

FIELD CHANGE DIRECTIVE

No. 06

PROJECT: **Truman Waterfront Park Phase 1A**

DATE OF ISSUANCE: **May 31, 2016**

EFFECTIVE DATE: **May 31, 2016**

OWNER: **City of Key West**

OWNER's Project Number: **GR0703/SE1505/TR0501**

CONTRACTOR: **Charley Toppino & Sons**

Project Mgr.: **Jim Bouquet / Terry Justice**

You are directed to proceed promptly with the following change(s):

Description: **Remove approximately 141 lineal feet of buried former seawall**

Purpose of Change Directive: **Remove buried reinforced concrete former seawall to facilitate construction of roadway, parking area and utilities.**

Refer to attached contractor estimate, Request for Change and email correspondence.

Deduct from Unforeseen Conditions Item: **\$11,313.00**

Estimated increase in Contract Times: **None**



Jim Bouquet, P.E.
Director of Engineering

CHARLEY TOPPINO & SONS, INC.

CHARLEY TOPPINO & SONS, INC.

P.O. BOX 787

KEY WEST, FL 33041

Phone: 305 296-5606

Fax: 305 296-5189

Subcontract Change Order

Number: 1

PROJECT: Truman Waterfront Park Project

DATE: 3 June 2016

TO: CITY OF KEY WEST

PROJECT #: GR0703

SOV line #39 "Unforeseen Conditions Allowance" \$554,680.33

DESCRIPTION OF CHANGE:

ITEM	DESCRIPTION	AMOUNT
1	FCD-006 Additional Seawall Demo NTP1 PH2	\$11,313.00
2		
3		
4		
TOTAL:		\$11,313.00

1. It is understood and agreed that the acceptance for this Change Order by this Subcontractor constitutes an accord and satisfaction with the terms of this Change Order.
2. The amount of the Change Order covers all direct and indirect costs.
3. It is further understood and agreed that all terms and conditions of said Contract, as it may therefore have been modified shall remain the same.
4. Acceptance of the Change Order acknowledges acceptance of all previous Change Order work by the Subcontractor and Contractor as well as any adjustments to the Subcontractor amount and modifications as reflected above.
5. This Change Order includes all items necessary for a complete installation including, but not necessarily limited to labor, supervision, materials, transportation, incidentals, taxes, and any other items necessary for a complete installation.

The Original Contract Sum was per SOV line item #39 for Unforeseen Conditions Allowance Net	\$554,680.33
Change by Previously Authorized Requests & Changes:	\$ -
	\$ 554,680.33
The Contract Sum Prior to This Change Order is:	\$ 11,313.00
The Contract Sum SOV Line Item #39 for Unforeseen Conditions Allowance will be Decreased To:	\$ (543,367.33)

The Contract Time Will Not be Changed (Days) 0

ACCEPTED:

CHARLEY TOPPINO & SONS, INC.

By: Andi Fraley

By: _____

Andi Fraley
Printed Name & Title

Printed Name & Title

Date: 3 June 2016

Date: _____



Truman Waterfront Park Project GR0703 Field
Coordination SK-002

Additional Demo

27 May 2016

CO Amount ~~\$15,084.00~~

3 June 2016

CO Adjusted Amount= \$ 11,313.00

Demo of the concrete retaining wall from 14'-0" from property line per RFI 023 revealed the concrete wall was 6'-9" below grade, greater than 4'-5' typical for retaining wall condition. The wall continued beyond location where wall visibly terminated to into the ground: 21' length x 11' depth x 10" [not included in this CO].

The wall continued further under the pavement of Fort Zachary Road and beyond to a depth of 10'-0" to 11'-0" typical.

