



South Florida Regional Transportation Authority (SFRTA)

CONSTRUCTION OVERSIGHT COMMITTEE

PUBLIC MEETING

SEPTEMBER 27, 2012, 1:00 PM

MEETING AGENDA

This is a Public Meeting of the Construction Oversight Committee. Today presented for approval are the following items:

MOTION TO APPROVE: Minutes of the April 26, 2012 Construction Oversight Committee Meeting.

Approved _____
 Yes No

MOTION TO APPROVE: Change Order No. 1 to Agreement No. 10-005 between SFRTA and Brookville Equipment Corporation for an **additive** lump sum amount of \$7,670,000.00 to exercise options for 2 of 17 fully compliant locomotives and revised milestone payment schedule for these options.
(Unilateral)(Additional Work)

Approved _____
 Yes No

MOTION TO APPROVE: Change Order No. 4 to Agreement No. 11-008 between SFRTA and Gonzalez & Sons Equipment, Inc. for an **additive** lump sum amount of \$623,659.00 to provide the remainder of materials to connect Phase 1 tracks to existing tracks, including labor and equipment required to complete phase 2 of this project.
(Bilateral)(Additional Work)

Approved _____
 Yes No

If there is no further discussion, this meeting is adjourned.

Christopher Bross, Director of Procurement
South Florida Regional Transportation Authority

September 27, 2012
Date

MINUTES
SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
CONSTRUCTION OVERSIGHT COMMITTEE MEETING
APRIL 26, 2012

A meeting of the South Florida Regional Transportation Authority (SFRTA/Tri-Rail) Construction Oversight Committee was held at 10:00 a.m. on Thursday, April 26, 2012 at the offices of SFRTA/Tri-Rail, 800 NW 33rd Street, Suite 100, Pompano Beach, Florida 33064.

COMMITTEE MEMBERS PRESENT:

Jim Cummings, Board Member, SFRTA

ALSO PRESENT:

Joseph Giulietti, Executive Director, SFRTA

Jack Stephens, Deputy Executive Director, SFRTA

Teresa Moore, General Counsel, SFRTA

Bryan Kohlberg, Contract Specialist, SFRTA

Mike Lulo, Project Manager, SFRTA

Daniel Mazza, Director of Engineering & Construction, SFRTA

Pat McCammon, Project Manager, CH2MHill

CALL TO ORDER:

Mr. McCammon called the meeting to order at 10:05 a.m. and stated that this was a Public Meeting of the Construction Oversight Committee.

MOTION TO APPROVE: Minutes of the November 22, 2011 Construction Oversight Committee Meeting.

Hearing no discussion, this item was approved by Mr. Cummings.

MOTION TO APPROVE: Change Order No. 4 to Agreement No. 06-115 between SFRTA and Hyundai Rotem Company (HR) for an **additive** lump sum amount of \$1,211,406.70 for SFRTA- Requested changes for the reconfiguration of all ten (10) Cab Cars and a seven (7) month extension for the delivery of the remaining eight (8) Cab Cars.
(Bilateral)(Additional Work)

Hearing no discussion, this item was approved by Mr. Cummings.

MOTION TO APPROVE: Change Order No. 2 to Agreement No. 11-012 between SFRTA and State Contracting (SC) for an **additive** lump sum amount of \$233,655.00 for additional pedestrian bridge repairs and spot painting at ten (10) of the Tri-Rail stations and additional heavy station maintenance at three (3) stations.

(Bilateral)(Additional Work)

Hearing no discussion, this item was approved by Mr. Cummings.

ADJOURNMENT:

There being no further business to discuss, the meeting was adjourned at 10:15 a.m.



CHANGE ORDER

Contract No. 10-005

Change Order No. 1

Project: Procurement of New Commuter Rail Locomotives

Contractor: Brookville Equipment Corporation

Consultant: CH2M Hill

The following changes are hereby authorized to be performed by the Contractor, for the stipulated cost and/or time extension herein, upon the signatures below by SFRTA.

Description of Changes, Reasons Therefore, and Cost and/or Time Extension for Each Change:

1. Pursuant to Special Provision No. 25, Options, SFRTA unilaterally hereby exercises the option to procure 2 of 17 additional fully compliant locomotives.
2. Replace the Options Milestone Payment Schedule in Special Provisions Article 25 "Options" with the Options Milestone Payment Schedule attached to this Change Order No. 1. All other Special Provision Article 25 requirements remain unchanged.

