

**SUMTER COUNTY BOCC
CHANGE ORDER FORM**

PROJECT: Sumter County Security Entry Vestibule 225 East McCollum Ave Bushnell FL 33513	CHANGE ORDER NUMBER: 5 DATE: 11.09.10 ARCHITECT'S PROJECT NO.: 852
TO CONTRACTOR: Greg Construction 9030 Fort Island Trail Crystal River FL 34429	CONTRACT DATE: 10.13.09 CONTRACT FOR: \$1,336,475.00

The Contract is changed as follows:
Automatic deduction for failure to meet completion date for construction in accordance with contract provisions.
See attached email thread.

Not valid until signed by the Owner, Architect.

The original (Contract Sum) (Guaranteed maximum Price) was	<u>\$1,336,475.00</u>
Net change by previously authorized Change orders	<u>\$382,646.76</u>
The (Contract Sum) (Guaranteed maximum Price) prior to this Change order was	<u>\$1,719,121.76</u>
The (Contract Sum) (Guaranteed maximum price) will be (increased) (decreased) (unchanged) by this Change Order in the amount of	<u>(\$18,000.00)</u>
The new (Contract Sum) (Guaranteed maximum Price) including this Change order will be	<u>\$1,701,121.76</u>

The Contract Time will be (increased) decreased) (unchanged) by	0 Days
The date of Substantial Completion as of the date of this Change Order therefore is	08.11.10

Architecture Studio, Inc.

ARCHITECT
114 S Magnolia Ave

Address
Ocala FL 34473

Sumter County BOCC

OWNER
910 N Main St, Room #201

Address
Bushnell FL 33513

BY

Joe Rispoli

DATE

BY

Doug Gilpin - Chairman

DATE

Fitzpatrick, Annette

From: Conway, Doug
Sent: Monday, November 01, 2010 2:28 PM
To: Fitzpatrick, Annette
Subject: FW: Revised Pay Application

From: Conway, Doug
Sent: Thursday, September 30, 2010 7:00 PM
To: Fitzpatrick, Annette
Subject: FW: Revised Pay Application

Good afternoon Amy,

I have finalized my evaluation of Greg Construction application for payment # 6 and I have the following information to offer:

- A) The revised current payment due from \$ 448,751.91 to \$412,040.01
- B) Reduction in line item 12 Cast in Place by \$ 13,791.00, based on Building Department rejection of concrete stairs at the front of the facility, see attached email
- C) Reduction in line item 15 Metals by \$ 7,000.00, based on Building Department rejection of concrete stairs at the front of the facility, see attached email
- D) Reduction for milestones \$18,000.00 – failed to compete project by August 11, 2010

I was unable to scan this document today, but I have attached my spreadsheet. Also I will have Annette scan the application for payment tomorrow.

Please don't hesitate to contact me should you have any questions.

Thanks

Doug

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Joe,

I will need the Architect of Record to validate the application for payment # 6 via email so that I can attach your email to the application for payment.

Thanks

Doug

.....

Jeff

You will notice that Sumter County has process the contract's "Milestone Assessment", I have attached my email to Greg Construction from July 14, 2010 as well as I pasted the section of the email that addressed project milestones.

Time extension – with regards to the request for time extension please not the following contract provision—"PROJECT SCHEDULE, MILESTONE DATE REQUIREMENTS AND ASSESSMENTS: As a part of this bid package the general contractor shall submit a preliminary critical path schedule, with a projected start date and a projected completion date. Once the contract has been approved by the Sumter County Board of County Commissioners, the contractor and County will agree to an actual notice to proceed date which will commence all permitting and construction activities. Should the general contractor fail to meet the milestone date of the schedule the County will impose a \$1,000.00 assessment per milestone date which is not obtained on a monthly basis. This action will automatically reduce the contract amount accordingly each month. If the contractor is able to meet the original completion date of the CPM schedule, the County will reimburse the contractor for maintaining the overall schedule, although if the contractor fails to meet the original completion date the County will retain all assessments. **Sumter County BOCC will retain sole discretionary authority to consent to changes in the critical path schedule**, once the county and contractor agree to the notice to proceed date." To date SCBOCC has granted an extension of 90 days, as stated above it is our "sole discretionary authority" we will not be granting any additional time. This project will finish on (certificate of occupancy) on August 11, 2010. I cannot over emphasize this to Greg Construction and I hope that you will do the same contractual to the subcontractors. Also, note if there is to be any additional work i.e. the glass at the bailiffs station, Sumter County will not grant additional time, if it truly requires additional time then I will assign this work to the next bid documents or I will contract with others.

