

ITEM # 89

ADDITIONAL MATERIAL

Regular Meeting

NOVEMBER 10, 2020

SUBMITTED AT THE REQUEST OF

COUNTY ADMINISTRATION



BERTHA W. HENRY, County Administrator

115 S. Andrews Avenue, Room 409 • Fort Lauderdale, Florida 33301 • 954-357-7362 • FAX 954-357-7360

MEMORANDUM

DATE: November 9, 2020

TO: Board of County Commissioners

FROM: Bertha Henry, County Administrator

SUBJECT: November 10, 2020 Regular Meeting Item No. 89 – Modified Motion Statement and Project Change Orders

We concur with the Office of the County Auditor that an additive change order for Guaranteed Maximum Price ("GMP") Amendment No. 1 and a deductive change order for GMP Amendment No. 2 of the Master Development Agreement between Broward County and Matthews Holdings Southwest, Inc., (MSW) for the Convention Center Expansion and Headquarters Hotel Project (RFP No. N1337414R3) is required (attached).

The motion statement for the agenda item is revised to read as follows (changes in red):

MOTION TO APPROVE transfer of \$6,070,343 from Guaranteed Maximum Price ("GMP") Amendment No. 2 to Guaranteed Maximum Price Amendment No.1 of the Master Development Agreement between Broward County and Matthews Holdings Southwest, Inc., (MSW) for the Convention Center Expansion and Headquarters Hotel Project (RFP No. N1337414R3), **by a GMP No. 2 deductive change order and a GMP No. 1 additive change order**, to pay for costs for accelerated work that was to be included in and will be deducted from GMP No. 2, and added to GMP No. 1, **and authorize the Contract Administrator to execute the two change orders attached to the agenda after their execution by MSW.**

Any Board action will be based on the revised motion language. Please let me know if you need any further information.

Broward County Board of County Commissioners

Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Dale V.C. Holness • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine
www.broward.org

BOARD OF COUNTY COMMISSIONERS, BROWARD COUNTY, FLORIDA

GMP #1 CHANGE ORDER NO: 1

DELEGATED REGULAR

Project: - Broward County Hotel & Convention Center

Contract: N1337414R3 Vendor: MATTHEWS HOLDINGS SOUTHWEST, INC.

The following changes are hereby authorized upon approval of the Contract Administrator and his/her signature below.
Description of Changes, Reasons Therefore, and Cost and/or Time Changes for Each are included. Cost Basis is
Negotiated Lump Sum in every case.

Line Nbr.1	UNFORESEEN CONDITIONS – Maintaining Schedule	\$5,288,663.00	0
Description : Construction of production piles for West Expansion project including 3 rd party testing and applicable fees. Reason : Work was transferred from GMP 2 to GMP 1 so pile installation could start immediately without delaying the schedule. Cause : OCIP insurance was not yet in place for GMP 2, but contractor insurance was already in place for GMP 1.			
Line Nbr.2	UNFORESEEN CONDITIONS – Maintaining Schedule	102,578.29	0
Description : Warehouse piles and North Storm lines work was needed to be done. Reason : Subcontractors from GMP 1 were needed to do specific work. Cause : The schedule could only be maintained if existing subcontractors did the work.			
Line Nbr.3	OTHER – Correcting Reimbursables	2,515.18	0
Description : Correcting error from CPEAM 2 for warehouse piles and north storm lines work. Reason : Reimbursable expenses were erroneously assigned to GMP 2 in previous CPEAM. Cause : Error in previous CPEAM needed to be corrected.			
Line Nbr.4	OTHER – Correcting Fees	5,406.21	0
Description : Correcting error from CPEAM 2 for warehouse piles and north storm lines work. Reason : Cost for fees were erroneously assigned to GMP 2 in previous CPEAM. Cause : Error in previous CPEAM needed to be corrected.			
Line Nbr.5	UNFORESEEN CONDITIONS – Construction Issue	141,275.52	0
Description : Relocation of Port security communication fiber work was needed to be done to keep lines out of footprint. Reason : Subcontractors from GMP 1 were needed to do specific work. Cause : The schedule could only be maintained if existing subcontractors did the work.			
Line Nbr.6	UNFORESEEN CONDITIONS – Construction Issue	8,896.18	0
Description : Port Security Cameras needed to be relocated. Reason : CCTV cameras for Port Security were on light poles that needed to be removed as part of work. Cause : The schedule could only be maintained if existing subcontractors did the work.			

