

Orange County Government

Orange County Administration Center 201 S Rosalind Ave. Orlando, FL 32802-1393

Legislation Text

File #: 24-1167, Version: 1

Interoffice Memorandum

DATE: August 6, 2024

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A

FROM: Ed Torres, M.S., P.E., LEED AP, Director, Utilities

CONTACT: Troy Layton, P.E., NCEE, Manager, Utilities

PHONE: 407-254-9794

DIVISION: Field Services Division

ACTION REQUESTED:

Approval and execution of Change Order Number 12, Contract Y23-741-R2 Pine Hills Road Pedestrian Safety Improvements-Phase II, with RMS Constructors Group, LLC, in the amount of \$9,849,999.52, for a revised total contract amount of \$21,436,439.57. District 6. (Field Services Division)

PROJECT: N/A

PURPOSE: RMS Constructors Group, LLC has submitted a price proposal for additional services under the terms of Contract Y23-741. This project consists of pedestrian safety improvements throughout Pine Hills Road from S.R. 50 (Colonial Drive) to Figwood Lane. The original scope of work includes constructing a raised median along 1.69 miles of Pine Hills Road, upgrading curb ramps and driveways to meet ADA requirements, installation of approximately 3,650 liner feet of steel loop fence Pedestrian Channelization Barrier, upgrading mast arms at two intersections, landscaping, and approximately 8,600 liner feet of asphalt milling and resurfacing of the entire road width of Pine Hills Road. The original project included no Utilities work in the scope.

Change Order No. 12 includes utilities work to construct wastewater improvements to convert 93 parcels currently utilizing private septic tank systems to a centralized public gravity sewer system. The project limits are along Pine Hills Road from north of Colonial Drive to Silver Star Road (SR 438). The proposed scope of work includes approximately 4,000 linear feet of 8-inch gravity sewer main, 22 sanitary sewer manholes, service laterals, cleanouts, and connections at 93 parcels, abandonment of 93 septic systems, and associated restoration of roadway, curbing, sidewalks,

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driveways, fences, landscaping, and maintenance of traffic. Proposed Change Order No. 12 proposes to add this work to Contract Y23-741 in the amount of \$9,849,999.52.

Orange County obtained two grants, including \$1,725,814.62 from American Rescue Plan Act (ARPA) and \$4,290,000 from Florida Department of Environmental Protection (FDEP) and was selected for a third grant from St. Johns River Water Management District (SJRWMD) for \$3,167,000. The grants total of \$9,182,814.62 for the above wastewater improvements including engineering design, construction, and capital fees. The ARPA funds will be used entirely to pay for engineering design and capital fees and will not be used to pay for construction. Orange County will contribute \$2,666,428.42 to the project, of which \$273,428.90 will be used to pay engineering design and capital fees and \$2,392,999.52 will be for construction.

The requirements from the first two grants stipulate the project must be constructed and operational prior to December 31, 2026. The County attempted to have a joint project for both the gravity improvements and pedestrian safety improvements under one contract; however, the urgent need for pedestrian safety could not wait for the finalization of the sewer project design. Further, it is not financially feasible or practical to bid a separate sewer retrofit project due to the overlapping scope of work specifically due to the asphalt milling and resurfacing requirements of both projects. If Contract Y23-741 is allowed to be completed without this change order's work, the County would then be impacting over 1.1 miles of newly paved Pine Hills Road roadway to install the gravity sewer and then repaving this area a second time. A cost analysis was performed assessing the proposed change order work and comparing the pricing to current sanitary sewer projects under construction by the County. The proposed prices are comparable with current contracts and in line with fair market values for this higher traffic location. Further, we reviewed the circumstances regarding this Change Order with FDEP as it relates to the grant, and FDEP has agreed that we can seek Board approval and proceed to construction.

