

1. Requested Motion:

Meeting Date: April 4, 2011

Approve Change Order No. 1, to the Mound House Landscape Restoration and Park Improvements project in the amount of \$32,752.16 for various contract changes.

Why the action is necessary:

Council must approve all purchases over \$25,000.00.

What the action accomplishes:

Allows for necessary changes to the project that were identified as needed after project commencement.

2. Agenda:

- Consent
- Administrative

3. Requirement/Purpose:

- Resolution
- Ordinance
- Other: Change Order

4. Submitter of Information:

- Council
- Town Staff – Public Works
- Town Attorney

5. Background:

During construction it was determined that changes and modifications were needed based on field conditions. These changes consist of:

- Installation of a stormwater conflict box - \$8,252.44
- Additional safety railing at the underground exhibit - \$906.19
- Additional pathway material - \$3,679.53
- Modifications to the irrigation system - \$13,733.00
- Additional path material and live meadow plants - \$6,181.00

There is one field directive that is pending which will be brought forward for Town Council approval once it is finalized.

These additions are within the budget that has been set for this project. Of the total change order expense, \$31,845.97 is eligible for grant reimbursement and \$906.19 is Mound House repairs & maintenance.

6. Alternative Action:

Do not approve

7. Management Recommendations:

Staff recommends the approval of this change order.

8. Recommended Approval:

| Town Manager | Town Attorney | Finance Director | Public Works Director | Community Development Director | Cultural Resources Director | Town Clerk |
|---|---------------|------------------|---|--------------------------------|---|------------|
|  | | |  | |  | |

9. Council Action:

- Approved
- Denied
- Deferred
- Other

TOWN OF FORT MYERS BEACH CONSTRUCTION CONTRACT
CHANGE ORDER

No.: 1

(A Change Order requires approval by the Finance Director for expenditures under \$25,000, approval by the Town Manager for expenditures between \$0 and \$25,000, or approval by the Town Council for expenditures over \$25,000).

CONTRACT/PROJECT NAME: Mound House Landscape Restoration & Park Improvements
 CONTRACTOR: Wright Construction Group, Inc. PROJECT NO.: 1069-00
 CONTRACT NO.: CC-10-01-CR BID NO.: 10-01-CR
 CHANGE REQUESTED BY: Scott Loiacano DATE OF REQUEST: March 1, 2011

Upon the completion and execution of this Change Order by both parties to the Contract the Contractor is authorized to and shall proceed to make the following changes in the Contract Documents:
(If you need space other than what has been provided, please attach additional sheets.)

Description: Irrigation system modification, modification to sand path, additional cable rail, stormwater conflict box

Purpose of Change Order: See Attached

Attachments: (List documents supporting change) Field Directive Changes

| CHANGE IN CONTRACT PRICE: | CHANGE IN CONTRACT TIME: |
|---|---|
| Original Contract Price <u>\$460,000.00</u> | Original Contract Time <u>105</u> Calendar Days |
| Previous Change Order No. _____ to No. _____ <u>\$0.00</u> | Net Change from previous Change Orders <u>0</u> Calendar Days |
| Contract Price prior to this Change Order <u>\$460,000.00</u> | Contract Time prior to this Change Order <u>0</u> Calendar Days |
| Net Increase (Decrease) of this Change Order <u>\$32,752.16</u> | Net Increase (Decrease) of this Change Order <u>57</u> Calendar Days |
| Contract Price with all approved Change Orders <u>\$492,752.16</u> | Contract Time with all approved Change Orders <u>162</u> Calendar Days |

It is understood and agreed that the acceptance of this modification by the CONTRACTOR constitutes an accord and satisfaction, and represents payment in full (both time and money) for all costs arising out of, or incidental to, the above mentioned change.

| | | |
|--|-------------------------|---|
| RECOMMENDED: | ACCEPTED | TOWN APPROVAL: |
| By: _____ Consultant (if applicable) Date: _____ | By: _____ Contractor | By: _____ Finance Director (Under \$25,000) |
| By: <u>Cathie Lewis</u> <u>3/25/11</u> Department Director Date | Date Accepted: _____ | Date Approved: _____ |
| Contracts Management | (CORPORATE SEAL) | By: _____ Town Manager (Under \$25,000) |
| APPROVED: | | Date Approved: _____ |
| _____ Town Attorney Date | | By: _____ Mayor, Town Council (Over \$25,000) |
| | | Date Approved: _____ |

