

Meeting Date: 4-28-2015

Agenda Item 9

REQUESTED COMMISSION ACTION:

Consent  Ordinance  Resolution  Consideration  Workshop  Initiative

SHORT TITLE OR MOTION:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CHANGE ORDER NO.1 PURSUANT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PINNACLE CONSTRUCTION SUPPORT GROUP, INC. N/K/A PINNACLE/CSG, INC. PROVIDING FOR A NON-COMPENSABLE TIME EXTENSION AND A NEW COMPLETION DATE FOR FIRE STATION 103; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why: THE PURPOSE OF PROVIDING THE CONTRACTOR WITH A NO COST, TIME EXTENSION OF A 120 DAYS TO THE ESTABLISHED CONTRACT TIME OF 365 DAYS WAS DUE TO UNUSUAL WEATHER PATTERNS ABOVE AND BEYOND THE NORM EXPERIENCED, DURING 2014. ADDITIONALLY SOME NEW SUBCONTRACTORS WERE NECESSARY DUE TO OTHERS WHO DID NOT PERFORM ADEQUATELY. THE REVISED CONTRACT COMPLETION DATE WILL BE 5-29-15.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

- (1) Origin of request for this action: STAFF
- (2) Primary staff contact: Rob McCaughan PW Dir. / Clayton Young Ext 4097 /4029
- (3) Expiration of contract, if applicable: January 27, 2015
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
<u>Engineering</u>	<u>4-15-15</u>	<u>APPROVE</u>	<u>[Signature]</u>
<u>Public Works</u>	<u>4/15/15</u>	<u>APPROVE</u>	<u>[Signature]</u>
<u>General Services</u>	<u>4/22/15</u>	<u>APPROVE</u>	<u>[Signature]</u>
<u>Finance</u>	<u>4/16/15</u>	<u>APPROVE</u>	<u>[Signature]</u>
<u>Budget</u>	<u>4-20-15</u>	<u>APPROVE</u>	<u>[Signature]</u>
<u>City Attorney</u>	<u>4/17/15</u>	<u>—</u>	<u>[Signature]</u>
<input type="checkbox"/> Advisory Board			
<input type="checkbox"/> Development Services Director			
<input checked="" type="checkbox"/> City Manager <u>[Signature]</u>			<u>[Signature]</u>

ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>	<u>Workshop</u>
<u>1st Reading</u>	<u>1st Reading</u>	<u>Results:</u>	<u>Results:</u>
_____	_____	_____	_____
_____	_____	_____	_____
<u>2nd Reading</u>	_____	_____	_____
_____	_____	_____	_____



**City Attorney's Communication #2015-852**  
April 10, 2015

**TO:** Clayton O. Young, Civil Engineer II  
**FROM:** Gordon B. Linn, City Attorney  
**RE:** Resolution – Contract Time Extension for Fire Station 103

Pursuant to your memorandum dated April 7, 2015, Engineering Department Memorandum No. 15-91, I have prepared and attached the following form of Resolution:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CHANGE ORDER NO. 1 PURSUANT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PINNACLE CONSTRUCTION SUPPORT GROUP, INC. N/K/A PINNACLE/CSG, INC. PROVIDING FOR A NON-COMPENSABLE TIME EXTENSION AND A NEW COMPLETION DATE FOR FIRE STATION 103; PROVIDING AN EFFECTIVE DATE.**

Please feel free to contact me if I may be of further assistance.

---

GORDON B. LINN

/jrm  
l:cor/engr/2015-852

Attachment

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CHANGE ORDER NO. 1 PURSUANT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PINNACLE CONSTRUCTION SUPPORT GROUP, INC. N/K/A PINNACLE/CSG, INC. PROVIDING FOR A NON-COMPENSABLE TIME EXTENSION AND A NEW COMPLETION DATE FOR FIRE STATION 103; PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That a Change Order between the City of Pompano Beach and Pinnacle Construction Support Group, Inc. now known as Pinnacle/CSG, Inc. providing for a non-compensable time extension and a new completion date for Fire Station 103, a copy of which Change Order is attached hereto and incorporated by reference as if set forth in full, is hereby approved.

**SECTION 2.** That the proper City officials are hereby authorized to execute said Change Order between the City of Pompano Beach and Viktor Construction, Corp.

**SECTION 3.** This Resolution shall become effective upon passage.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
**LAMAR FISHER, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**ASCELETA HAMMOND, CITY CLERK**



**CONTRACT MODIFICATION (CHANGE ORDER)**  
 CITY OF POMPANO BEACH  
 P.O. Drawer 1300  
 Pompano Beach, FL 33061

Project Name: <b>Cresthaven Fire Station 103</b>	Contract #: <b>H-03- 13</b>
Project Number: <b>11-162</b>	Date: <b>04/02/2015</b>
Owner: <b>City of Pompano Beach</b>	Change Order #: <b>1</b>
Contractor: <b>Pinnacle CSG</b>	
<b>All items terms and conditions of the original contract No. H-03-13 dated 5-18-13 between the City of Pompano &amp; Pinnacle Construction Support Group, Inc. k/n/a Pinnacle/ CSG, Inc remain unchanged and in full force and effect.</b>	

The following modifications to the CONTRACT are hereby ordered: To provide a non-compensable time extension of 120 days to the contract time of 365 days and provide for a new completion date 5/29/15. The time extension request came as a result of unusual weather patterns during 2014 and legal issues regarding subcontractors already signed to the project who were incapable of fulfilling their contractual obligations.