Change Orders No.1 through No.3 required the Board's approval and increased the Contract 7.6% from the original contract of \$10,309,067 to \$11,090,450.73 in June 2023. The change orders consisted of additional hours for Law Enforcement Services for safety concerns, new traffic control assembly, and additional pedestrian safety work to be in compliance with the Americans with Disabilities Act.

Change Orders No.4 through No.11 increased the Contract by \$495,989.32 to \$11,586,440.05 or 4.5% and were approved prior to March 21, 2024. They included a deduction for office space, installation of additional signalization for a temporary left lane, removal and replacement of a damaged inlet top, installation of bollards to protect pedestrian crossings, additional work for differing site conditions, relocation of a traffic controller cabinet due to right of way clearances, and additional hours for Law Enforcement Services for safety concerns.

The proposed Change Order No.12 for \$9,849,999.52 increases the Contract value by 93.3% and revises the contract amount to \$21,436,439.57.

BUDGET: N/A

PRICE NEGOTIATION MEMORANDUM

This memorandum must be completed for non-competitive procurements exceeding \$100,000 and for change orders to existing contracts that will require Board approval. The purpose of this form is to create an audit record evidencing that negotiations were conducted with the contractor/consultant/vendor, the extent of such negotiations, and that the overall price offered is fair and reasonable.

Su	ıbject:	Project	Y23-741					
			Contract	Number				
			Pine Hills Road Pedestrian S	afety Improvements-Phase II				
			Contra					
In	troductor	y Summary:						
Ne	egotiations	for the purchase of:	Utilities Septic to S	ewer Change Order				
			Product/	Services				
W	ere compl	eted on:	7/19/2024 Date					
W	ith:		RMS Construct	ors Group, LLC				
				nsultant/Vendor				
			\$10,255,219.52	\$9,849,999.52				
Pa	articulars							
Α.		lete Name and	RMS Constr	ructors Group, LLC				
	Addre	ss of Company	750 Monroe Road, Sanford, Fl. 32824					
В.	Lump	Sum/Not-to-exceed	\$ 21,436,439.57					
C.	. Unit p	Unit prices, (if applicable) quoted and negotiated. If many, attach as a schedule.						
		Proposed	<u>Negotia</u>	ted				
		No.						

James Montalvo Chief Utilities O.C.I Jason Warren Group Director Burgess & N Procurement Situation: A. Describe what was discussed, to include any outside influences and time pressus Discussed Contractor's backup, including, labor, materials, and quantities associated hardscaping Overhead and profit. The goal is to combine projects so that newly pave not disturbed. B. Show the delivery schedule or period of performance. If there is a difference be Schedule desired or required and that proposed by the Contractor/Consultant/Vendor resolution or compromise, if any. CO # 12 will construct sanitary sewer to Pine Hills road. 360 days added to the contractor/Consultants/Vendors pricing proposal, the County/negotiation objective and the negotiation results and the reasons the agreed upon pricing reasonable.	James Montalvo Chief Utilities O.C.U. Jason Warren Group Director Burgess & Nig Procurement Situation: A. Describe what was discussed, to include any outside influences and time pressured Discussed Contractor's backup, including, labor, materials, and quantities associated we hardscaping Overhead and profit. The goal is to combine projects so that newly paved not disturbed. B. Show the delivery schedule or period of performance. If there is a difference bet Schedule desired or required and that proposed by the Contractor/Consultant/Vendor diresolution or compromise, if any. CO # 12 will construct sanitary sewer to Pine Hills road. 360 days added to the contraction of the contraction	D.	Name and titles of persons representations, identifying the properties of the proper		ultant and the County i
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The contractor's/consultant's/vendor's proposal is considered fair and reasonable and execution of the contract/change order/amendment is recommended.