BID NO.: 10-01-CR

01/25/2010

TOWN OF FORT MYERS BEACH CONSTRUCTION CONTRACT
FIELD DIRECTIVE CHANGE

NO.: 2R

Project No.: 1069-00

Bid No.: 10-01-CR

Contract No.: CC-10-01-CR

Contract/Project Name: MOUND HOUSE LANDSCAPE RESTORATION & PARK IMPROVEMENTS

Contractor: Wright Construction Group, Inc.

Request By: Scott Loiacano

Date of Request: Feb. 1 2011

1. Directive: The TOWN hereby directs and authorizes the following change(s) in the work required by the contract documents be made and the CONTRACTOR is hereby directed to proceed promptly. In the event that as a result of the CONTRACTOR accepting this Field Directive Change, there are determined to be change(s) in the Contract (1) scope, (2) cost, or (3) time. Subsequent to the CONTRACTOR finalizing the change(s) in the work required, and upon receipt and acceptance by the TOWN of a written and documented claim by the CONTRACTOR, such changes shall be incorporated in a Change Order which is subject to approval by the TOWN and the CONTRACTOR.
2. Description of the change(s):
Conflict Drainage Box for Sewer Line
3. Purpose or Intent of Field directive Change:
Route piping around conflict.
4. Attachments: (List documents supporting change)
RFI, Shop Drawing, & Back-up from MAJ and WCG.
5. Not-to-exceed limits applicable to this Field Directive Change:
Unless specifically authorized by the TOWN by a written amendment to this Field Directive Change, the CONTRACTOR shall not exceed the following limits:
 - A. Estimated not-to-exceed increase (decrease) in the contract price: \$8,252.44
 - B. Estimated not-to-exceed increase (decrease) in completion time in calendar days: 20
6. Claim(s) resulting from Field Directive Change
In the event that, as a result of the CONTRACTOR providing or performing the change(s) in the required construction work as set forth in this Field Directive Change, the CONTRACTOR determines that consideration should be given to (1) changing the contract scope, (2) increasing the CONTRACTOR's compensation, or (3) increasing the contract time; the CONTRACTOR shall in accordance with the provisions of Articles 11, 12 and 13 of the Contract Document, submit a written claim to the TOWN requesting that a Change Order be executed incorporating changes in the (1) contract scope, (2) CONTRACTOR compensation, or (3) contract time as appropriate. Such a claim shall include documentation to support the claim.

It is understood and agreed by the TOWN in authorizing and by the CONTRACTOR in accepting this Field Directive Change that the following methods shall be used as the basis for considering the issuance of a contract Change Order or any CONTRACTOR claim arising out of this Field Directive Change:

A. Method of Determining Change in Contract Price:

- Time and Materials
- Unit Prices
- Cost plus fixed fee (See Back-up)
- Other

B. Method of Determining Change in Contract Time:

- Contractor's Records (See Explanation)
- Consultant's Records
- Other

7. ACCEPTANCE:

TOWN AUTHORIZATION

By Rayne Lewis
Printed Name

By Cathy Ross
Signature

Title/Position Public Works Director

Date 2/18/11

CONTRACTOR AUTHORIZATION

By Wright Construction Group, Inc.
Contractor's Business Name

By Scott Lojacano
Print Name

By [Signature]
Signature

[Signature]
Witness

Title/Position Project Manager

Date 2/21/11

Corporate Seal (Affix if applicable, if not enter "None")

Copies Distributed to:

- Contractor (Signed Original)
- Director Project Sponsoring Department (Signed Original)
- Project Manager
- Consultant (if applicable)
- Contracts Management



The "Wright" Choice
Since 1946

Wright Construction Group, Inc.
5811 Youngquist Road
Ft. Myers, FL 33912
Tel: 239/481-5000
Fax: 239/481-2448

