



THE SUNRISE CITY
FORT PIERCE
CITY ATTORNEY'S OFFICE *Florida*



TO: Tracy Telle, Assistant City Engineer

FROM: Tanya Earley, City Attorney *TUE*

RE: S. 5th Street Roadway Reconstruction
Change Order No. 1 – Dickerson Florida, Inc.
REF. Bid No. 2021-024

CAO RLS FILE: No. 22-48

DATE: March 11, 2022

The above-referenced document is approved as to form and correctness. I have signed in the appropriate spaces.

If I can be of further assistance, please do not hesitate to call or e-mail.

Thank you.

TE/mm

cc: Nicholas C. Mimms, P.E., City Manager
John R. Andrews, P.E., City Engineer
Linda Cox, City Clerk



CITY ATTORNEY USE ONLY

Date Received:	3.10.22
Assigned To:	
File:	22-48
Due Date:	
Hours:	

RECEIVED

MAR 10 2022

City Attorney

REQUEST FOR LEGAL SERVICES

Received

MAR 09 2022

To: TANYA EARLEY, CITY ATTORNEY

SUBMITTED BY: TRACY TELLE, ASSISTANT CITY ENGINEER

THROUGH: *For* JOHN R. ANDREWS, P.E., CITY ENGINEER

CITY MANAGER AUTHORIZATION: NICHOLAS C. MIMMS, P.E., ICMA-CM, CITY MANAGER *for*

RE: S. 5TH STREET ROADWAY RECONSTRUCTION
CHANGE ORDER NO. 1 – DICKERSON FLORIDA, INC.
REF. BID NO. 2021-024

DATE: MARCH 9, 2022

*City of Fort Pierce
City Manager's Office*

Service Required: (please circle or underline)

Review Documents

Draft Document

Written Opinion Requested

Attend Meetings

Advise

Other: _____

Upon review and/or "Approval as to Form and Correctness," the Department submitting the RLS is responsible for placement of any related item on a Commission or Board Agenda.

- Brief statement of the nature of the request or problem:** Review Dickerson Florida, Inc. Change Order No. 1 for form and correctness.
- Discussion of the implications and the possible impact if not apparent from preceding information:**
- Time considerations and their significance:**
- Are City funds required? If so, list approvals obtained for expenditure of funds:** Yes, funding requirements will be presented to the City Commission for approval.
- Factual background:** Construction limits were expanded to the north to encompass the Boston Avenue intersection.

6. List and/or attach all related documents and known authorities (e.g., statute, ordinance, resolution, administrative code, legal case, RFP, bidder's response, contract, lease, letter, memorandum, prior legal opinion, deed, etc.): Please find the attached related information:

- Change Order No. 1

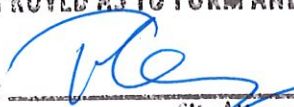
7. Identify prior legal assistance on this or a related matter and the attorney who handled it:

8. If this is a request for review of a contract, provide the following:

a. List of individuals who have read and approved the business terms and conditions of the contract and confirmed the ability to carry out the terms of the contract as they apply to the City: (This office is not responsible for reviewing either the accuracy or value of the business terms and conditions or product specifications of the contract as agreed upon between the department and contractor. However, this office is available to negotiate the terms as desired by the City upon request.)

Change Order No. 1 has been reviewed by the City Engineer

b. Insurance requirements that differ from the City's template insurance terms: (The department should consult with the Risk Manager for each contract to determine whether there are any special insurance requirements.) N/A

CITY ATTORNEY USE ONLY			
Routed for Review	Date	Response Deadline	Response
			<p>APPROVED AS TO FORM AND CORRECTNESS</p> <p>BY:  _____</p> <p>City Attorney</p>

CHANGE ORDER NO. 1

UNIT PRICE CONTRACT FOR
S. 5TH STREET ROADWAY IMPROVEMENTS

Bid No. 2021-024 (Rebid)

DATE: March 3, 2022

CONTRACTOR: Dickerson Florida, Inc.

OWNER: City of Fort Pierce

ORIGINAL CONTRACT AMOUNT	:	\$ 696,542.00
CURRENT CONTRACT AMOUNT INCLUDING PREVIOUS CHANGE ORDERS	:	\$ 696,542.00
NET CONTRACT AMOUNT INCREASE RESULTING FROM THIS CHANGE ORDER	:	\$ 41,027.68
PROPOSED CONTRACT AMOUNT INCLUDING THIS CHANGE ORDER	:	\$ 737,569.68
CURRENT CONTRACT EXPIRATION DATE	:	April 30, 2022
PROPOSED CONTRACT EXPIRATION DATE	:	April 30, 2022

CHANGES ORDERED:

CHANGES ORDERED:

I. GENERAL:

This Change Order includes compensation for an increase in construction quantities as a result of extending the project limits to the north and FPUA utility repair work. 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>
1. Boston Intersection (crosswalks, sidewalks, curb ramps, asphalt pavement, & striping)	LS	1	\$41,027.68	\$41,027.68
NET INCREASE BY THIS CHANGE ORDER				\$41,027.68

III. JUSTIFICATION:

Field conditions led to the decision to extend the project limits to the north due to utility conflicts and required ADA improvements.


IV. PAYMENT:

This change order work will increase the 5th Street Roadway Improvement by \$41,027.68. **Initial funding shall be encumbered from Road and Bridge Impact Fees, Account No. 110-1111-519-6310 with a reimbursement of \$26,725 by FPUA for a net City funding increase of \$14,302.68.**

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.

John R. Andrews, P.E.
City Engineer

By:  _____
Signature

Date: 3/9/22 _____

APPROVED AS TO FORM AND CORRECTNESS:

Tanya Earley
City Attorney

By:  _____
Signature

Date: 3/11/22 _____

APPROVED BY:

Linda Hudson
Mayor

By: _____
Signature

Date: _____

ACCEPTED BY:

Larry Dale, President
Dickerson Florida, Inc.

By: 
Signature

Date: 3-7-2022