

120282



1920.14-1

3-27-14  
January 14, 2013

To Mayor  
4/23/14

01/24/13 15:44:22  
COJ - Procurement Division

04/07/14 09:30:07  
Procurement Division

**MEMORANDUM**

**TO:** James R. McCain, Jr.  
Corporation Secretary/Assistant General Counsel

**THROUGH:** ~~Dina Riddle, Acting City Comptroller~~  
Gerald Behrendt  
C. Ronald Belton, Assistant to the Mayor/Chief Financial Officer

**FROM:** Thomas G. McKnight *TG*  
Capital Improvement Construction Manager

**SUBJECT:** Bradham Brooks Library Hurricane Damage Mitigation  
Contractor: Acon Construction, Inc.  
Contract No: 8150-09

Forwarded herewith for execution is Change Order No. 3 for subject project.

Original Contract Amount.....	\$780,000.00
Previous Change Order No. 1-2.....	\$9,812.44
Change Order No. 3.....	\$29,274.74
Total Revised Contract Amount .....	\$819,087.18
Account Number .....	See attached

This office recommends the Change Order be approved by your office, the Office of General Counsel, and Mayor Brown, in accordance with Executive Order No. 94-187.

- Attachments: 1. Change Order  
2. Back-up Information  
3. Legal Request Memorandum

TGM:lw

*APR*

CHANGE ORDER TRACKING SHEET

Description of Project	Bradham Brooks	
Change Order Number	3	PLEASE KEEP THIS FORM WITH THE ATTACHED CHANGE ORDER
Contract Number	8150-09	

	Action	Date Received	Date Signed	Date Forwarded	Signature	Days
1	Date Initiated	N/A	N/A	1/3/13		
1A						
2	Contractor Execution		1/3/13			
3	Construction Management	1/4/13				
4	Using Agency					
5	JEA (if applicable)					
6	City Engineer		1/9/13			
7	Director of Public Works	1/10/13	1/11/13	1/18		
8	Admin/Finance Clerk	1/18 3/21/14	1/23 4/4/14	1/23 4/4/14	RTW BT	
9	Buyer					
10	Chief of Procurement					
11	Director Finance					
12	Asst. General Counsel					
13	CAO/Mayor					
14	Asst. General Counsel					
	Total Processing Days:					

Attention Change Order reviewers and signatories:

Please assist in expediting this change order by reviewing, signing, and forwarding immediately to the next step. Thank you in advance for your efforts to reduce contract change order processing times.

James M. Robinson, P.E.  
Director of Public Works

SUBJECT: DESIGN BUILD SERVICES FOR ROOF REPLACE & WATER INTRUSION MITIGATION FOR BRADHAM BROOKS LIBRARY  
BID # CDB-0001-12

OPEN DATE: 10/12/2011

**COMPETITIVE SEALED PROPOSAL EVALUATION COMMITTEE**

KIND AND BASIS OF CONTRACT:  
CONSTRUCTION – DESIGN BUILD

AGENCY: DEPARTMENT OF PUBLIC WORKS

BASIS OF AWARD: EVALUATION CRITERIA

NUMBER OF BIDS INVITED: 5 NUMBER RECEIVED: 3 OTHER: 1

**SUMMARY OF BIDS AND RECOMMENDED ACTIONS:**

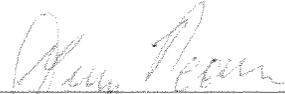
Subject bid was awarded 1/31/2012 to Acon Construction Company, Inc. in the amount of \$780,000.00; reduced in the amount of -\$50,729.36 (net reduction) per Change Order #1; and increased in the amount of \$60,541.80 per Change Order #2.

Recommend approval of Change Order #3 to Acon Construction Company, Inc. in the amount of \$29,274.74 for a revised Guaranteed Maximum Price (GMP) not-to-exceed \$819,087.18.

Funding for this Change Order to be encumbered by account: PWCP363PB519-06505-PW0677-01.