February 1, 2011
Mr. David Sacks RLA
EDAW/ AECOM
800 Douglas Entrance
North Tower, 2nd Floor
Coral Gables, FL 33134

Re: MOUND HOUSE LANDSCAPE RESTORATION & PARK IMPROVEMENTS
FDC#2: Conflict Box

CONTRACTOR REQUESTED CHANGE

Dear David:
Please let this letter serve as the itemized proposal for changes in the Contract Sum and Contract Time for the proposed modifications to the Contract Documents as described:

CMPR 008: Scope Of Work

Additional Cost and Time as Follows:
Costs associated with installing a conflict box in the drainage piping.
See attached RFI#1 w/ engineer response e-mail.
See attached Shop Drawing on the Conflict Box. NOTE: Conflict box shop drawing has been field verified.
Time extension associated with this change is 20 days. Drainage conflict noticed week of 1/3/11 and will take approximately two weeks to fabricate from Field Directive Change approval.

* Back-Up from MAJ Contracting, Inc. attached, dated 1/19/11.

Total Cost = \$8,252.44

MAJ \$6,534.00

| | | |
|-----------------------------------|----|------------|
| Subtotal: | | \$6,534.00 |
| Overhead and Profit - Fixed (25%) | \$ | 1,633.50 |
| Bond Fee (1%) | \$ | 84.94 |

TOTAL \$8,252.44

Best Regards,
WRIGHT CONSTRUCTION GROUP



Scott Loiacano
Project Manager

BID NO.: 10-01-CR

01/25/2010

TOWN OF FORT MYERS BEACH CONSTRUCTION CONTRACT
FIELD DIRECTIVE CHANGE

NO.: 3

Project No.: 1069-00

Bid No.: 10-01-CR

Contract No.: CC-10-01-CR

Contract/Project Name: MOUND HOUSE LANDSCAPE RESTORATION & PARK IMPROVEMENTS

Contractor: Wright Construction Group, Inc.

Request By: Scott Loiacano

Date of Request: Feb. 8, 2011

1. Directive: The TOWN hereby directs and authorizes the following change(s) in the work required by the contract documents be made and the CONTRACTOR is hereby directed to proceed promptly. In the event that as a result of the CONTRACTOR accepting this Field Directive Change, there are determined to be change(s) in the Contract (1) scope, (2) cost, or (3) time. Subsequent to the CONTRACTOR finalizing the change(s) in the work required, and upon receipt and acceptance by the TOWN of a written and documented claim by the CONTRACTOR, such changes shall be incorporated in a Change Order which is subject to approval by the TOWN and the CONTRACTOR.
2. Description of the change(s):
Additional Cable Railing Section Added By Owner/Landscape Arch.
3. Purpose or Intent of Field directive Change:
Railing at the top of the Mound for fall safety reasons.
4. Attachments: (List documents supporting change)
Shop Drawing, & Back-up from Raber Industries, Inc. and WCG.
5. Not-to-exceed limits applicable to this Field Directive Change:
Unless specifically authorized by the TOWN by a written amendment to this Field Directive Change, the CONTRACTOR shall not exceed the following limits:
 - A. Estimated not-to-exceed increase (decrease) in the contract price: \$906.19
 - B. Estimated not-to-exceed increase (decrease) in completion time in calendar days: 7
6. Claim(s) resulting from Field Directive Change
In the event that, as a result of the CONTRACTOR providing or performing the change(s) in the required construction work as set forth in this Field Directive Change, the CONTRACTOR determines that consideration should be given to (1) changing the contract scope, (2) increasing the CONTRACTOR's compensation, or (3) increasing the contract time; the CONTRACTOR shall in accordance with the provisions of Articles 11, 12 and 13 of the Contract Document, submit a written claim to the TOWN requesting that a Change Order be executed incorporating changes in the (1) contract scope, (2) CONTRACTOR compensation, or (3) contract time as appropriate. Such a claim shall include documentation to support the claim.

