

**PORT OF PALM BEACH DISTRICT
REQUEST FOR DISCUSSION AND
COMMISSION ACTION**

**OLD BUSINESS AGENDA
ITEM I-2**

PREPARED BY: José Soler, PE Port Engineer January 11, 2017

SUBJECT: Berth 17 and Paving Project
 Consideration of AECOM Work Order Amendment #4

BACKGROUND:

The project's original substantial construction completion date was July 2017. In June 2017, the Berth 17 contractor, LM Heavy Civil Construction, Inc. (LMH) submitted a revised schedule project update with a projected new completion date of December 2017, which indicated a delay of 117 days. Amendment 2 for AECOM was approved in June to provide Construction Engineering Services through the month of December 2017.

The contractor did not meet the agreed substantial completion date of December 5, 2017; as a result, AECOM will exceed the budget estimated in Amendment 2. An Amendment #3 for the additional Construction Engineering Services through the estimated completion date of February 2018 with a total amount of \$58,475, was presented and approved by the Board during the December 28 meeting.

After the approval of the Amendment by the Board, AECOM indicated that they discovered a large error in the budget spreadsheet for the proposed Amendment. AECOM submitted a revised proposal for the total amount of \$75,290 as Amendment #4 with the additional funds requested to provide services until February 16, 2018.

The Revised Total Amount for the Construction Engineering Services for the project is \$1,218,781.13.

An oral presentation by an AECOM representative will be provided during the January 18, 2018 meeting.

ADDITIONAL INFORMATION ATTACHED: No _____ Yes X

FINANCIAL IMPACT:

The Work Order Amendment for AECOM will be funded from the FY2016/2017 Capital Budget (50%) and FDOT JPA grant funds (50%). The Total Change Order funding (FDOT JPA grant funds and POPB matching funds) is \$75,290.

RECOMMENDATION: The Board is respectfully requested to approve the Amendment 4 to Work Order 2015-001 with AECOM in the increased amount of \$75,290.

Respectfully Submitted by:



Manuel Almira, Executive Director

DATE ACTION TAKEN: _____

Approved: _____

Disapproved: _____

Deferred To: _____

Incorporated into Minutes: _____

Motion By: _____

Seconded By: _____

Unanimous: Yes _____ No _____

By: _____



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January 10, 2018

Jose Soler
Port of Palm Beach
One East 11th Street, Suite 600
Riviera Beach, FL 33404

Subject: Proposed Amendment No. 4 to AECOM Work Order 2015-001
Berth 17 and Paving Project Construction Inspection Services

Dear Mr. Soler:

AECOM is submitting the enclosed Amendment 4 to Work Order No. 2015-001 for the continuation of Construction Inspection Services. The Berth 17 construction contractor, LM Heavy Civil Construction, Inc. (LMH) did not meet the agreed to completion date of December 5, 2017. Amendment 2, approved in June 2017, covered AECOM Construction Inspection Services through the substantial completion date of November 3, 2017. Since LMH has not completed construction, AECOM's contractual services have been extended beyond the approved amendment and associated budget. Amendment 4 includes extended Construction Inspection Services from November 6, 2017 through February 16, 2018 in the amount of \$75,290. Please note that the end date of February 16, 2018 is an estimate based on LMH's most current schedule. Additionally, as clarification, the funds requested in this Amendment are not included under the approved amount in Amendment 3 for Engineering Services.

Should LMH's completion of the project be delayed further, an additional amendment will be necessary.

Sincerely,

Karen D. Brandon, PE

KDB/dw

Encl.

cc: Diana Lopez

**PORT OF PALM BEACH DISTRICT
CONSULTANT WORK ORDER
PREPARED BY AECOM**

AMENDMENT 4 TO WORK ORDER NO: 2015-001

JOB NAME: Berth 17 and Paving Project – Bidding and Construction Engineering Services

This AMENDMENT 4 TO WORK Order 2015-001 Is Issued By THE PORT OF PALM BEACH (CLIENT) Pursuant To The AGREEMENT UNDER CCNA FOR WORK OF A SPECIFIED NATURE RELATING TO RECONSTRUCTION OF SLIP 3 PORT OF PALM BEACH DISTRICT Between AECOM (CONSULTANT) And The Port Of Palm Beach (CLIENT), DATED February 17, 2011, Which Is Incorporated Herein By This Reference For The Below SERVICES:

BACKGROUND

The Port of Palm Beach has requested additional Construction Inspection Services for the Berth 17 and Paving Project which will address the current and future goals of the Port. The Port is looking to achieve an increased utilization of their waterfront areas, to accommodate additional vessels and implement improvements to the upland waterfront operations along the south berth.