Line Nbr.7	UNFORESEEN CONDITIONS – Maintaining Schedule	455,958.33	0
Description : Convention Center test piles for new stair tower and corridor. Reason : When Hotel construction was put on hold, stair tower and stairs needed in Convention Center project to meet code requirements. Cause : County decision to pause Hotel construction caused work to be re-allocated to existing GMP 1 subcontractors.			

Total Change Order **\$6,070,343.31** **0**

PURCHASING INFORMATION			
PO: 1900101			
Original Award:	Approved Amendments:	Approved CO's: 1	Previous Revised:
\$ 13,861,866	\$0.00	\$6,070,343.31	\$13,861,866
327 Days	0 Days	0 Days	327 Days
This REGULAR Change Order: INCREASES \$6,070,343.31 NO TIME CHANGE New Revised Contract: \$19,932,209.31			

COPY FOR: MINUTES, CONTRACTOR, PURCHASING, CONSULTANT, SUPERVISING AGENCY, BUDGET, DEPARTMENT

11/9/2020

Percentages may not total exactly, due to rounding

Source: Contracts Central

BOARD OF COUNTY COMMISSIONERS, BROWARD COUNTY, FLORIDA

CHANGE ORDER NO: 1**DELEGATED REGULAR****Project: - Broward County Hotel & Convention Center****Contract: N1337414R3 Vendor: MATTHEWS HOLDINGS SOUTHWEST, INC.**

The following changes are hereby authorized upon approval of the Contract Administrator and his/her signature below.
Description of Changes, Reasons Therefore, and Cost and/or Time Changes for Each are included. Cost Basis is
Negotiated Lump Sum in every case.

	<u>AMOUNT</u>	<u>TIME</u>
ORIGINAL CONTRACT	\$13,861,866	327
THIS CHANGE ORDER NO. 1	\$6,070,343.31	0
REVISED CONTRACT AMOUNT	\$19,932,209.31	327
PENDING CHANGE ORDERS	\$6,070,343.31	0

	<u>Current</u>	<u>- Apprvd CO</u>	<u>- This CO</u>	<u>= Remaining</u>
Admin Allowance	N/A	0.00	0.00	0.00

NCREASE CONTRACT AMOUNT BY \$6,070,343.31**NO CHANGE IN CONTRACT PERIOD**No ConsultantAccepted By Developer

Signature:

Date:

Name: David Snell

MATTHEWS Representative
HOLDINGS
SOUTHWEST,
INC.

Recommended By COUNTY ADMINISTRATOR Project Manager

Signature:

Date:

Bruce Ferguson

Approved By COUNTY ADMINISTRATOR Contract Administrator

Signature:

Date:

Bruce Ferguson

COPY FOR: MINUTES, CONTRACTOR, PURCHASING, CONSULTANT, SUPERVISING AGENCY, BUDGET, DEPARTMENT

11/9/2020

Percentages may not total exactly, due to rounding

Source: Contracts Central

BOARD OF COUNTY COMMISSIONERS, BROWARD COUNTY, FLORIDA

CHANGE ORDER HISTORY**Project: - Broward County Hotel & Convention Center****Contract: N1337414R3 Vendor: MATTHEWS HOLDINGS SOUTHWEST, INC.****CONTRACT SUMMARY**

	Award	Pend COs	Current Total
Amount	\$13,861,866	\$6,070,343.31	\$19,932,209.31
Days	327	0	327