Attachments: Recommendation Memo, Justification, Previous Award(s)

 BUYER   
DANIEL PEARSON

RESPECTFULLY SUBMITTED   
GREGORY PEASE, CHIEF  
PROCUREMENT DIVISION

**CONCURRENCE BY: WILLIAM J. JOYCE, P.E., CHIEF, ENGINEERING & CONSTRUCTION MANAGEMENT DIVISION**

**(ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS)**

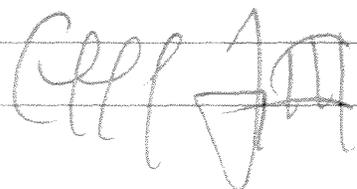
ACTION OF CSPEC COMMITTEE ON RECOMMENDATIONS ABOVE

MEMBERS APPROVING 5 MEMBERS DISAPPROVING \_\_\_\_\_ DATE: 01/10/13

 \_\_\_\_\_ OTHER \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ACTION OF AWARDDING AUTHORITY \_\_\_\_\_ DATE 1/15/13

APPROVED  DISAPPROVED: \_\_\_\_\_

OTHER: \_\_\_\_\_  
SIGNATURE OF AUTHENTICATION  Cleveland Ferguson, III  
Deputy Chief Administrative Officer  
For Mayor Alvin Brown  
Under Authority of  
Executive Order No. 2012-17

CITY OF JACKSONVILLE  
 DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 CONSTRUCTION CHANGE ORDER

Change Order No. Three (3) Date November 27, 2012  
 Description of Project Bradham Brooks Library Hurricane Damage Mitigation  
 Name of Contractor Acon Construction, Inc.  
 Contractor's Address 3653 Regent Boulevard, Suite 401, Jacksonville, Florida 32224  
 Contract No. 8150-09  
 Account No. See attached Original Contract \$780,000.00  
 + Previous Change Orders 1-2 \$9,812.44 + Change Order No. 3 \$29,274.74

\*See attached appendix for additional listings.  
 TOTAL REVISED CONTRACT \$819,087.18  
 Bid Number CDB-0001-12 Construction Completion Date December 4, 2012  
 Revised Construction Completion Date February 3, 2013  
 Contract Expiration Date February 2, 2013  
 Revised Contract Expiration Date April 4, 2013

In compliance with General Conditions of above-referenced contract, CONTRACTOR and OWNER do both hereby agree that the CONTRACTOR shall make the following changes, additions or deletions to the Work specified in the plans and specifications: See attached.

Justification: See attached.

The Issuing Authority has looked over cost and pricing data for this change order and has determined that this change order is necessary and all costs are reasonable.

Accepted for Contractor Acon Construction Co., Inc.

Signed [Signature] Attest Catherine Watson  
 Title David Sypniewski, President Title Catherine Watson, Office Manager

Date January 3, 2013 Date January 3, 2013

Signed Construction Management By [Signature] 1.7.13  
 Issuing Authority Thomas G. McKnight  
 Capital Improvement Construction Manager Date

Signed Public Buildings By [Signature] 5/7/14  
 Using Division Div/Department Head Date

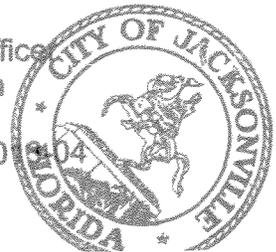
[Signature] 1/9/13 James R. McCaffrey 4-23-14  
 Chief, Engineering & Construction Mgmt Div Date Assistant Counsel Date

[Signature] 1/11/13 Karen Bowling 4/24/14  
 Director of Public Works Date Mayor Date

[Signature] 1/25/13 James R. McCaffrey 5-7-14  
 Chief of Procurement Date Corporation Secretary Date

[Signature] 4/22/14  
 Director of Finance Date

Karen Bowling  
 Chief Administrative Officer  
 For: Mayor Alvin Brown  
 Under Authority of:  
 Executive Order No. 20