Additional demo requested for Unforeseen Seawall Condition:

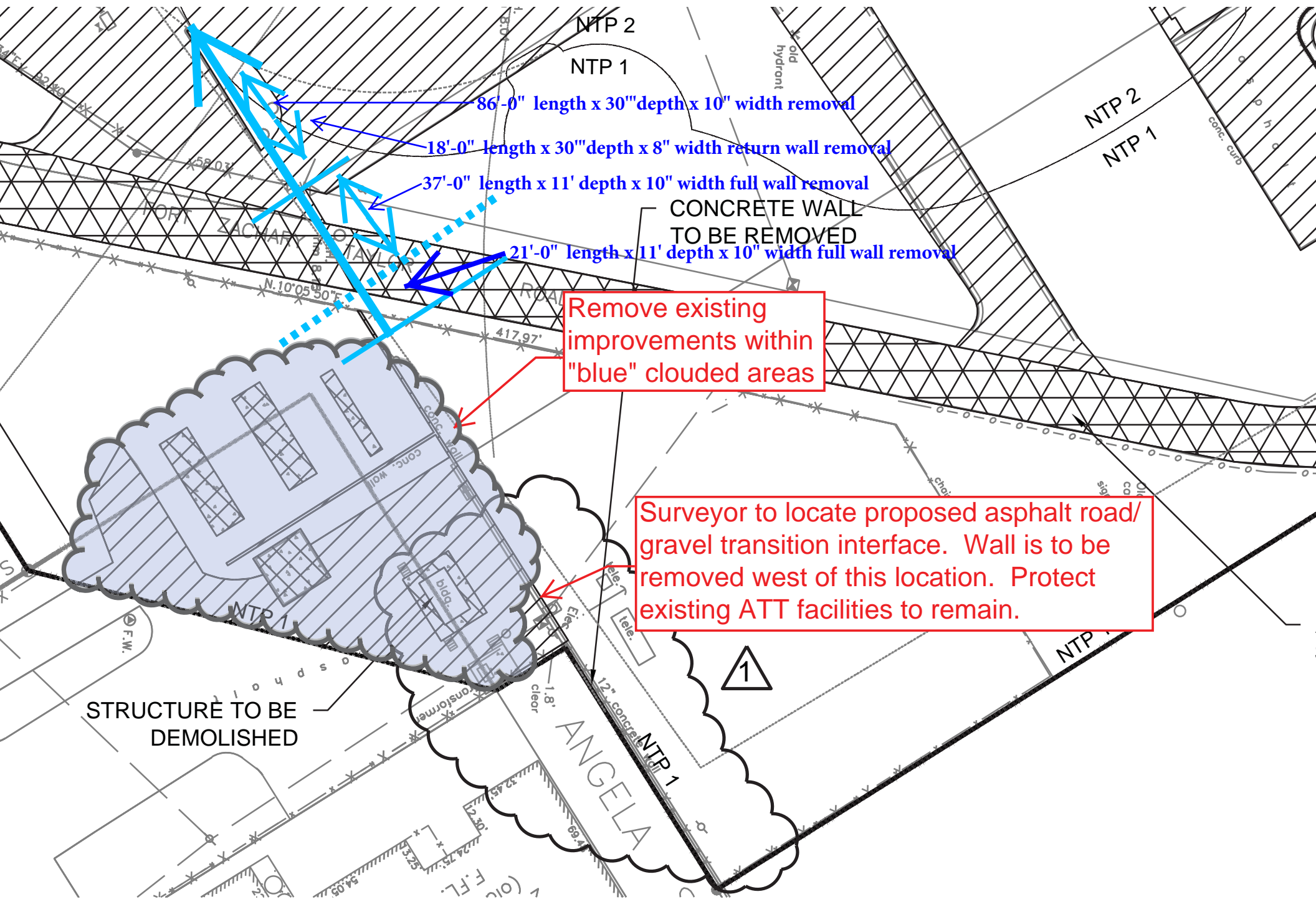
86' length x 2'-6" depth x 10" partial wall removal only

18' length x 2' -6" depth x 8" partial wall removal only

37' length x 10' depth x 10" width full wall removal

as required for structures placement.