(a) SCOPE OF WORK

CONSULTANT will perform, however is not limited to, the following services,:

1. Additional Construction Inspection Services:

See Appendix A: Scope of Services

(b) TIME OF COMPLETION

All Times of Completion are subject to exceptions for delays which are beyond the control of CONSULTANT.

The CONSULTANT will continue the construction inspection services for an additional 14.5 weeks, through February 16, 2018.

(c) ASSUMPTIONS

1. This Amendment will only authorize Construction Inspection Services to continue for an additional 14.5 weeks through February 16, 2018.

(d) COMPENSATION – See Addendum.

Compensation Budget for CONSULTANT is not to exceed \$75,290.

The architect (or registered surveyor and mapper or professional engineer, as applicable) warrants that he or she has not employed or retained any company or person, other than a bona fide employee working solely for the architect (or registered surveyor and mapper, or professional engineer, as applicable) to solicit or secure this agreement and that he or she has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the architect (or registered surveyor and mapper or professional engineer, as applicable) any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this agreement.

The Authorized Representatives designated below are authorized to act with respect to the Work Order. Communications between the parties shall be between parties and their consultants or subcontractors shall be through the Authorized Representatives:

For the CLIENT:	For the CONSULTANT:
Name: Jose Soler, Port Engineer	Name: Karen D. Brandon, P.E., Sr. Project Manager
Address: Port of Palm Beach District, One East 11 th Street, Suite 600, Riviera Beach, Florida 33404	Address: AECOM TECHNICAL SERVICES, INC. , 2090 Palm Beach Lakes Blvd., Suite 600, West Palm Beach, FL 33409
Telephone: (561) 383-4133 / Mobile: (561) 253-4813	Telephone: (561) 684-3375 / Mobile: (561) 719-4308

This Amendment 4 to Work Order No. 2015-001 is effective this ___ of _____ 2018.

Accepted for CONSULTANT by:	Accepted for CLIENT by:
Name: Carlos Garcia	Name: Blair J. Ciklin
Title: Vice President	Title: Chairman

**Appendix A
Amendment 4**

**Scope of Services
for
Port of Palm Beach District
Berth 17 and Paving Project**

AECOM is pleased to provide this Amendment to Work Order No. 2015-001 for Construction Inspection Services for an additional 14.5 week duration, through February 16, 2018, for the Berth 17 and Paving project at the Port of Palm Beach.

We understand that the overall project generally consists of the following elements of work, however it is not limited to:

- Waterfront improvements to enhance:
 - Demolition, removal and disposal of existing bulkhead, seawall, fenders, bollards, pavement and drainage structures;
 - Excavation of new slip and dredging at entrance to slip; and
 - Installation of new sheet pile and scant pile bulkheads and concrete caps, new mooring dolphins and catwalks; fenders; bollards; navigation lighting.

- Landside improvements on the west and south, to include the following elements:
 - New paved access, grading and striping;
 - New concrete aprons;
 - Modifications to the water supply, sanitary sewer and drainage;
 - New lighting, shore power and electrical modifications.

AECOM will have continued overall project management and resident engineering responsibilities for monitoring and inspecting all construction activities related to the project, including all installations, and all landside improvements related to the Berth 17 and Paving Project. AECOM's role is to serve as the resident engineer, providing supervisory and construction inspection services during the project in order to ensure that the construction is completed while satisfying all requirements of the plans, specifications, permits, codes, applicable agencies and Port of Palm Beach District. AECOM will provide resident engineer services over the anticipated additional contract term of approximately 8 months, on site as required, in support of the full spectrum of categories of responsibility as stipulated in the work order.

AECOM's project team will be inclusive of experienced personnel who have been working with the Port of Palm Beach over the last 6 years. Florida-licensed professional engineer Karen Brandon, P.E., will remain as lead in the project manager role, continuing as point of contact with the Port Engineer Jose Soler. In addition, all the AECOM leads currently working on the project will remain for this phase, including John Carel, P.E., as senior structural engineer, as well as Diana Lopez, as AECOM senior executive. AECOM team partner PSA Constructors Inc. will continue to have an engineering inspection role in support of our team. In addition, other AECOM Team partners will continue to serve as inspectors in their respective fields, including civil engineering and electrical engineering subconsultants Engenuity Group, Inc. and Smith Engineering Consultants, Inc.

As a value-added element, AECOM plans to consistently check in with the Port Engineer and provide suggested staffing and/or subconsulting services before bringing additional resources on board. The AECOM project manager will have the ability to request resources on an as-needed basis.

