

PORT ST. LUCIE CITY COUNCIL
AGENDA ITEM REQUEST

COUNCIL ITEM 13A
DATE 6/11/12

Meeting Date: June 11, 2012

Public Hearing ___ Ordinance ___ Resolution ___ Motion X

Item: 20020043 Change Order #4, Crosstown Parkway Extension Environmental Impact Statement (EIS) (formerly known as third East West Corridor-Floresta Drive to US-1)

Recommended Action:

1. Approve Change Order #4 to Contract #20020043, Crosstown Parkway EIS to Keith and Schnars, P.A., for \$50,500.00 to perform task required due to changes in federal law. New total contract amount is \$4,103,780.00. There is no change in days.

Exhibits: Department memo attached [X] yes [] no

Letter from Engineer and Change Order form

Summary Explanation/Background Information: This change order is being requested due to changes in federal law that have occurred during the course of this project and comments received from the FDOT and other agencies on the EIS. Therefore, additional effort is required to complete the FEIS that was not included in the original Scope of Services. The additional added tasks that are being requested include reanalysis of noise associated with the FHWA rule change and a cultural resource assessment to cover the cost of preparing an addendum to address the Alt 1C pond site locations.

Purchases are budgeted.

Total Change Order Expenditure: \$50,500.00

Total Contract Expense: \$4,103,780.00

Total Contract Days: 3,686

Department requests expenditure from the following:

Fund	314	Third River Crossing
Cost Center	4105	Engineer-Operations
Object Code	568813	Professional Services
Project	22004	Crosstown Pky Extension

Director of OMB concurs with award: 

City Manager concurs with award: 

Department requests 0 minutes to make a presentation. Submitted by: *Patricia Roebeling*

Title: City Engineer

Date Submitted: June 5, 2012

RECEIVED

JUN 04 2012

City Manager's Office



"A City for All Ages"

CITY OF PORT ST. LUCIE

Engineering Department

Accredited Agency – American Public Works Association

MEMORANDUM

TO: Cheryl Shanaberger – Deputy Director of OMB (via electronic submittal)

FROM: Roxanne Chesser, P.E., Civil Engineer

THRU: Patricia Roebing, P.E., City Engineer

DATE: June 5, 2012

RE: Change Order Request
Crosstown Parkway Extension Environmental Impact Statement (EIS)
Contract: WA1 – 20020043 Change Order #4

Attached, please find the request for Change Order No. 4 along with the backup information from Keith and Schnars, P.A. for professional engineering services for the Crosstown Parkway Extension Environmental Impact Statement (EIS). We are requesting authorization by the City Council for the City Manager to execute the Change Order as referenced above and as further described below.

The Change Order is an increase of \$50,500.00 and includes an update to the current Noise Study Analysis and Report which is necessary to comply with revised FHWA policy guidelines, 23 Code of Federal Regulations (CFR) Part 772, and as mandated in Chapter 17 (Noise) of the FDOT PD&E Manual. The Regulation states that if approval of the environmental clearance document or the design phase reevaluation has not been received prior to July 13, 2011, the noise study must follow the revised requirements of **23 CFR 772**. In July 2011, it was not known how this new requirement would be applied to on-going projects. There was a general belief that on-going projects would be grandfathered under previous rules. Further, the DEIS had been submitted to FHWA for their signature, and the Public Hearing was scheduled for September. Since the noise would need to be reevaluated during design, we committed in the DEIS to updating of the noise analysis during the design phase in an effort to avoid delays to the EIS, and to reduce costs. The FDOT recently attempted to get this and other projects grandfathered. On May 24, 2012, FHWA made it clear that they would not approve this approach, and that a reanalysis must be included in the FEIS. As a result of this recent FHWA determination it is necessary to reassess the noise for all six build alternatives. This effort will cost \$44,100 and take approximately five weeks to complete.

A preliminary pond site assessment was conducted for the Cultural Resource Assessment Survey (CRAS). Since final pond site locations were not determined, a commitment was made to conduct additional survey later in the project. Our intention was that this would occur in design when the pond sites had been secured. On May 24, 2012 FHWA informed FDOT and the City that this assessment would need to be completed as part of the FEIS. This effort will cost \$6,400 and take approximately 3 weeks to complete.

Cheryl Shanaberger – Deputy Director of OMB
June 5, 2012
Change Order Request
Crosstown Parkway Extension Environmental Impact Statement (EIS)
Contract: WA1 – 20020043 Change Order #4

The current contract expires March 29, 2013 thus no additional days are requested.

The account number associated with this Change Order is 314-4105-568813-22004. Please schedule this for presentation at the next available City Council meeting. If additional documentation is needed or if you have any questions, please let me know.