James Bouquet

From: Andi Fraley <andif@toppkw.com>
Sent: Friday, May 27, 2016 12:31 PM
To: James Bouquet
Cc: 'Andrew Toppino'; Terrence Justice; Gary Volenec; Greg Veliz; rhollingworth@bermelloajamil.com; 'Richard J. Toppino'
Subject: RE: TWP - CO -001 Seawall Demo

Jim

To further your point, as to errors and omissions from the contract documents, the concrete wall is shown to remain even as recently as the delta 3 revisions issued on 31 March 2016 on CP-05, Paving, Grading and Drainage Plan reflecting the grade change from 4.7 to 7.9. There is no other reference to the concrete wall demo or handling of the resultant grade change in the set.

After verbal discussions and site walk, you had indicated this would be approved after revision to the breakdown was completed for debris removal/hauling and demo with no indication of an expectation of a partial payment negotiated approval. We have provided documentation for the full and reasonable amount for this change order.

This is not the first recorded cost absorption our company has made in regard to insufficient project documentation in good faith.

In the interest of moving forward, we will, again, absorb more cost this time.

Kind regards, Andi

From: James Bouquet [<mailto:jbouquet@cityofkeywest-fl.gov>]
Sent: Friday, May 27, 2016 9:45 AM
To: Andi Fraley
Cc: Andrew Toppino (ajtoppino@gmail.com); Terrence Justice; Gary Volenec; Greg Veliz; rhollingworth@bermelloajamil.com
Subject: RE: TWP - CO -001 Seawall Demo

Andi:

While acknowledging that the demolition drawings could have been clearer as to the Engineer's intent and that the depth of the wall was unknown, the horizontal extent of the "conc. wall" was shown on the survey drawings and visible for inspection/questions during the bid phase. As such I propose that the City will cover 3/4 of the cost (\$11,313) of wall removal/disposal, with CTS absorbing the remaining 1/4 (\$3,771) under the NTP1 Base Bid. The City's cost will be paid under the Unforeseen Conditions bid item.

We believe this cost sharing is reasonable and trust is acceptable to CTS.

Jim

From: Andi Fraley [<mailto:andif@toppkw.com>]
Sent: Wednesday, May 25, 2016 8:37 AM
To: James Bouquet <jbouquet@cityofkeywest-fl.gov>

Cc: 'Andrew Toppino' <ajtoppino@gmail.com>; Terrence Justice <tjustice@cityofkeywest-fl.gov>

Subject: RE: TWP - CO -001 Seawall Demo

Hi Jim

Attached is the cost breakdown as requested.

Kind regards, Andi

From: James Bouquet [<mailto:jbouquet@cityofkeywest-fl.gov>]

Sent: Monday, May 23, 2016 3:59 PM

To: Andi Fraley

Cc: Andrew Toppino; Terrence Justice

Subject: RE: TWP - CO -001 Seawall Demo

Andi:

Please have Andrew provide a cost breakdown on the \$17K.

Thanks,

Jim

From: Andi Fraley [<mailto:andif@toppkw.com>]

Sent: Monday, May 23, 2016 3:56 PM

To: James Bouquet <jbouquet@cityofkeywest-fl.gov>

Cc: Andrew Toppino <ajtoppino@gmail.com>

Subject: TWP - CO -001 Seawall Demo

Hi Jim

Please see the attached file for your review and approval per our conversation about the additional seawall /retaining wall under the pavement of Fort Zach roadway and beyond visible termination.

Kind regards, Andi

Charley Toppino & Sons

Andi Fraley, AIA and LEED AP

Sr. Project Manager

Truman Waterfront Park

CELL: 305 -797-0071

Fax: (305)-296-5189

Main Office: (305)-296-5606

Superseded
31 May 2016

CHARLEY TOPPINO & SONS, INC.