Reason for change: To exercise allowable options under Contract No. 10-005.

Cost of Change: 2 each at \$3,835,000 = \$7,670,000.00

Time Extension for change: None. Pursuant to Special Provision Article 4 "Time of Completion and Delivery".

Delivery Date for 2 additional locomotives: July 27, 2013.

TOTAL

\$7,670,000.00

The following changes are hereby authorized to be performed by the Contractor, for the stipulated cost and/or time extension herein, upon the signature below by the Construction Oversight Committee of SFRTA.

It is agreed that this Change Order shall not alter or change in any manner the force and effect of the Contract Documents, including any previous amendments thereto, except insofar as the same is altered and amended by this Change Order.

SFRTA and the Contractor agree that the Contract time adjustment and the sum agreed to in this Change Order constitutes a full and complete settlement of all the matters set forth herein, including all direct cost for equipment, manpower, materials, overhead, profit, and delay relating to the issues set forth in the Change Order. Furthermore, the Contractor accepts the terms of this Change Order as related to cost determinations as full compensation for all costs of equipment, manpower, materials, overhead, profit and delay damages and for all their costs. This settlement is limited to and applies to any claims arising out of or on account of the matters described and set forth in this Change Order.

Accepted by Procurement:

Signature: 

Name and Title: Chris Bragg, Dir. Procurement

Date: 9-24-12

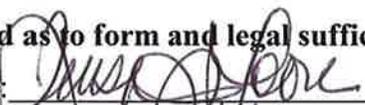
Accepted by Project Manager:

Signature: 

Name and Title: Director of SFRT

Date: 9/24/12

Approved as to form and legal sufficiency:

Signature: 

Name and Title: Tensel J. Moore, Gen. Coun.

Date: 9-5-12

Approved by SFRTA Executive Director:

Signature: _____

Name and Title: _____

Date: _____

Approved by SFRTA Construction Oversight Committee:

Signature: _____

Name and Title: _____

Date: _____



CHANGE ORDER SUMMARY

Contract No. 10-005
Change Order No. 1
Project: Procurement of New Commuter Rail Locomotives
Contractor: Brookville Equipment Corporation
Consultant: CH2M Hill

CHANGE ORDER COST SUMMARY

Original Contract Amount:	\$ <u>44,788,000.00</u>
Cost of Change Orders To-Date:	\$ <u>0</u>
	SUB-TOTAL COST \$ <u>44,788,000.00</u>
Cost of This Change Order:	\$ <u>7,670,000.00</u>
	TOTAL COST \$ <u>52,458,000.00</u>

CHANGE ORDER TIME SUMMARY

Original Contract Time: NTP Plus 26 months
 Time Added / Deleted by Change Orders To-Date: None
 Time Added / Deleted by This Change Order: None

CHANGE ORDER HISTORY

Change Order No.	Date	Increase (+) or Decrease (-)
1	September 27, 2012	+ \$7,670,000.00

SFRTA Contract No. 10-005

Procurement of New Commuter Rail Locomotives
 Brookville Equipment Corporation
 Attachment to Change Order No. 1

Options Milestone Payment Schedule

Notes: Payment is % of single Locomotive Option Price multiplied by applicable units

Milestone	Payment Condition	Payment %	Cumulative %
1	Upon Placing the Order for the Options and completion of Option Specific Changes	5	5
2	With presentation of Contractor's purchase orders and/or subcontracts, accepted by sub-contractors or suppliers, for the following vehicle systems and components: Locomotive body; coupler system; Diesel engine (Prime Mover); Main Generator, Propulsion inverter (if used); Batteries; Teaction motors; Propulsion control system; Truck frames; Final Combos (less Traction Motor); Friction brake system; HEP generator; Auxiliary inverter (if used); Cab Seats; Event recorder and Alerter	25	30
3	Upon Successful Completion. Submittal and Approval of Functional and factory acceptance Testing and Approval for Shipping of Locomotive Units	40	70
4	Upon Conditional Acceptance of Locomotives	20	90
5	Upon Final Acceptance of Locomotives	6	96
6	Upon Submittal of all Contract Documentation including As-built Drawings and Any Outstanding Contract Deliverables	4	100



CHANGE ORDER

Contract No. 11-008

Change Order No. 4

Project: Hialeah Yard Storage Tracks

Contractor: Gonzalez & Sons Equipment, Inc.