CONTRACT AMOUNT		CONTRACT TIME (Calendar Days)	
Original	\$ <u>3,509,331.80</u>	Original Contract Time	<u>365</u> Days
Previous Changes (+/-)	\$ <u>0.00</u>	Previous Changes (+/-)	<u>0</u> Days
This Change Order (+/-)	\$ <u>3,509,331.80</u>	This Change Order (+/-)	<u>120</u> Days
Revised Contract Amount	\$ <u>3,509,331.80</u>	Revised Contract Time	<u>485</u> Days
% change from Original ( this CO)	<u>0%</u>	Cumulative COs	<u>        </u> %
Revised Contract Completion Date Is	<u>5/29/15</u>		

OWNER	CONSULTANT	CONTRACTOR
City of Pompano Beach	Currie Sowards Aguila Architect	Pinnacle Construction Support Group, Inc.
P.O. Box 1300	185 NE 4 <sup>TH</sup> Ave, Suite 101	528 E Park Ave
Pompano Beach, FL 33061	Delray Beach, Fl. 33485	Tallahassee, FL 32301

By: \_\_\_\_\_ By: [Signature] By: [Signature]  
 City Manager Date: \_\_\_\_\_ Date: 4/16/15 Date: 4-14-15

CITY ENGINEER	PUBLIC WORKS ADMINISTRATOR	
City of Pompano Beach	City of Pompano Beach	
1201 NE 5 <sup>th</sup> Avenue	1201 NE 5 <sup>th</sup> Avenue	
Pompano Beach, FL 33060	Pompano Beach, FL 33060	

By: [Signature] By: [Signature] By: \_\_\_\_\_  
 City Engineer Public Works Administrator  
 Date: 4-16-15 Date: 4/16/15 Date: \_\_\_\_\_

Change Order Category	Sub Category
<input type="checkbox"/> Owners Request <input type="checkbox"/> Consultant Error <input type="checkbox"/> Consultant Omission	<input type="checkbox"/> Safety/ Emergency

**"CONTRACTOR"**

Pinnacle/CSG, Inc.  
(Print name of company)

Witnesses:

[Signature]

By: [Signature]

Print Name: Margaret Anderson

Title: Vice President, Project Delivery

Business License

[Signature]  
No. CGC 1510790

STATE OF FLORIDA

COUNTY OF Broward

The foregoing instrument was acknowledged before me this 14 day of April, 2015, by Margaret Anderson as Vice President of Pinnacle/CSG, Inc, A Florida Corporation on behalf of the corporation. He/she is personally known to me ~~or who has produced~~ (type of identification) as identification.

NOTARY'S SEAL:



[Signature]  
NOTARY PUBLIC, STATE OF FLORIDA

Andrea Mosher  
(Name of Acknowledger Typed, Printed or Stamped)

FF203467  
Commission Number

Attach City Signature Page for Change orders required to go to commission

**"CITY":**

Witnesses:

**CITY OF POMPANO BEACH**

\_\_\_\_\_

By: \_\_\_\_\_  
LAMAR FISHER, MAYOR

\_\_\_\_\_

By: \_\_\_\_\_  
DENNIS W. BEACH, CITY MANAGER

Attest:

\_\_\_\_\_  
ASCELETA HAMMOND, CITY CLERK

(SEAL)

Approved As To Form:

\_\_\_\_\_  
GORDON B. LINN, CITY ATTORNEY

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015 by **LAMAR FISHER** as Mayor, **DENNIS W. BEACH** as City Manager and **ASCELETA HAMMOND** as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

NOTARY'S SEAL:

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

\_\_\_\_\_  
(Name of Acknowledger Typed, Printed or Stamped)

\_\_\_\_\_  
Commission Number

**"CONTRACTOR"**

Pinnacle/CSG, Inc.  
(Print name of company)

Witnesses:

[Signature]

By: Margaret Anderson

Print Name: Margaret Anderson

Title: Vice President, Project Delivery

Business License

No. CGC 1510790

STATE OF FLORIDA

COUNTY OF Broward

The foregoing instrument was acknowledged before me this 14 day of April, 2015 by Margaret Anderson as Vice President of Pinnacle/CSG, Inc, A Florida Corporation on behalf of the corporation. He/she is personally known to me ~~or who~~ has produced \_\_\_\_\_ (type of identification) as identification.

NOTARY'S SEAL:



[Signature]  
NOTARY PUBLIC, STATE OF FLORIDA

Andrea Mosher  
(Name of Acknowledger Typed, Printed or Stamped)

FF203467  
Commission Number

Attach City Signature Page for Change orders required to go to commission

**"CITY":**

Witnesses:

**CITY OF POMPANO BEACH**

\_\_\_\_\_

By: \_\_\_\_\_  
LAMAR FISHER, MAYOR

\_\_\_\_\_

By: \_\_\_\_\_  
DENNIS W. BEACH, CITY MANAGER

Attest:

\_\_\_\_\_  
ASCELETA HAMMOND, CITY CLERK

(SEAL)

Approved As To Form:

\_\_\_\_\_  
GORDON B. LINN, CITY ATTORNEY

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015 by **LAMAR FISHER** as Mayor, **DENNIS W. BEACH** as City Manager and **ASCELETA HAMMOND** as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

NOTARY'S SEAL:

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

\_\_\_\_\_  
(Name of Acknowledger Typed, Printed or Stamped)

\_\_\_\_\_  
Commission Number