CHARLEY TOPPINO & SONS, INC.
P.O. BOX 787
KEY WEST, FL 33041

Phone: 305 296-5606
Fax: 305 296-5189

Subcontract Change Order

Number: 1

PROJECT: Truman Waterfront Park Project

DATE: 5/27/2016

TO: CITY OF KEY WEST

PROJECT #: GR0703

SOV line #39 "Unforeseen Conditions Allowance" \$554,680.33

DESCRIPTION OF CHANGE:

ITEM	DESCRIPTION	AMOUNT
1	Retaining wall extended across site - Depth of a SeaWall under Fort Zachary Road and beyond	\$15,084.00
2		
3		
4		
TOTAL:		\$15,084.00

1. It is understood and agreed that the acceptance for this Change Order by this Subcontractor constitutes an accord and satisfaction with the terms of this Change Order.
2. The amount of the Change Order covers all direct and indirect costs.
3. It is further understood and agreed that all terms and conditions of said Contract, as it may therefore have been modified shall remain the same.
4. Acceptance of the Change Order acknowledges acceptance of all previous Change Order work by the Subcontractor and Contractor as well as any adjustments to the Subcontractor amount and modifications as reflected above.
5. This Change Order includes all items necessary for a complete installation including, but not necessarily limited to labor, supervision, materials, transportation, incidentals, taxes, and any other items necessary for a complete installation.

The Original Contract Sum was per SOV line item #39 for Unforeseen Conditions Allowance Net **\$554,680.33**

Change by Previously Authorized Requests & Changes: \$ -
\$ 554,680.33
The Contract Sum Prior to This Change Order is: \$ 15,084.00

The Contract Sum SOV Line Item #39 for Unforeseen Conditions Allowance will be Decreased To: \$ (539,596.33)

The Contract Time Will Not be Changed (Days) 0

ACCEPTED:

CHARLEY TOPPINO & SONS, INC.

By: Andi Fraley

By: _____

Andi Fraley
Printed Name & Title

Printed Name & Title

Date: 27 May 2016

Date: _____



Work Change Directive Proposal
Truman Waterfront Park Phase 1A
 ITB 15-022
 P.O. #

DATE: 5/26/16

Location:	Truman Waterfront Park, Key West	ITEMIZED QUANTITIES
Scope:	Additional work encountered during demolition, concrete wall.	WCD 2

Item	Description	Quantity	Units	Cost per Unit	Line Item Cost	Notes
	DEMOLITION OF CONCRETE WALL					
1	Backhoe, with Rock Bucket, without Operator, Cat 320, or Equal	24.0	HR	\$ 80.00	\$ 1,920.00	
2	Backhoe, with Rock Bucket, without Operator, Cat 320, or Equal	24.0	HR	\$ 80.00	\$ 1,920.00	
3	Wheel Front End Loader, without Operator, Cat 950, or Equal	24.0	HR	\$ 65.00	\$ 1,560.00	
4	Dump Truck, without Operator	24.0	HR	\$ 60.00	\$ 1,440.00	
5	Dump Truck, without Operator	24.0	HR	\$ 60.00	\$ 1,440.00	
6	Operator	24.0	HR	\$ 60.00	\$ 1,440.00	
7	Operator	24.0	HR	\$ 60.00	\$ 1,440.00	
8	Laborer	24.0	HR	\$ 42.00	\$ 1,008.00	
9	Laborer	24.0	HR	\$ 42.00	\$ 1,008.00	
10	Laborer	24.0	HR	\$ 42.00	\$ 1,008.00	
11	Clean Concrete Disposal Fee	30	TON	\$ 30.00	\$ 900.00	
Subtotal					\$ 15,084.00	
1	Performance/Payment Bonds (\$20.00/Thousand)	1	LS	\$20.00/Thousand	\$ -	
2	Mobilization/Demobilization	1	LS	5% of Total		
Total					\$ 15,084.00	
Notes:						
Prepared by:	Andrew Toppino					
	Estimator					
	Charley Toppino & Sons, Inc.					
					WCD	1
					Sheet	1 of 1
Date:	5/26/16					