3/4/14  
 CO #3

8150-09  
 CO #3

CHANGE ORDER BREAKDOWN  
 BRADHAM BROOKS LIBRARY HURRICANE DAMAGE MITIGATION  
 CONTRACT NO. 8150-09

+Change Order No. 1 <u>          (\$50,729.36)</u> Less Contingency Amount <u>          \$0.00</u> Net Change Order No. 1 <u>          (\$50,729.36)</u>	+ Change Order No. 2 <u>          \$60,541.80</u> Less Contingency Amount <u>          \$0.00</u> Net Change Order No. 2 <u>          \$60,541.80</u>
+Change Order No. 3 <u>          \$29,274.74</u> Less Contingency Amount <u>                          </u> Net Change Order No. 3 <u>          \$29,274.74</u>	+ Change Order No. 4 <u>                          </u> Less Contingency Amount <u>                          </u> Net Change Order No. 4 <u>                          </u>
+Change Order No. 5 <u>                          </u> Less Contingency Amount <u>                          </u> Net Change Order No. 5 <u>                          </u>	+ Change Order No. 6 <u>                          </u> Less Contingency Amount <u>                          </u> Net Change Order No. 6 <u>                          </u>
+Change Order No. 7 <u>                          </u> Less Contingency Amount <u>                          </u> Net Change Order No. 7 <u>                          </u>	+ Change Order No. 8 <u>                          </u> Less Contingency Amount <u>                          </u> Net Change Order No. 8 <u>                          </u>
- Change Order No. 9 <u>                          </u> Less Contingency Amount <u>                          </u> Net Change Order No. 9 <u>                          </u>	+ Change Order No. 10 <u>                          </u> Less Contingency Amount <u>                          </u> Net Change Order No. 10 <u>                          </u>
+Change Order No. 11 <u>                          </u> Less Contingency Amount <u>                          </u> Net Change Order No. 11 <u>                          </u>	+ Change Order No. 12 <u>                          </u> Less Contingency Amount <u>                          </u> Net Change Order No. 12 <u>                          </u>
+Change Order No. 13 <u>                          </u> Less Contingency Amount <u>                          </u> Net Change Order No. 13 <u>                          </u>	+ Change Order No. 14 <u>                          </u> Less Contingency Amount <u>                          </u> Net Change Order No. 14 <u>                          </u>
TOTAL REVISED CONTRACT	<u>          \$780,000.00</u>
TOTAL CHANGE ORDERS	<u>          \$39,087.18</u>
TOTAL ENCUMBERED	<u>          \$819,087.18</u>

ATTACHMENT "A"  
ACCOUNT NUMBERS  
BRADHAM BROOKS LIBRARY HURRICANE DAMAGE MITIGATION

ACCOUNT NO.	PWCP331PB519-06505-PL0017-02-PWC013	PWCP363PB519-06505-PW0677-01		Contract Totals
CT NO.	CTPW12000036-01	CTPW12000036-02		
original contract	\$326,108.00	\$453,892.00		\$780,000.00
change order #1	\$0.00	(\$50,729.36)		(\$50,729.36)
change order #2	\$0.00	\$60,541.80		\$60,541.80
change order #3	\$29,274.74			\$29,274.74
Account Totals	\$355,382.74	\$463,704.44	\$0.00	\$819,087.18

NBR	MASTER ITEM DESCRIPTION	QUANTITUOM	UNIT COST	NET ADDITION	NET DELETIOI
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NEW ITEMS -

**UNFORSEEN CONDITIONS:**

1 PROVIDE ALL NECESSARY LABOR, MATERIAL EQUIPMENT TO REVIEW & INSPECT THE UNDERLAYMENT AND THE SHEET INSULATION AFTER THE EXISTING TILE ROOF IS REMOVED DETERMINE HOW MUCH WOULD HAVE TO BE REPLACED DUE TO DETERIORATION. UPON COMPLETION OF THE REVIEEW IT WAS THAT THE FOLLOWING WOULD NEED TO BE