Specific inspection related services to be performed under Amendment 4 to Work Authorization No. 2015-001 include:

- Construction activity oversight and inspection, including:

- Daily site progress record reporting, with a focus upon photo documentation; Daily inspections through February 16, 2018.
- Establishment and maintenance of retrievable library of project file records;
- Logging, tracking and seeking of timely answers related to project submittals and requests for information;
- Contractor payment verification and change order tracking and verification, including claims prevention and mitigation;
- Weekly construction progress meetings;

Addendum

This Work Order is without prejudice to the District's rights under the CCNA Agreement dated February 17, 2011 between AECOM and the District, and without waiver of any claims under that Agreement by District against AECOM. All work described in this Work Order shall be fully completed regardless of the actual number of hours required for same and the \$75,290 "not to exceed amount" is the maximum that AECOM can charge regardless of the actual number of hours expended, or the hourly rates that would apply to those hours.

		Firm	AECOM STAFF										
		Name	Lopez	Carel	Brandon	Liu	Perricelli	Rive	Boivin	Williams	Expenses		
		Summary	Mgmt	EOR	Mgmt			CEI	Cadd	Office			
		Title	Officer-in-Charge	Structural/Marine	Project Manager	Geotech	Scheduler	Inspector	Cadd	Admin			
ID	Continued Construction Services through 11/5/17 - 2/23/18	Duration Schedule (Work Weeks)	Allotted Working Hours Per Employee Per Activity Loaded Below									Total AECOM Staff (Work Hours)	Total AECOM Staff (Fee Per Activity)
1	Project Management	0										0	\$0
2	Marine Structural and Concrete, Geotechnical Engr.	0										0	\$0
3	Construction Inspection	14.5						580				580	\$75,290
4	Project Closeout Activities	0										0	\$0
	Total Hours		0	0	0	0	0	580	0	0		580	
	Total Cost for AECOM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$75,289.80	\$0.00	\$0.00			\$75,290
5	Construction Inspection Sub PSA	\$0.00											\$0
5	Engenuity Group	\$0.00											\$0
7	Smith Engineering	\$0.00											\$0
	Total Cost for Subs	\$0.00											\$0
	Total Cost	\$0.00											\$75,290

Assumptions:

AECOM - Nov 6, 2017- Feb 16, 2018

Nov	3.5 weeks
Dec	4 weeks
Jan	5 weeks
Feb	2 weeks
Total	14.5 weeks

PORT OF PALM BEACH
 BERTH 17 & PAVING PROJECT

TOTAL ENGINEERING SERVICES COST- AECOM

WORK ORDER NUM.	DESCRIPTION	ORIGINAL CONTRACT AMOUNT	AMENDMENTS	TOTAL WORK ORDERS AMOUNT (CUMMULATIVE)	BREAKDOWN	
WO 2014-001	BERTH 17 CONCEPTUAL DESIGN	\$ 97,761.00		\$ 97,761.00		
WO 2014-002	BERTH 17 DESIGN / PERMITING	\$ 299,628.00		\$ 397,389.00		
WO 2015-001	BERTH 17 BIDDING AND CONSTRUCTION ADMINISTRATION PHASE (BASE ON 12 MONTH CONSTRUCTION TIME FRAME)	\$ 499,653.38		\$ 897,042.38		
WO 2015-001	AMENDMENT #1- DOLPHIN STRUCTRES REDESIGN		\$ 22,558.00	\$ 919,600.38		
WO 2015-001	AMENDMENT #2- EXTEND ENG. CONSTRUCTION SERVICES FROM JULY 2017 THROUGH DECEMBER 2017.		\$ 165,415.75	\$ 1,085,016.13	AECOM	\$ 49,490.79
					ENGENUITY GROUP	\$ 5,000.00
					SMITH ENGINEERING	\$ 5,000.00
					PSA CONTRACTORS	\$ 105,924.96
WO 2015-001	AMENDMENT #3- EXTEND ENG. CONSTRUCTION SERVICES FROM DECEMBER 2017 THROUGH FEBRUARY 2018.		\$ 58,475.00	\$ 1,143,491.13	AECOM	\$ 53,475.00
					ENGENUITY GROUP	\$ 2,500.00
					SMITH ENGINEERING	\$ 2,500.00
WO 2015-001	AMENDMENT #4- REVISION TO EXTEND ENG. CONSTRUCTION SERVICES FROM DECEMBER 2017 THROUGH FEBRUARY 2018.		\$ 75,290.00	\$ 1,218,781.13	AECOM	\$ 75,290.00
		\$ 897,042.38	\$ 321,738.75	\$ 1,218,781.13		
				PERCENT OF INCREASE	35.87%	