It is understood and agreed by the TOWN in authorizing and by the CONTRACTOR in accepting this Field Directive Change that the following methods shall be used as the basis for considering the issuance of a contract Change Order or any CONTRACTOR claim arising out of this Field Directive Change:

A. Method of Determining Change in Contract Price:

- Time and Materials
- Unit Prices
- Cost plus fixed fee
- Other

B. Method of Determining Change in Contract Time:

- Contractor's Records
- Consultant's Records
- Other Lead Time

7. ACCEPTANCE:

TOWN AUTHORIZATION

By Cathy Lewis
Printed Name

By Cathy Lewis
Signature

Title/Position Public Works Director

Date 2/18/11

CONTRACTOR AUTHORIZATION

By Wright Construction Corp, Inc.
Contractor's Business Name

By Scott Laicane
Print Name

By [Signature]
Signature

[Signature]
Witness

Title/Position Project Manager

Date 2/2/11

Corporate Seal (Affix if applicable, if not enter "None")

Copies Distributed to:

- Contractor (Signed Original)
- Director Project Sponsoring Department (Signed Original)
- Project Manager
- Consultant (if applicable)
- Contracts Management



The "Wright" Choice
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Wright Construction Group, Inc.
5811 Youngquist Road
Ft. Myers, FL 33912
Tel: 239/481-5000
Fax: 239/481-2448

February 8, 2011
Mr. David Sacks RLA
EDAW/ AECOM
800 Douglas Entrance
North Tower, 2nd Floor
Coral Gables, FL 33134

Re: MOUND HOUSE LANDSCAPE RESTORATION & PARK IMPROVEMENTS

FDC#3: Additional Cable Railing

OWNER/ARCHITECT REQUESTED CHANGE

Dear David:

Please let this letter serve as the itemized proposal for changes in the Contract Sum and Contract Time for the proposed modifications to the Contract Documents as described:

CMPR 008: Scope Of Work

Additional Cost and Time as Follows:

Costs associated with furnishing and installing an additional section of cable railing on the Mound.

See attached Shop Drawing. Dimension to be field verified.

Additional railing to be brushed stainless and is 4'- 2-3/8" in length.

Time extension associated with this change is 7 days as there is a two week lead time.

Lead time is approximately two weeks to fabricate from Field Directive Change approval.

* Back-Up from Raber Industries, Inc. attached, dated 1/31/11.

Total Cost = \$906.19

RI \$657.00

| | | |
|-----------------------------------|----|----------|
| Subtotal: | | \$657.00 |
| Overhead and Profit - Fixed (25%) | \$ | 164.25 |
| Bond Fee (1%) | \$ | 84.94 |

TOTAL \$906.19

Best Regards,
WRIGHT CONSTRUCTION GROUP

Scott Loiacano
Project Manager

BID NO.: 10-01-CR

01/25/2010

TOWN OF FORT MYERS BEACH CONSTRUCTION CONTRACT
FIELD DIRECTIVE CHANGE

NO.: 6

Project No.: 1069-00 Bid No.: 10-01-CR Contract No.: CC-10-01-CR

Contract/Project Name: MOUND HOUSE LANDSCAPE RESTORATION & PARK IMPROVEMENTS

Contractor: Wright Construction Group, Inc.