James Montalvo
Full Name of Negotiato
Signature

19-July-2024
Date

APPROVED

BY ORANGE COUNTY BOARD

OE COUNTY COMMISSIONERS

AUG 2 7 2024 ORANGE COUNTY UTILITIES

Contractor:			ors Group, LLC		Change Order Number			1
Vendor Code					Date July 24	l, 2024		
Contract No.	Y23-741-R2 Pine Hills Road Pedestrian Safety Improvements-Phase II				Original Contract Amount		\$10,309,067.00	
Project Name					Revised Contract Amount Engineer AVCON, INC.			
Sequence No.								
Item No.	Quantities	Unit	1	Descr	intion	Unit Price	Additions	Deductions
CO#12	1	LS	Pine Hills Utilities S			\$9,849,999.52	\$9,849,999.52	
					Totals		\$9,849,999.52	\$0.00
Percent Complete Time		Percer	nt Complete Cost:	90%	Net Dollars This Change Order		\$9,849,999.52	
Total Time Pre Change Orders			116	Dava	Net Dollars Previous Change Order		1,277,373.05	
Total Time Thi			116	Days	Net Dollar Changes to		1,277,373.03	
Order			360	Days	Date		\$11,127,372.57	7
Original Contra	act Time		320 Days		Original Contract Dollar Amount	\$10,309,067.00		
Revised Contra	act Time		796	Days	Revised Contract Dollar Amount		\$21,436,439.57	7
CONTRACTO	R			Dayo	ORANGE COUNTY	UTILITIES	4 = 1,100,100	
also includes sequence of disruptions, ex	any costs work to be dended direct on which inclu s Signature	for me perfo t overheides wa	nead, and profit indications or commed, delays relead, acceleration, ges, and other important to the comment of	markup bu changes ir scheduling material, o	By Chief Inspector	Name:	Date	7024 124
					By Symmony Orange County M	Aayor	Date 200	4124

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

AUG 2 7 2024 ORANGE COUNTY UTILITIES

Contractor:	RMS Co	nstructo	rs Group, LLC		Change Order Number	12	Page 1 of _	1
Vendor Code					DateJuly 24	1, 2024		
Contract No.	Y23-741-R2			Original Contract Amount		\$10,309,067.00		
Project Name	Pine Hills Road Pedestrian Safety Improvements-Phase II			Revised Contract Amount		\$21,436,439.57	,	
				Engineer AVCON, INC.				
Sequence No.								
Item No.	Quantities	Unit		Descr	iption	Unit Price	Additions	Deductions
CO#12	1	LS	Pine Hills Utilities Se	eptic to Sewe	er	\$9,849,999.52	\$9,849,999.52	
D		1			Totals	T	\$9,849,999.52	\$0.00
Percent Complete Time	90%	Percen	t Complete Cost:	90%	Net Dollars This Change \$9,849,999.52			
Total Time Pre		1 010011	t complete cour.	0070	Net Dollars Previous	φ 3 ,043,333.32		
Change Orders			116	Days	Change Order		1,277,373.05	
Total Time This Order	Change		260	Davis	Net Dollar Changes to Date		¢44 407 272 E7	,
Older			360	Days	Original Contract Dollar		\$11,127,372.57	
Original Contra	ct Time		320	Dava	Amount		\$10,300,067,00	
			320	Days	Revised Contract Dollar		\$10,309,067.00	
Revised Contra	ct Time		796	Days	Amount		\$21,436,439.57	,
CONTRACTOR	?				ORANGE COUNTY	UTILITIES		
This change on	der includes	not only	all direct costs of	contractor				
			nead, and profit n			1 :		
			odifications or cl)	, ,	
			med, delays res ad, acceleration, r				Date 7/25/	
			es, and other imp		/Chief Inspector	Name:	James Montalvo	
	//					11		
1.1			-1001	21	7.5	4/1-	10	Ollins.
BY /			Date 7/23/4	<u> </u>	Ву		Date	5/21
Contractor's	Signature	,			Manager '/	•	2/	
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0.	ONNE 1).	MY /	MOF.		Ву	-	Date	1-17
Accepted for Contractor By: Print Name & Title					Director Utilities		1 131	Same Sum /
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