



THE CITY OF KEY
WEST

3140 Flagler Ave, Key West, FL 33040 (305)

TO: Jim Scholl, City Manager

FROM: James Bouquet, P.E. Director of Engineering

CC: Greg Veliz, Assistant City Manager
Norman Whitaker, Director of Transit System

DATE: August 02, 2016

SUBJECT: Approving Change Order # 3 in the amount of \$ 30,056.00 from SRS Engineering, Inc. to P.O. 78741 for Additional Plans Processing and Permitting Services of the Project TS1102 Bus Aprons (Lower Keys)

ACTION STATEMENT:

Authorize the City Manager to execute SRS Engineering, Inc. July 29, 2016 *Master Agreement Additional Plans Processing and Permitting* proposal and issue a Change Order #3 to PO 78741 in the amount of \$ 30,056.

BACKGROUND:

The City of Key West advertised an RFQ 14-001 for selection of a design firm for the Bus Aprons (Lower Keys) project and through Resolution No. 14-121 selected SRS Engineering Inc. (SRS) for design and construction inspection services. Resolution No. 15-008 awarded SRS a Master Agreement in the amount of \$ 165,000.00 to design and provide construction inspection services of 20 bus aprons from Key West to Marathon.

City Manager Memorandum dated August 10, 2015 authorized Change Order No. 1 in the amount of \$ 8,230.00 for SRS to survey and design 4 alternate bus apron locations as directed by FDOT.

Resolution 15-264 dated September 2, 2015 authorized Change Order No. 2 in the amount of \$ 8,402.00 for enhanced American with Disabilities Act (ADA) accessibility design into 14 bus apron locations.

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The design Plans Processing and Permitting phase, which began in November 2015, included 56 person-hours and associated fee funds of \$ 6,644.00 for Agency design review comments; however, conflicts between Agencies and resulting SRS efforts to resolve these conflicts required multiple design submittals and multiple meetings with Agencies and City Staff for obtaining approvals. To date the City of Marathon, FDOT, South Florida Water Management (SFWMD), and the Florida Department of Environmental Protection (FDEP) have provided permitting approvals. A timeline of design permitting milestones dates and accomplishments are identified on the attached SRS July 29, 2016 Additional Services Proposal.

Article 2. Compensation of the Master Agreement for Professional Service of this Project provide; *“C. consultant is not obligated to incur costs beyond the indicated budgets, as may be adjusted and D. when any budget has been increased, consultant’s excess costs expended prior to such increase, shall be allowable to the same extent as if such cost had been incurred after the approved increase”*. In accordance with this agreement, additional professional services were required above and beyond original anticipated service levels in the Master Agreement Plans Processing and Permitting Design Phase in an amount equal to \$ 26,944.00 for regulatory agencies (City of Marathon, FDOT, SFWMD, and FDEP) permits and approvals.

In anticipation of the FDOT Construction Agreement effective period possibly expiring before this project’s preconstruction meeting, SRS has estimated fees of \$ 3,112.00 for assembling and submitting an additional FDOT permit application. If an additional application were unnecessary, SRS would not invoice this \$ 3,112.00 amount.

The requested Change Order No. 3 amount is a combination of \$ 26,944.00 for Additional Plans Processing and Permitting fees plus the \$ 3,112.00 anticipated additional permitting fees for a total amount of \$ 30,056.00.

The approval of Change Order No. 3 in the amount of \$ 30,056.00 per City Code Section 2-845 Change Orders requires City Commission action as this amount exceeds five cumulative percent of the contract price and would result in a cumulative total of change orders for this project equaling 28% of the original Master Agreement amount.

PURPOSE AND JUSTIFICATION:

The City obtaining regulatory permits are requirements of Florida statutes and the Federal Transit Administration, the funding source.

FINANCIAL IMPACT:

Approving this \$ 30,056.00 change order amount to Purchase Order No. 78741 will not require additional City, FDOT, or FTA funds, but would reduce available project construction funding to \$ 788,063.00 under project account 4114404 5446500 TS1102. Federal Transit Administration wholly funds this project through a \$ 1,000,000.00 grant number FL-04-0132-00 with no City match requirements.

RECOMMENDATION:

Staff recommends authorizing the City Manager approve SRS Engineering, Inc. July 29, 2016 *Master Agreement Additional Plans Processing and Permitting* proposal and issue Change Order #3 to PO 78741 in the amount of \$ 30,056.00.