Request By: Scott Loiacano Date of Request: Feb. 21, 2011

1. Directive: The TOWN hereby directs and authorizes the following change(s) in the work required by the contract documents be made and the CONTRACTOR is hereby directed to proceed promptly. In the event that as a result of the CONTRACTOR accepting this Field Directive Change, there are determined to be change(s) in the Contract (1) scope, (2) cost, or (3) time. Subsequent to the CONTRACTOR finalizing the change(s) in the work required, and upon receipt and acceptance by the TOWN of a written and documented claim by the CONTRACTOR, such changes shall be incorporated in a Change Order which is subject to approval by the TOWN and the CONTRACTOR.
2. Description of the change(s):
Additional costs related to providing a 4" sand system in lieu of 2"
3. Purpose or Intent of Field directive Change:
Scope Change
4. Attachments: (List documents supporting change)
Back-up from WCG, Gulf Paving Company, Inc. and Enviroseal.
5. Not-to-exceed limits applicable to this Field Directive Change:
Unless specifically authorized by the TOWN by a written amendment to this Field Directive Change, the CONTRACTOR shall not exceed the following limits:
 - A. Estimated not-to-exceed increase (decrease) in the contract price: \$3,679.53
 - B. Estimated not-to-exceed increase (decrease) in completion time in calendar days: _____
6. Claim(s) resulting from Field Directive Change --
In the event that, as a result of the CONTRACTOR providing or performing the change(s) in the required construction work as set forth in this Field Directive Change, the CONTRACTOR determines that consideration should be given to (1) changing the contract scope, (2) increasing the CONTRACTOR's compensation, or (3) increasing the contract time; the CONTRACTOR shall in accordance with the provisions of Articles 11, 12 and 13 of the Contract Document, submit a written claim to the TOWN requesting that a Change Order be executed incorporating changes in the (1) contract scope, (2) CONTRACTOR compensation, or (3) contract time as appropriate. Such a claim shall include documentation to support the claim.

It is understood and agreed by the TOWN in authorizing and by the CONTRACTOR in accepting this Field Directive Change that the following methods shall be used as the basis for considering the issuance of a contract Change Order or any CONTRACTOR claim arising out of this Field Directive Change:

- | | |
|---|--|
| <p>A. Method of Determining Change in Contract Price:</p> <p><input type="checkbox"/> Time and Materials</p> <p><input type="checkbox"/> Unit Prices</p> <p><input checked="" type="checkbox"/> Cost plus fixed fee</p> <p><input type="checkbox"/> Other</p> | <p>B. Method of Determining Change in Contract Time:</p> <p><input type="checkbox"/> Contractor's Records</p> <p><input type="checkbox"/> Consultant's Records</p> <p><input type="checkbox"/> Other</p> |
|---|--|

7. ACCEPTANCE:

TOWN AUTHORIZATION

By Cathie Lewis
Printed Name

By Cathie Lewis
Signature

Title/Position Public Works Director

Date 03/03/11

CONTRACTOR AUTHORIZATION

By Wright Construction Group, Inc.
Contractor's Business Name

By _____
Print Name

By K Moyer
Signature
KEITH A. MOYER

Scott Loiacano
Witness

Title/Position VICE PRESIDENT

Date 03/11/2011

Corporate Seal (Affix if applicable, if not enter "None")

Copies Distributed to:

- Contractor (Signed Original)
- Director Project Sponsoring Department (Signed Original)
- Project Manager
- Consultant (if applicable)
- Contracts Management



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Wright Construction Group, Inc.
5811 Youngquist Road
Ft. Myers, FL 33912
Tel: 239/481-5000
Fax: 239/481-2448

February 21, 2011
Ms. Cathie Lewis, Public Works Director
Town of Fort Myers Beach
2523 Estero Boulevard
Fort Myers Beach, FL 33931

Re: MOUND HOUSE LANDSCAPE RESTORATION & PARK IMPROVEMENTS
FDC#6: Additional Costs related to the Sand Path Polymer Binder System.

ARCHITECT REQUESTED CHANGE

Dear Cathie:
Please let this letter serve as the itemized proposal for changes in the Contract Sum and Contract Time for the proposed modifications to the Contract Documents as described:

FDC 006: Scope Of Work

Additional Time as Follows:
Request for additional costs to provide a 4" sand system in lieu of a 2" system as shown on LS-102.
Change as requested by the Landscape Architect due to existing site conditions.
Also, change required by Enviroseal to comply with the 5 Year Warranty. Must be 4" system per Enviroseal.

* Back-Up from Gulf Paving Company, Inc. and Enviroseal Attached.

| | | |
|-----------------------------------|----|-------------------|
| | GP | \$2,875.67 |
| | | |
| Subtotal: | | \$2,875.67 |
| Overhead and Profit - Fixed (25%) | \$ | 718.92 |
| Bond Fee (1%) | \$ | 84.94 |
| | | <hr/> |
| TOTAL | | \$3,679.53 |

Best Regards,
WRIGHT CONSTRUCTION GROUP

Scott Loiacano
Project Manager

BID NO.: 10-01-CR

01/25/2010

TOWN OF FORT MYERS BEACH CONSTRUCTION CONTRACT
FIELD DIRECTIVE CHANGE

NO.: 7

Project No.: 1069-00

Bid No.: 10-01-CR

Contract No.: CC-10-01-CR

Contract/Project Name: MOUND HOUSE LANDSCAPE RESTORATION & PARK IMPROVEMENTS

Contractor: Wright Construction Group, Inc.