Greg Construction has failed to complete the project on August 11, 2010, therefore I have indentified the associated 18 milestones which were not completed they are as follows:

- 29 – Install roofing \ flashing
- 35 – Install elevator
- 48 – Paint
- 49 – Division 17 low voltage / alarms – final
- 50 – Install restroom partitions & accessories
- 52 – Install cabinets
- 53 – Install flooring
- 54 – Remove temp fencing / walls / covered walkway / concrete
- 56 – Pour ramps and sidewalks
- 57 – Install handrail
- 58 – Final grading
- 60 – Complete mechanical installation test / balance
- 61 – Complete electrical
- 62 – Complete plumbing
- 63 – Complete sprinkler installation
- 64 – Final construction cleaning
- 65 – Final inspections & c/o
- 66 – Substantial completion

Please note these can be reoccurring milestones, for example as of September 11, 2010, Greg

Construction has not completed the following milestones which will be assessed on application for payment # 7, \$14,000.00

- 29 – Install roofing \ flashing
- 35 – Install elevator
- 49 – Division 17 low voltage / alarms – final
- 54 – Remove temp fencing / walls / covered walkway / concrete
- 56 – Pour ramps and sidewalks
- 57 – Install handrail
- 58 – Final grading
- 60 – Complete mechanical installation test / balance
- 61 – Complete electrical
- 62 – Complete plumbing
- 63 – Complete sprinkler installation
- 64 – Final construction cleaning
- 65 – Final inspections & c/o
- 66 – Substantial completion

You will also note that I have attached an email from the building department which delineates which inspections are still outstanding.

If you have any questions regarding this or future applications for payment please don't hesitate to contact me

Thanks

Doug

From: Amy Melton [mailto:Amelton@greenconst.us]
Sent: Thursday, September 30, 2010 12:52 PM
To: Fitzpatrick, Annette; Conway, Doug
Subject: Revised Pay Application

Sorry to bug you about this, but please scan and email me a copy so I can make my adjustments; I would like to have entered today as it is the EOM. Thank you!



Amy Melton ♥

Amy Melton
Office Manager
Green Construction US
amelton@greenconst.us

352-794-4140 office
352-697-2605 cell
352-794-4144 fax

Green Construction US is DBA of Greg Construction Co. - established 1969

Fitzpatrick, Annette

From: Kegan, Bob
Sent: Wednesday, September 29, 2010 8:54 AM
To: Conway, Doug
Cc: Hartman, Lee; Richards, Bill; Burriss, Brad
Subject: Security vestibule - Bd2009-3993

Doug,

All final inspections are pending:

1. Structural – Entry way stairs and misc completion of trim work
2. Plumbing - Accessibility
3. Mechanical – Can not complete roof mounted equipment until the roof is finalled
4. Electrical – security components
5. Roof – about 95% complete
6. Accessibility and handicap completed components
7. Fire

Bob

Fitzpatrick, Annette

From: Kegan, Bob
Sent: Tuesday, September 28, 2010 9:48 AM
To: Conway, Doug
Cc: Hartman, Lee; Dixon, William
Subject: Courthouse Vestibule - Craig Construction

Doug,

The steps have a multitude of problems.

1. The rise from one tread to another is greater than 3/16 of an inch causing a tripping hazard.
2. The tread width varies from step to step. This should be 11 inches and uniform throughout the run.
3. The aesthetics of the stairs is not appropriate to the location. This is a main area of egress.
4. The forms obviously moved during the pour and the waviness is causing a variation in the tread.

Maybe the best resolve is for contractor to demo what's in place and start over. A certificate of occupancy can not be awarded until this is remedied.

Bob

Fitzpatrick, Annette

From: Conway, Doug
Sent: Wednesday, July 14, 2010 4:27 PM
To: 'Jeff Pfent'; 'Amy Melton'; 'Ed Stern'
Cc: 'Joe Rispoli'; 'Lawrence, Andrew'
Subject: RE: VESTIBULE CHG ORDER REQUEST #4
Attachments: CHG ORDER REQ 4 070610.pdf; SECURITY VESTIBULE RFP PAGE.pdf

Good Afternoon Team,

I have reviewed the attached request for Change Order #4 and I have the following observations to offer;

