

# CITY OF FORT PIERCE - OFFICE OF THE CITY ATTORNEY


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## MEMORANDUM

TO: Jack Andrews, City Engineer

FROM: Karen Emerson, Esq., Assistant City Attorney

THROUGH: Robert V. Schwerer, Esq., City Attorney 


**SUBJECT: CONSTRUCTION CONTRACT  
BROTHERS CONSTRUCTION, INC.  
MELODY LANE FISHING PIER**

DATE: January 11, 2016

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Attached are both originals of Change Order No. 1 for the City's construction contract with Brothers Construction, Inc. in the amount of \$10,388.00, covering changes to water supply for the fish cleaning station on the Melody Lane Fishing Pier. It has been approved as to form.

  
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Karen Emerson, Esq.  
Assistant City Attorney

attachments

cc; Nick Mimms, City Manager

**CHANGE ORDER NO. 1**

**MELODY LANE PUBLIC FISHING PIER**

**Bid No. 2015-037**

**DATE:** December 31, 2015

**CONTRACTOR:** Brothers Construction, Inc.

**OWNER:** City of Fort Pierce

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ORIGINAL CONTRACT AMOUNT	:	\$ 539,845.00
CURRENT CONTRACT AMOUNT INCLUDING PREVIOUS CHANGE ORDERS	:	\$ 539,845.00
NET CONTRACT AMOUNT <b>INCREASE</b> RESULTING FROM THIS CHANGE ORDER	:	\$ <b>10,388.90</b>
PROPOSED CONTRACT AMOUNT INCLUDING THIS CHANGE ORDER	:	\$ <b>550,233.90</b>
CURRENT CONTRACT EXPIRATION DATE	:	November 21, 2015
CONTRACT EXPIRATION DATE ADJUSTED BY THIS CHANGE ORDER	:	January 11, 2016

**CHANGES ORDERED:**

**I. GENERAL:**

This Change Order includes compensation for additional potable water and sanitary sewer service utility work. The work proposed includes the addition of 280 LF of 1” poly water service complete with water meter and pavement restoration along with costs associated with the relocation of the sanitary sewer service. All CONDITIONS, SUPPLEMENTARY CONDITIONS, SPECIFICATIONS, and all parts of the Project Manual listed in Article 1, Definitions, of the GENERAL CONDITIONS, apply to and govern all the Work under this Change Order.

**II. REQUIRED CHANGES/COST ADJUSTMENTS:**

<i>Description</i>	<i>Unit</i>	<i>Qty</i>	<i>Unit Price</i>	<i>Amount</i>
<i>Water Service:</i>				
1” Connection at Fish Cleaning Table via licensed plumber	LS	1	\$2,012.50	\$2,012.50
Pavement and Sod Restoration	LS	1	\$1,725.00	\$1,725.00
1” Poly Water Service (280 LF +/- directional bore)	LS	1	\$7,475.00	\$7,475.00
<i>Sewer Service:</i>				
6” PVC Sanitary Sewer Service/Fittings	LS	1	\$2,804.31	\$2,804.31
Exploratory and Road Restoration	LS	1	\$3,435.60	\$3,435.60
Core Drill Manhole	EA	1	\$862.49	\$862.49
<i>Contract Credits:</i>				
Credit for Original Water Service	LS	1	-\$3,000.00	-\$3,000.00
Credit for Original Sewer Service	LS	1	-\$1,926.00	-\$1,926.00
Credit for Informational Kiosk	EA	1	-\$3,000.00	-\$3,000.00
<b>NET INCREASE BY THIS CHANGE ORDER</b>				<b>\$10,388.90</b>

**III. JUSTIFICATION:**

The original design proposed tapping the existing 2” irrigation main located on the east side of Melody Lane in order to provide water service to the fish cleaning table. However, this irrigation line turned out to be a “dry” line and water has to now be brought to the fish cleaning table from Indian River Drive.

The existing sanitary sewer main is encased in concrete due to the substandard depth of cover. FPUA has required us to extend our connection point from a main connection to coring an existing sanitary sewer manhole.

**IV. PAYMENT:**

The additional work will increase the existing contract price by \$10,388.90. Funding of \$4,574.00 was previously approved, but not utilized, as a portion of the City’s required FIND Grant match. **Therefore, an additional \$5,814.90 dedicated funding is required in order to finalize the construction.** Funding for this project is being encumbered from Park Impact Fees and from Park MSTU Funds.

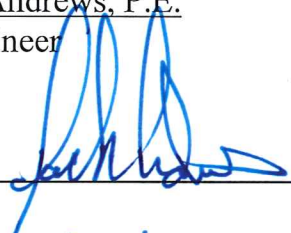
**V. APPROVAL AND CHANGE AUTHORIZATION:**

Acknowledgments: The aforementioned change, and work affected thereby, is subject to all provisions of the original contract not specifically changed by this Change Order; and it is expressly understood and agreed that the approval of the Change Order shall have no effect on the original Contract other than the matters expressly provided herein.

**RECOMMENDED BY:**

John R. Andrews, P.E.  
City Engineer

By:



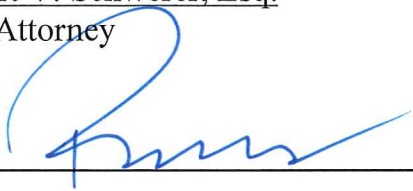
Signature

Date:

01/07/1ce

**APPROVED AS TO FORM AND CORRECTNESS:**

Robert V. Schwerer, Esq.  
City Attorney

By:  \_\_\_\_\_  
Signature

Date: 1/11/16 \_\_\_\_\_

**APPROVED BY:**

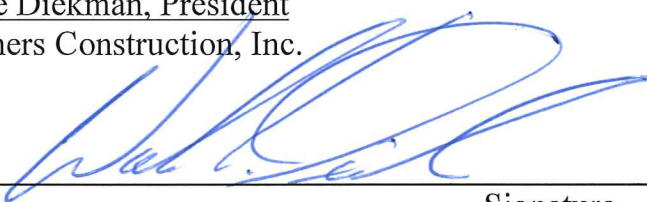
Linda Hudson  
Mayor

By: \_\_\_\_\_  
Signature

Date: \_\_\_\_\_

**ACCEPTED BY:**

Wade Diekman, President  
Brothers Construction, Inc.

By:  \_\_\_\_\_  
Signature

Date: 1/6/16 \_\_\_\_\_