CHANGE ORDER SUMMARY BY CO REASON

CO Reason	Approved CO - Amt,Day,%			Pending CO - Amt,Day,%			Total CO - Amt,Day,%		
UNFORESEEN CONDITIONS	\$0.00	0	0.00	\$6,062,381.92	0	N/A		0	N/A
OTHER	\$0.00	0	0.00	\$7,961.39	0	N/A		0	N/A
Total	\$0.00	0	0.00	\$6,070,343.31	0	N/A		0	N/A

CHANGE ORDER ALLOWANCE HISTORY

Allowance Calculated Using Original Contract Award:						\$13,861,866.00
Apprvd Dt	Apprvd By	Transaction Type	Allow Type	Pct	Amt	
11/10/20	Board Item No: 89	Award/Begin	Admin	N/A	\$6,070,343.31	
Less Approved Change Orders				0.00	\$0.00	
Equals Remaining Change Order Allowance				N/A	\$6,070,343.31	

CHANGE ORDER HISTORY

CO No	CO Type	CO Date	Status	Approved Dt	Amount	Day	% Chg
1	REGULAR	11/9/2020	Pending		\$6,070,343.31	0	N/A

BOARD OF COUNTY COMMISSIONERS, BROWARD COUNTY, FLORIDA

GMP #2 DEDUCTIVE CHANGE ORDER NO: 2**DELEGATED REGULAR****Project: - Broward County Hotel & Convention Center****Contract: N1337414R3 Vendor: MATTHEWS HOLDINGS SOUTHWEST, INC.**

The following changes are hereby authorized upon approval of the Contract Administrator and his/her signature below.
 Description of Changes, Reasons Therefore, and Cost and/or Time Changes for Each are included. Cost Basis is
 Negotiated Lump Sum in every case.

Line Nbr.1	UNFORESEEN CONDITIONS – Credit	-\$5,288,663.00	0
Description : Construction of production piles for West Expansion project including 3 rd party testing and applicable fees. Reason : Work was transferred from GMP 2 to GMP 1 so pile installation could start immediately without delaying the schedule. Cause : OCIP insurance was not yet in place for GMP 2, but contractor insurance was already in place for GMP 1.			
Line Nbr.2	UNFORESEEN CONDITIONS – Credit	-\$67,578.39	0
Description : Warehouse piles and North Storm lines work was needed to be done. Reason : Subcontractors from GMP 1 were needed to do specific work. Cause : The schedule could only be maintained if existing subcontractors did the work.			
Line Nbr.3	OTHER – Credit	-\$255.18	0
Description : Correcting error from CPEAM 2 for warehouse piles and north storm lines work. Reason : Reimbursable expenses were erroneously assigned to GMP 2 in previous CPEAM. Cause : Error in previous CPEAM needed to be corrected.			
Line Nbr.4	OTHER – Credit	-\$446.21	0
Description : Correcting error from CPEAM 2 for warehouse piles and north storm lines work. Reason : Cost for fees were erroneously assigned to GMP 2 in previous CPEAM. Cause : Error in previous CPEAM needed to be corrected.			
Line Nbr.5	UNFORESEEN CONDITIONS – Credit	-\$141,275.52	0
Description : Relocation of Port security communication fiber work was needed to be done to keep lines out of footprint. Reason : Subcontractors from GMP 1 were needed to do specific work. Cause : The schedule could only be maintained if existing subcontractors did the work.			
Line Nbr.6	UNFORESEEN CONDITIONS – Credit	-\$8,896.13	0
Description : Port Security Cameras needed to be relocated. Reason : CCTV cameras for Port Security were on light poles that needed to be removed as part of work. Cause : The schedule could only be maintained if existing subcontractors did the work.			

Line Nbr.7	UNFORESEEN CONDITIONS – Credit	-455,958.33	0
Description : Convention Center test piles for new stair tower and corridor. Reason : When Hotel construction was put on hold, stair tower and stairs needed in Convention Center project to meet code requirements. Cause : County decision to pause Hotel construction caused work to be re-allocated to existing GMP 1 subcontractors.			