PR/RMC/jfk
Enclosures

c: Gregory J. Oravec, City Manager
Jesus Merejo, Utility Systems Director
Dave Pollard, Director of OMB
Patricia Roebing, P.E., City Engineer
James Angstadt, P.E., Acting Assistant City Engineer
Roxanne Chesser, P.E. Civil Engineer
Susan Walsh, Manager Operations
Robin Dorfmeister, Administrative Secretary

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Engineer Change Order Form

Project: Crosstown Parkway Extension Environmental Impact Statement (EIS)
 (formerly known as Third East West Corridor – Floresta Drive to US-1)

Change Order # 4

Date of Original Contract Issuance: 2/24/03

Date: June 4, 2012

Engineer: Patricia Roebing, P.E., City Engineer

Contract Number: WA1 – 20020043

The following changes are hereby made to the Contract Documents:

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price \$ 1,198,308.00	Original Contract Calendar Days: 1,095
Net Changes from previous Change Orders No. 1 \$ 2,854,972.00	Net change from previous Change Orders No. 1 766 Calendar Days (Letter Extension) 1,460 Calendar Days (Change Order 1) 365 Calendar Days (Change Order 3)
Contract Price prior to this change Order \$ 4,053,280.00	Calendar days prior to this Change Order to 3,686 Calendar Days
Net increase of this Change Order \$ 50,500	Net increase of this Change Order 0 Calendar Days
Contract Price with all approved Change Orders \$ 4,103,780.00	Contract calendar days with all approved Change Orders 3,686 Calendar Days

Acknowledgements:

The aforementioned change and work affected thereby is subject to all provisions of the original contract not specifically changed by this Change Order; and,

It is expressly understood and agreed that the approval of the Change Order shall have no effect on the original contract other than matters expressly provided herein.

Change Order requested by: Patricia Roebling, P.E., City Engineer

Change(s) ordered by: City Council

Accepted by:

Approved by:

Keith and Schnars, P.A.

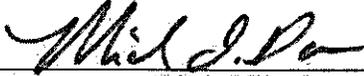
Port St. Lucie

(Engineer)

(Owner)

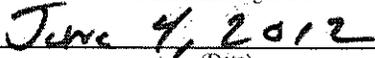
By: Michael L. Davis, Vice President

By: Gregory J. Oravec, City Manager



Authorized Signature

(Authorized Signature)



(Date)

(Date)



KEITH and SCHNARS, P.A.

FLORIDA'S *Big* LOCAL FIRM

June 4, 2012

Patricia Roebeling, P.E.
City Engineer
City of Port St. Lucie
121 S.W. Port St. Lucie Boulevard
Port St. Lucie, Florida 34984

Dear Patricia:

Subject: Change Order Request
Crosstown Parkway Extension Environmental Impact Statement (EIS)
Contract: WA1 – 20020043

Per our recent conversation, attached is an Engineer Change Order Form for the subject contract. Due to recent changes in federal regulations and State policy, and comments received from the FDOT on the EIS, additional effort is required to complete the Final EIS (FEIS) that was not included in the original Scope of Services. These additional requirements could not have reasonably been anticipated. At this time we are requesting an additional \$50,500 to respond to the immediate requirement to revise the Noise Report and prepare an addendum to the Cultural Resource Assessment Survey.

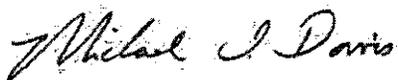
An update to the current Noise Study Analysis and Report is necessary to comply with revised FHWA policy guidelines, 23 Code of Federal Regulations (CFR) Part 772, and as mandated in Chapter 17 (Noise) of the FDOT PD&E Manual. The Regulation states that if approval of the environmental clearance document or the design phase reevaluation has not been received prior to July 13, 2011, the noise study must follow the revised requirements of **23 CFR 772**. In July 2011, it was not known how this new requirement would be applied to on-going projects. There was a general belief that on-going projects would be grandfathered under previous rules. Further, the DEIS had been submitted to FHWA for their signature, and the Public Hearing was scheduled for September. Since the noise would need to be reevaluated during design, we committed in the DEIS to updating of the noise analysis during the design phase in an effort to avoid delays to the EIS, and to reduce costs. The FDOT recently attempted to get this and other projects grandfathered. On May 24, 2012, FHWA made it clear that they would not approve this approach, and that a reanalysis must be included in the FEIS. As a result of this recent FHWA determination it is necessary to reassess the noise for all six build alternatives. This effort will cost \$44,100 and take approximately five weeks to complete.

Patricia Roebing, P.E.
June 4, 2012
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With regards to the Cultural Resource Assessment Survey (CRAS), a preliminary pond site assessment was conducted. Since final pond site locations were not determined, a commitment was made to conduct additional survey later in the project. Our intention was that this would occur in design when the pond sites had been secured. On May 24, 2012 FHWA informed FDOT and the City that this assessment would need to be completed as part of the FEIS. This effort will cost \$6,400 and take approximately 3 weeks. This will not impact the overall project schedule change.

The requested changes are outlined in the attached Change Order Form. If you have any questions or concerns, please let me know. Also, please advise us of the City's disposition on this request, once known, so that we can make the necessary adjustments on our end. We look forward to continuing our work with the City and are excited about bringing this important project to a successful completion.

Sincerely,



Michael L. Davis
Vice President



KEITH and SCHNARS, P.A.
FLORIDA'S *Big* LOCAL FIRM