responses to the any contractor requests for additional information relating to the traffic signal or ITS specifications.

Task 1.2 – Plans Interpretation

LTG shall address questions raised by the bidders and selected contractor in a timely manner as the questions pertain to the plans sheets prepared by LTG. The questions shall be addressed in writing within best engineering practices, relying on adopted standards. The CLIENT shall be the direct recipient of all correspondence.

Task 1.3 – Construction Observation

If authorized by the CLIENT, LTG shall attend up to twenty (20) site observation meetings during the construction of the traffic signals and ITS. LTG shall note conditions in the field and shall indicate whether or not the construction is generally in compliance with the plans. LTG shall forward to the CLIENT a field report following each site observation meeting describing the conditions noted. Recommendations for corrective actions, if warranted, shall be made to the CLIENT.

Task 1.4 – Shop Drawing Reviews

LTG shall provide shop drawing reviews of the traffic signal and ITS plans. LTG shall note any deviations from acceptable products and shall submit to the CLIENT written documentation of the reviews. If non-standard mast arm poles are required, a structural engineering subconsultant will provide the shop drawing reviews of the structural plans. Shop drawing review of non-standard mast arms will be performed BY OTHERS. Please note, the design plans utilize standard assemblies so this issue is not expected to arise.

Task 1.5 – Construction Support

In the event that unforeseen site conditions arise, LTG shall provide support to the County to ensure that

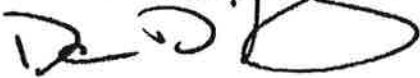
Joe Mayer, PE
April 9, 2014
Page 2

construction progress continues. This task includes, but is not limited to, coordination with agencies, utility owners, property owners, plans revisions due to field conditions, and construction change order reviews.

The additional work effort shall be conducted for a fixed fee of sixteen thousand two hundred ninety dollars and zero cents (\$16,290.00). LTG understands that time is of the essence in the construction phase of a project. We will address all requests in an expedited manner and will attend meetings scheduled by the CLIENT with minimal notice. If you are in agreement with this proposal for ADDITIONAL SERVICES, please sign below and return the authorization to LTG.

Sincerely,

LASSITER TRANSPORTATION GROUP, INC.



Daniel M. D'Antonio, PE, PTOE
Principal

I hereby understand the fee amount and authorize LTG to commence with the analysis as described above. I understand that the Terms and Conditions of the original agreement apply to this supplemental agreement.

Joe Mayer, PE
Bussen-Mayer Engineering Group, Inc.

Date

**BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS**

INITIAL CONTRACT FORM

SECTION I

The following information must be completed on all new contracts submitted to the Board.

1. Contractor: Bussen-Mayer Engineering Group	
2. Fund/Account #:	Division Name: Finance & Contract Administration
4. Contract Description: Task Order #BB-021 for Barnes Blvd. Widening Project	
5. Contract Monitor: Tammy Thomas-Wood	6. Mail Stop #: 81
7. Dept./Office Director: Public Works/John Denninghoff	8. Contract Type: Task Order
ACTION DATE: 30 days from entry	ACTION REQUIREMENT: Need complete data

SECTION II

The following departments must approve all contracts submitted to the Board:

<u>COUNTY OFFICE</u>	<u>APPROVAL</u>		<u>INITIALS</u>	<u>DATE</u>
	<u>YES</u>	<u>NO</u>		
User Agency	✓ _____	_____	<u>HW</u>	<u>7/3/14</u>
Risk Management	_____	_____	_____	_____
County Attorney <i>Need Exh B attached.</i>	✓ _____	_____	<u>MD</u>	<u>7/7/14</u>

If any office denies approval, the package will be returned immediately to the User Agency.

NOTE: *This form should be attached to all new contracts being submitted to the Board for approval. After the contract has been approved, the contract package, including this form, will go to the Clerk to the Board. The Clerk's office will return the Initial Contract Form to department for contract to be entered into the Contract Management System. See AO-29 for additional information.*

AO-29: EXHIBIT I

RECEIVED
JUL 10 2014
COUNTY CLERK