Request By: Scott Loiacano

Date of Request: Feb. 24, 2011

1. Directive: The TOWN hereby directs and authorizes the following change(s) in the work required by the contract documents be made and the CONTRACTOR is hereby directed to proceed promptly. In the event that as a result of the CONTRACTOR accepting this Field Directive Change, there are determined to be change(s) in the Contract (1) scope, (2) cost, or (3) time. Subsequent to the CONTRACTOR finalizing the change(s) in the work required, and upon receipt and acceptance by the TOWN of a written and documented claim by the CONTRACTOR, such changes shall be incorporated in a Change Order which is subject to approval by the TOWN and the CONTRACTOR.
2. Description of the change(s):
Additional costs related to providing and irrigation system and well.
3. Purpose or Intent of Field directive Change:
Scope Change
4. Attachments: (List documents supporting change)
Back-up from WCG and Big Tree, Inc. attached.
5. Not-to-exceed limits applicable to this Field Directive Change:
Unless specifically authorized by the TOWN by a written amendment to this Field Directive Change, the CONTRACTOR shall not exceed the following limits:
 - A. Estimated not-to-exceed increase (decrease) in the contract price: \$13,733.00
 - B. Estimated not-to-exceed increase (decrease) in completion time in calendar days: 30
6. Claim(s) resulting from Field Directive Change

In the event that, as a result of the CONTRACTOR providing or performing the change(s) in the required construction work as set forth in this Field Directive Change, the CONTRACTOR determines that consideration should be given to (1) changing the contract scope, (2) increasing the CONTRACTOR's compensation, or (3) increasing the contract time; the CONTRACTOR shall in accordance with the provisions of Articles 11, 12 and 13 of the Contract Document, submit a written claim to the TOWN requesting that a Change Order be executed incorporating changes in the (1) contract scope, (2) CONTRACTOR compensation, or (3) contract time as appropriate. Such a claim shall include documentation to support the claim.

It is understood and agreed by the TOWN in authorizing and by the CONTRACTOR in accepting this Field Directive Change that the following methods shall be used as the basis for considering the issuance of a contract Change Order or any CONTRACTOR claim arising out of this Field Directive Change:

A. Method of Determining Change in Contract Price:

- Time and Materials
- Unit Prices
- Cost plus fixed fee
- Other

B. Method of Determining Change in Contract Time:

- Contractor's Records
- Consultant's Records
- Other

012

7. ACCEPTANCE:

TOWN AUTHORIZATION

By Cathie Lewis
Printed Name

By Cathie Lewis
Signature

Title/Position Public Works Director

Date 03/03/11

CONTRACTOR AUTHORIZATION

By Wright Construction Group, Inc.
Contractor's Business Name

By _____
Print Name

By K Moyer
Signature

Scott Loiacano
Witness

Title/Position KEITH A. MOYER
VICE PRESIDENT

Date 03/11/2011

Corporate Seal (Affix if applicable, if not enter "None")

Copies Distributed to:

- Contractor (Signed Original)
- Director Project Sponsoring Department (Signed Original)
- Project Manager
- Consultant (if applicable)
- Contracts Management



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Wright Construction Group, Inc.
5811 Youngquist Road
Ft. Myers, FL 33912
Tel: 239/481-5000
Fax: 239/481-2448

February 28, 2011
Ms. Cathie Lewis, Public Works Director
Town of Fort Myers Beach
2523 Estero Boulevard
Fort Myers Beach, FL 33931

Re: MOUND HOUSE LANDSCAPE RESTORATION & PARK IMPROVEMENTS

FDC#7: Additional Costs related to installing a well and irrigation system.