A. PLYWOOD	356 EA	48.15	\$17,141.40		
B. INSULATION BOARD	160 EA	59.20	\$9,472.00		
C. CONTRACTORS OH & P @ 10%	1.000 LS	2661.34	\$2,661.34		

Justification: Prior to final execution of contract, it was agreed by all parties that it would not be possible to pre-determine the number of pieces of plywood and insulation board underlayment that would need to be replaced until after the existing roof tile was removed. Thereofre a unit price for the plywood and the insulation board was negotiated as part of the original contract. This change order applies quantities to the pre-approved unit prices. Quantities were field verified by the construction management inspector.

SUBTOTAL			\$29,274.74	\$0.00	
SUBTOTAL CHANGE ORDER NO. 3			\$29,274.74	\$0.00	
NET TOTAL CHANGE ORDER NO. 3			\$29,274.74		

## Masters, Paul

---

**From:** Melton, Tommy  
**Sent:** Tuesday, October 23, 2012 9:24 AM  
**To:** Frank Anderson  
**Cc:** Masters, Paul; Bulatao, Peter  
**Subject:** Bradam-Brooks Library: Final Count, Additional CDX and Insulation board

Analysis, count and discussion regarding the final quantities to be used for the upcoming Change Order request for additional CDX sheathing and Isoboard has been completed.

By virtue of this post, this office confirms agreement to the following quantities necessarily replaced as a result of previous water damage:

\*356 Sheets; CDX sheathing, 4 X 8

\*160 Sheets: Insulating aboard, 4 X 8

Please mark your records and proceed accordingly.

Tommy Melton

**Acon Construction Co., Inc.**

3653 Regent Boulevard, Suite 401  
Jacksonville, FL 32224  
Ph : 904-565-9060

**Change Request**

To: Paul A Masters (COJ)  
City of Jacksonville DPW  
Ed Ball Building  
214 N. Hogan St.  
10th Floor  
Jacksonville, FL 32202  
Ph: 904-255-8755 Fax: 904-255-8913

Number: 4  
Date: 11/5/2012  
Job: J12-001 Bradham-Brooks Library HDM  
Phone:

**Description:** Added Plywood and Insulation

We are pleased to offer the following specifications and pricing to make the following changes:  
Added insulation and plywood needed to replace that which was too deteriorated to keep. Pricing uses negotiated amounts for each sheet added. City Construction Management Inspector verified amounts discarded.

The total direct cost to perform this work is .....		\$26,613.40
(Please refer to attached sheet for details.)		
Profit & Overhead	\$26,613.40	10.00%
		\$2,661.34
Bond	\$29,274.74	
		\$0.00
	<b>Total:</b>	<b>\$29,274.74</b>

The schedule will be To Be Determined.

If you have any questions, please contact me at 904-565-9060.

Submitted by: Frank A. Anderson  
ACON Construction Co., Inc.

Approved by: \_\_\_\_\_  
Date: \_\_\_\_\_

Cc:

**Acon Construction Co., Inc.**

3653 Regent Boulevard, Suite 401

Jacksonville, FL 32224

Ph : 904-565-9060

**Change Request 4 Price Breakdown  
Continuation Sheet**

**Description:** Added Plywood and Insulation

<b>Description</b>	<b>Labor</b>	<b>Material</b>	<b>Equipment</b>	<b>Subcontract</b>	<b>Other</b>	<b>Price</b>
Added Plywood 356 sheets at \$48.15 per sheet				\$17,141.40		\$17,141.40
Added insulation Boards 160 at \$59.2				\$9,472.00		\$9,472.00
					<b>Subtotal:</b>	<b>\$26,613.40</b>

**Frank Anderson**

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**From:** Linn Geiger [lgeiger@bbgcontracting.com]  
**Sent:** Monday, October 29, 2012 3:42 PM  
**To:** Frank Anderson  
**Subject:** RE: Bradam-Brooks Library: Final Count, Additional CDX and Insulation board

Frank -

I apologize I thought this was agreed to in the field. Yes, we agree to these quantities.