- A) Items 1, 2, 3, are consistent with ASI Construction Change Directive dated June 30, 2010 and shall be recommended to the SCBOCC for approval
- B) Item #4 Masonic Cornerstone is an allowance item not a Change Order item, therefore it will not be recommended to SCBOCC
- C) Item #5 bronze dedication plaque is a net number and should have the associated OHP reduction included prior to recommendation to the SCBOCC
- D) Item #6 Temporary dry-in, this activity benefits the contractor in order to maintain the completion date; I will consider input from the architect on this matter. As a side note Carpenters labor at \$47.50 appears to be excessive when compared to R S Means at \$27.4 or the area adjusted rate of \$23.56 per hour.
- E) Item #7 Third floor transition, this request is in conflict with RFP page 9 of 23 **Examination of Proposal Documents** which states "Each vendor shall carefully examine the drawings and or specifications and other applicable documents, and inform himself / herself thoroughly regarding any and all conditions and requirements that may in any manner affect cost, progress or performance of the work to be performed under the contract. **Ignorance of the part of the Contractor will in no way relieve him / her of the obligations and responsibilities assumed under the contract.**" Also on page 10 of 23 **Inspection of the Site** states "The Contractor shall visit the site of the proposed work and fully examine the existing conditions and the relationship to the construction. **The contractor shall thoroughly examine and familiarize themselves with the drawings and specifications related to field conditions, the difficulties, logistical restrictions required to meet the requirements of this RFP. Deficient understandings of the existing field conditions will in now way relieve the contractor from the contractual obligations of this RFP.** The translations are that it is incumbent for Greg Construction ensures that the floors line up, it is the accountability piece of this contract. Bottom line is the Architect \ structural engineer \ owner could have simply said rip it out and build it right, also we are now in the position of accepting a non-conforming product, I will task the architect and engineer with explaining to Sumter County why I should not be receiving a credit for non-complying work as defined in the AIA contract. In additional the drawings have a note box on several sheets which has the following information **1) all dimension shall be site verified, 2) Site verify each existing condition heights and finish floor,** I will allow the architect and structural engineer to comment on these requirements. I would also like to add

- the following facts the Notice to Proceed was given on November 4, 2010, 225 days or seven months into the project Greg Construction announces on June 17, 2010 that the new third floor does not line up with the existing third floor, this is unacceptable.
- F) Item #8 Flashing added at widow locations, Sumter County will accept a recommendation from ASI for recommendation to SCBOCC
 - G) Item #9 Changes to tile specifications and installation Sumter, County will accept a recommendation from ASI for recommendation to SCBOCC, but we will require a better estimated that what is attached for example I need to see the estimated cost and the estimated credit for this task.
 - H) Time extension – with regards to the request for time extension please note the following contract provision—“PROJECT SCHEDULE, MILESTONE DATE REQUIREMENTS AND ASSESSMENTS: As a part of this bid package the general contractor shall submit a preliminary critical path schedule, with a projected start date and a projected completion date. Once the contract has been approved by the Sumter County Board of County Commissioners, the contractor and County will agree to an actual notice to proceed date which will commence all permitting and construction activities. Should the general contractor fail to meet the milestone date of the schedule the County will impose a \$1,000.00 assessment per milestone date which is not obtained on a monthly basis. This action will automatically reduce the contract amount accordingly each month. If the contractor is able to meet the original completion date of the CPM schedule, the County will reimburse the contractor for maintaining the overall schedule, although if the contractor fails to meet the original completion date the County will retain all assessments. **Sumter County BOCC will retain sole discretionary authority to consent to changes in the critical path schedule**, once the county and contractor agree to the notice to proceed date.” To date SCBOCC has granted an extension of 90 days, as stated above it is our “sole discretionary authority” we will not be granting any additional time. This project will finish on (certificate of occupancy) on August 11, 2010. I cannot over emphasize this to Greg Construction and I hope that you will do the same contractual to the subcontractors. Also, note if there is to be any additional work i.e. the glass at the bailiffs station, Sumter County will not grant additional time, if it truly requires additional time then I will assign this work to the next bid documents or I will contract with others.

Thanks

Doug

From: Amy Melton [mailto:amymelton@tampabay.rr.com]
Sent: Wednesday, July 07, 2010 1:03 PM
To: Conway, Doug
Cc: Charles Creel; jpfent@gregconstruction.com
Subject: VESTIBULE CHG ORDER REQUEST #4

Good Afternoon Doug. I have attached the Change Order Request as per our meeting yesterday. All backup documents, CCD dated 6/30/2010, and the revised CPM schedule are included. It is my understanding that Architecture Studio will prepare the AIA Change Order form to be presented to the board and signed/executed, correct?

11/1/2010