ARCHITECT REQUESTED CHANGE

Dear Cathie:

Please let this letter serve as the itemized proposal for changes in the Contract Sum and Contract Time for the proposed modifications to the Contract Documents as described:

FDC 007: Scope Of Work

Additional cost to install the irrigation system and well as per For Construction Irrigation Plans (LS-100 & LS-200), dated 2/22/11.

Additional Time as Follows: 30 Days. Substantial Completion to be 3/22/11. Well subject to permitting and not included in time extension.

Exclusions: Water service from existing main, Permitting, Monitoring, Pump Station.

* Back-Up from Big Tree, Inc., Attached.

| | | |
|-----------------------------------|-----|--------------------|
| Well | BT | \$7,623.00 |
| Irrigation | BT | \$21,110.00 |
| | WCG | -\$15,000.00 |
| Subtotal: | | \$13,733.00 |
| Overhead and Profit - Fixed (25%) | \$ | - |
| Bond Fee (1%) | \$ | - |
| TOTAL | | \$13,733.00 |

Best Regards,
WRIGHT CONSTRUCTION GROUP

Scott Loiacano
Project Manager

TOWN OF FORT MYERS BEACH CONSTRUCTION CONTRACT
FIELD DIRECTIVE CHANGE

NO.: 11

Project No.: 1069-00 Bid No.: 10-01-CR Contract No.: CC-10-01-CR

Contract/Project Name: MOUND HOUSE LANDSCAPE RESTORATION & PARK IMPROVEMENTS

Contractor: Wright Construction Group Inc.

Request By: Scott Loiacano Date of Request: 3.17.11

1. Directive: The TOWN hereby directs and authorizes the following change(s) in the work required by the contract documents be made and the CONTRACTOR is hereby directed to proceed promptly. In the event that as a result of the CONTRACTOR accepting this Field Directive Change, there are determined to be change(s) in the Contract (1) scope, (2) cost, or (3) time. Subsequent to the CONTRACTOR finalizing the change(s) in the work required, and upon receipt and acceptance by the TOWN of a written and documented claim by the CONTRACTOR, such changes shall be incorporated in a Change Order which is subject to approval by the TOWN and the CONTRACTOR.

2. Description of the change(s):
Add 1,500 live plants to seeded meadow area

3. Purpose or Intent of Field directive Change:
Increase diversity, hasten meadow establishment

4. Attachments: (List documents supporting change)
Email from David Sacks RLA with species &

5. Not-to-exceed limits applicable to this Field Directive Change: quantities
Unless specifically authorized by the TOWN by a written amendment to this Field Directive Change, the CONTRACTOR shall not exceed the following limits:

A. Estimated not-to-exceed increase (decrease) in the contract price: \$6,181

B. Estimated not-to-exceed increase (decrease) in completion time in calendar days: _____

6. Claim(s) resulting from Field Directive Change
In the event that, as a result of the CONTRACTOR providing or performing the change(s) in the required construction work as set forth in this Field Directive Change, the CONTRACTOR determines that consideration should be given to (1) changing the contract scope, (2) increasing the CONTRACTOR's compensation, or (3) increasing the contract time; the CONTRACTOR shall in accordance with the provisions of Articles 11, 12 and 13 of the Contract Document, submit a written claim to the TOWN requesting that a Change Order be executed incorporating changes in the (1) contract scope, (2) CONTRACTOR compensation, or (3) contract time as appropriate. Such a claim shall include documentation to support the claim.

It is understood and agreed by the TOWN in authorizing and by the CONTRACTOR in accepting this Field Directive Change that the following methods shall be used as the basis for considering the issuance of a contract Change Order or any CONTRACTOR claim arising out of this Field Directive Change:

- | | |
|---|---|
| A. Method of Determining Change in Contract Price: | B. Method of Determining Change in Contract Time: |
| <input type="checkbox"/> Time and Materials | <input type="checkbox"/> Contractor's Records |
| <input type="checkbox"/> Unit Prices | <input type="checkbox"/> Consultant's Records |
| <input checked="" type="checkbox"/> Cost plus fixed fee | <input type="checkbox"/> Other |
| <input type="checkbox"/> Other | |