Linwood Geiger  
BBG Contracting Group, Inc.  
10562 New Kings Road  
Jacksonville, FL 32219  
904.766.5800 (o)  
904.766.8747 (f)  
904.237.1418 (c)  
LGeiger@BBGContracting.com

-----Original Message-----

**From:** Frank Anderson [mailto:fanderson@aconcci.com]  
**Sent:** Tuesday, October 23, 2012 10:28 AM  
**To:** Linn Geiger; Jud Bennett; Kevin Snyder  
**Subject:** FW: Bradam-Brooks Library: Final Count, Additional CDX and Insulation board

Do you agree?

Frank A. Anderson, Project Manager  
ACON Construction Co, Inc  
3653 Regent Blvd Suite 401  
Jacksonville, Fl 32224  
Cell 904-813-4065  
Office 904-565-9060 Ext 301 Fax 904-565-9080

-----Original Message-----

**From:** Melton, Tommy [mailto:Melton@coj.net]  
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**To:** Frank Anderson  
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- \*356 Sheets; CDX sheathing, 4 X 8 *48<sup>15</sup> Pm Sheet \**
- \*160 Sheets: Insulating aboard, 4 X *54<sup>20</sup> Pm Sheet \**

8

Please mark your records and proceed accordingly.

Tommy Melton

*\* NEGOTIATED UNIT PRICE COST... SEE JUNE 27 12/13/12 EMAIL THROU 6-15-12*

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Connect with Mayor Brown and the City of Jacksonville!

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For general information, contact 630-CITY (2489) <<http://630city.coj.net/>>.

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\*\*\* Please note that under Florida's very broad public records law, email communications to and from city officials are subject to public disclosure.  
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Tommy Melton

# REQUEST FOR LEGAL SERVICES

TO: The Office of General Counsel  
117 West Duval Street, Suite 480, Jacksonville, FL 32202

Telephone 904-630-1700  
FAX 904-630-1731

FROM: NAME: James M. Robinson, P.E.  
TITLE: Director of Public Works  
DEPARTMENT: Public Works  
DIVISION: Engineering and Construction Management Division

A. The Office of General Counsel is requested to provide legal assistance as detailed in this request and supporting documents. Give brief description:  
Form approve change orders for Mayor's signature

Project No.: \_\_\_\_\_ Vendor Name: \_\_\_\_\_ Solicitation No.: \_\_\_\_\_  
Contract No.: \_\_\_\_\_  
Purchase and Sale Agreement:  Amount: \_\_\_\_\_  
Lease Agreement:  License Agreement:  Use Agreement:  Easement:   
Land Swap:  Subordination:

B. Is a specific attorney already involved? Yes  No  Name: Jim McCain

C. Date submitted: 1/14/13 Completion is requested by (date): \_\_\_\_\_

D. For more information or discussion contact:  
Name: William J. Joyce, P.E.  
Title: Chief, Engineering and Construction Management Division  
Telephone: 255-8786 Fax: 255-8926 E-mail: joyce@coj.net

E. Bill to agency (name, address): Public Buildings  
Bill to account number (index code) PWPB011AD

F. Department Approval (Name and Title) Chief of Public Buildings

(For use by Office of General Counsel only)

CLIENT ID: \_\_\_\_\_ MATTER NO.: \_\_\_\_\_  
CLIENT: \_\_\_\_\_

WORK DESCRIPTION: \_\_\_\_\_

CATEGORY CODE: \_\_\_\_\_ ATTORNEY(S): \_\_\_\_\_  
Primary \_\_\_\_\_  
Secondary \_\_\_\_\_  
Dept. Head \_\_\_\_\_

OUTCOME: \_\_\_\_\_

INDEX CODE: \_\_\_\_\_ DATE OPENED: \_\_\_\_\_  
DATE CLOSED: \_\_\_\_\_ CLOSING BOX NO.: \_\_\_\_\_