Total Change Order **- \$6,070,343.31 0**

PURCHASING INFORMATION			
PO: 200030			
Original Award:	Approved Amendments:	Approved CO's: 1	Previous Revised:
\$224,463,782.00	\$0.00	-\$6,070,343.31	\$224,463,782.00
694 Days	0 Days	0 Days	694 Days
This REGULAR Change Order: DECREASES - \$6,070,343.31 NO TIME CHANGE New Revised Contract: \$218,393,438.69			

COPY FOR: MINUTES, CONTRACTOR, PURCHASING, CONSULTANT, SUPERVISING AGENCY, BUDGET, DEPARTMENT

11/9/2020

Percentages may not total exactly, due to rounding

Source: Contracts Central

BOARD OF COUNTY COMMISSIONERS, BROWARD COUNTY, FLORIDA

CHANGE ORDER NO: 1

DELEGATED REGULAR

Project: - Broward County Hotel & Convention Center

Contract: N1337414R3 Vendor: MATTHEWS HOLDINGS SOUTHWEST, INC.

The following changes are hereby authorized upon approval of the Contract Administrator and his/her signature below.
Description of Changes, Reasons Therefore, and Cost and/or Time Changes for Each are included. Cost Basis is
Negotiated Lump Sum in every case.

	AMOUNT	TIME
ORIGINAL CONTRACT		694
	\$224,463,782.00	
THIS CHANGE ORDER NO. 1	-\$6,070,343.31	0
REVISED CONTRACT AMOUNT	\$218,393,438.69	694
PENDING CHANGE ORDERS	-\$6,070,343.31	0

	Current	- Apprvd CO	- This CO	= Remaining
Admin Allowance	N/A	0.00	0.00	0.00

DECREASE CONTRACT AMOUNT BY \$6,070,343.31

NO CHANGE IN CONTRACT PERIOD

No ConsultantAccepted By Developer

Signature:

Date:

Name: David Snell

MATTHEWS Representative
HOLDINGS
SOUTHWEST,
INC.

Recommended By COUNTY ADMINISTRATOR Project Manager

Signature:

Date:

Bruce Ferguson

Approved By COUNTY ADMINISTRATOR Contract Administrator

Signature:

Date:

Bruce Ferguson

COPY FOR: MINUTES, CONTRACTOR, PURCHASING, CONSULTANT, SUPERVISING AGENCY, BUDGET, DEPARTMENT

11/9/2020

Percentages may not total exactly, due to rounding

Source: Contracts Central

BOARD OF COUNTY COMMISSIONERS, BROWARD COUNTY, FLORIDA

CHANGE ORDER HISTORY**Project: - Broward County Hotel & Convention Center****Contract: N1337414R3 Vendor: MATTHEWS HOLDINGS SOUTHWEST, INC.****CONTRACT SUMMARY**

	Award	Pend COs	Current Total
Amount	\$224,463,782.00	-\$6,070,343.31	\$218,393,438.69
Days	694	0	694

CHANGE ORDER SUMMARY BY CO REASON

CO Reason	Approved CO - Amt,Day,%			Pending CO - Amt,Day,%			Total CO - Amt,Day,%		
UNFORESEEN CONDITIONS - CREDIT	\$0.00	0	0.00	-\$6,062,381.92	0	N/A		0	N/A
OTHER - CREDIT	\$0.00	0	0.00	-\$7,961.39	0	N/A		0	N/A
Total	\$0.00	0	0.00	-\$6,070,343.31	0	N/A		0	N/A

CHANGE ORDER ALLOWANCE HISTORY

Allowance Calculated Using Original Contract Award:						\$13,861,866.00
Apprvd Dt	Apprvd By	Transaction Type	Allow Type	Pct	Amt	
11/10/20	Board Item No: 89	Award/Begin	Admin	N/A	-\$6,070,343.31	
Less Approved Change Orders				0.00	\$0.00	
Equals Remaining Change Order Allowance				N/A	-\$6,070,343.31	

CHANGE ORDER HISTORY

CO No	CO Type	CO Date	Status	Approved Dt	Amount	Day	% Chg
1	REGULAR	11/9/2020	Pending		-\$6,070,343.31	0	N/A