7. ACCEPTANCE:

TOWN AUTHORIZATION

By Cathie Lewis
Printed Name

By Cathie Lewis
Signature

Title/Position Public Works Director

Date 3/18/11

CONTRACTOR AUTHORIZATION

By _____
Contractor's Business Name

By _____
Print Name

By _____
Signature

Witness

Title/Position _____

Date _____

Corporate Seal (Affix if applicable, if not enter "None")

Copies Distributed to:

- Contractor (Signed Original)
- Director Project Sponsoring Department (Signed Original)
- Project Manager
- Consultant (if applicable)
- Contracts Management

David Sacks

From: David Sacks [david@davidsacks-rla.com]
Sent: Thursday, March 17, 2011 8:34 AM
To: 'Theresa Schober'; 'Cathie Lewis'
Cc: 'Gustavo.Santana@aecom.com'; 'Scott Loiacano'
Subject: FW: Live Meadow Plants

Importance: High

Cathie / Theresa,

Per our discussion Monday below is Big Tree Landscape's proposed list, quantities and cost of live plants to be added to the meadow. It adds 1,500 plants for a cost of \$4,895.50 (subcontractor cost, before GC markup).

This will increase diversity, as some desirable species were not available as seed; aid faster establishment of the meadow; and enhance the "day one" appearance of the meadow areas.

BTL / Wright are requesting an OK to proceed a.s.a.p., as they would need to install the live plants prior to seeding, which is scheduled to happen very soon. We recommend the addition.

Please let us know a.s.a.p. if this is acceptable. If you can tell me what # we are up to with the FDC's I can prepare one.
Thanks,
David

David Sacks RLA
89 Dartmouth Avenue
Avondale Estates, GA 30002
(404) 353-1876
david@davidsacks-rla.com
www.davidsacks-rla.com

From: Wayne Bock [mailto:wayne@bigtreeinc.net]
Sent: Wednesday, March 16, 2011 5:55 PM
To: 'David Sacks'
Cc: 'Scott Loiacano'; 'Kit Bock'
Subject: RE: Live Meadow Plants

Yes...cost is a little lower...see below...

Wayne Bock
VP, Bigtree, Inc.
W – 239.694-9700 ext. 223
C – 239.229.5743
F – 239.694-6345
www.bigtreeinc.net





From: David Sacks [<mailto:david@davidsacks-ria.com>]
Sent: Wednesday, March 16, 2011 5:42 PM
To: 'Wayne Bock'
Cc: 'Scott Loiacano'; kit@bigtreeinc.net
Subject: RE: Live Meadow Plants

Wayne,

Can we shift again toward smaller (see below) or are quantities too limited?
David

From: Wayne Bock [<mailto:wayne@bigtreeinc.net>]
Sent: Wednesday, March 16, 2011 5:14 PM
To: 'Scott Loiacano'
Cc: 'Kit Bock'; david@davidsacks-ria.com
Subject: Live Meadow Plants

Scott,

I have located all live plants for the meadow. A change order will be needed.

| | Requested | Avail | New Price |
|---|-----------|--------|------------------|
| • 200 Beach Verbena | 1 Gal | 1 Gal | \$1,000.00 |
| • 150 70 Purple Lovegrass | 4" | 1 Gal | \$ 350.00 |
| • 200 250 Elliotts Lovegrass | 4" | 4" | \$ 812.50 |
| • 100 Dune Sunflower | 4" | 4" | \$ 375.00 |
| • 100 Blanket Flower | 4" | 4" | \$ 375.00 |
| • 150 180 Yellowtop | Liners | Liners | \$ 378.00 |
| • 400 300 Muhly Grass | Liners | 4" | \$ 975.00 |
| • 200 300 Sea Oxeye Daisy | Liners | Liners | <u>\$ 630.00</u> |
| | | | \$4895.50 |

A couple of the sizes are larger, but that is what is available in acceptable quality right now.

Please issue the C.O. asap so we can get the plants picked up and planted.

Best Regards,

Wayne Bock
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