Consultant: Bergmann Associates, Inc.

The following changes are hereby authorized to be performed by the Contractor, for the stipulated cost and/or time extension herein, upon the signatures below by SFRTA.

Description of Changes, Reasons Therefore, and Cost and/or Time Extension for Each:

1. Change:

- a. Provide remainder of materials to connect Phase 1 tracks to existing tracks, and provide labor and equipment required to complete Phase 2 of this project.
- b. Provide labor and materials required to install safety and other items requested by SFRTA in Phase 1 punch list
- c. Provide labor and materials required to install track matting and replace ties on all Tri-Rail's exclusive use yard tracks.

Reason for change:

SFRTA will perform construction of Phase 2 of the Storage Tracks project, which includes the connection of the new storage tracks built by Gonzalez & Sons Equipment, Inc. (GSE), under Phase 1 to the existing tracks at the Hialeah Yard. This change order allows GSE to purchase the remaining material for Phase 2; provide installation and related labor to complete Phase 2; and provide materials an installation related to safety and the maintenance and operation of Tri-Rails' exclusive use tracks in the Hialeah Yard.

Cost of Change:

\$623,659.00

Time Extension for change:

60 calendar days

TOTAL

\$ 623,659.00

The following changes are hereby authorized to be performed by the Contractor, for the stipulated cost and/or time extension herein, upon the signature below by the SFRTA Construction Oversight Committee.

It is agreed that this Change Order shall not alter or change in any manner the force and effect of the Contract Documents, including any previous amendments thereto, except insofar as the same is altered and amended by this Change Order.

SFRTA and the Contractor agree that the Contract time adjustment and the sum agreed to in this Change Order constitutes a full and complete settlement of all the matters set forth herein, including all direct cost for equipment, manpower, materials, overhead, profit, and delay relating to the issues set forth in the Change Order. Furthermore, the Contractor accepts the terms of this Change Order as related to cost determinations as full compensation for all costs of equipment, manpower, materials, overhead, profit and delay damages and for all their costs. This settlement is limited to and applies to any claims arising out of or on account of the matters described and set forth in this Change Order.

Accepted by Procurement:

Signature: 
Name and Title: CHRIS CROSS, DIR. PROCUREMENT
Date: 9-24-12

Accepted by Project Manager:

Signature: 
Name and Title: Brandy Creed, Proj. Manager
Date: 9/24/2012

Accepted by Contractor:

Signature: 
Name and Title: Juan Gonzalez, Pres.
Date: 9/21/12

Approved by SFRTA Executive Director:

Signature: _____
Name and Title: _____
Date: _____

Approved as to form and legal sufficiency:

Signature: 
Name and Title: Teresa Moore, Gen. Counsel
Date: 9-24-12

Approved by SFRTA Construction Oversight Committee:

Signature: _____
Name and Title: _____
Date: _____



CHANGE ORDER SUMMARY

Contract No. 11-008

Change Order No. 4

Project: Hialeah Yard Storage Tracks

Contractor: Gonzalez & Sons Equipment, Inc.

Consultant: Bergmann Associates, Inc.

CHANGE ORDER COST SUMMARY

Original Contract Amount:	\$ 1,693,000.00	
Cost of Change Orders To-Date:	\$ 2,392.00	C.O. #1
	\$ 97,576.75	C.O. #2
	\$ 79,421.14	C.O. #3
SUB-TOTAL COST:	\$ 1,872,389.89	
Cost of This Change Order:	\$623,659.00	C.O. #4
TOTAL COST:	\$ 2,496,048.89	

CHANGE ORDER TIME SUMMARY

Original Contract Time: **One hundred and fifteen calendar days**

Time Added / Deleted by Change Orders To-Date: **58 calendar days (C.O. #1) + 90 calendar days (C.O. #2) + 60 calendar days (C.O. #3)**

Time Added / Deleted by This Change Order: **60 calendar days**

CHANGE ORDER HISTORY

Change Order No.	Date	Increase (+) or Decrease (-)
1	2/15/11	+ \$2,392.00
2	7/29/11	+\$97,576.75
3	8/14/12	+ \$79,421.14
4	TBD	+ \$623,659.00