

7. Contract: Babcock Street and St. Johns Heritage Parkway intersection improvements – IFB 45-0-2022, Change Order 4 – Public Works Department (Timothy Rose Contracting, Inc. - \$923,768); and appropriation of Transportation Impact Fees (\$750,000).



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Valentino Perez, Public Works Director

DATE: May 16, 2024

RE: Approval of Babcock and SJHP Intersection Improvements Change Order No 4 and consideration of using TIF funds

SUMMARY:

The City entered into a contract with Timothy Rose Contracting July 25, 2022, in the amount of \$5,509,768.99 for the widening of Babcock Street at the intersection of St. Johns Heritage Parkway (SJHP). SJHP and Babcock intersection improvements were initially planned to be in two phases, the first phase involved filling a ditch on the East side of Babcock to facilitate the installation of new poles by Florida Power & Light (FPL), which was a prerequisite for the subsequent construction phases.

Change Order No. 1 dated December 16, 2022, added \$22,290.00 to the contract for soil bores required to determine the stability of the foundation as this work was not included in the original scope of work. Change Order No. 2 dated June 27, 2023, was issued in the amount of \$69,225.40 after the subsurface investigation revealed that the subgrade material was consistent with clay. This required the previously installed subgrade material be removed and the subsoil excavated.

During the execution of the first phase, the plans changed to transition the power lines from overhead to underground conduits for FPL and other utilities (such as AT&T, etc). It was indicated that following installation of conduit there would be a 30-day period for FPL's wire installation. During monthly utility discussions, it was discovered that FPL faced easement issues, necessitating a project redesign. This redesign and the addressing of the easement issues resulted in a delay of 249 days and resulting in Change Order No 3 for time. The City's interlocal agreement (ILA) with Brevard County previously required this work for Phase 3 improvements as referenced in the ILA be complete by 4/26/2024. The City Manager's Office received an extension of the ILA for the Phase 3 improvements through December 31, 2024.

Throughout this delay, costs have increased due to the continued presence of Maintenance of Traffic (MOT) devices, increases in the prices of labor, materials, subcontractor services, as well as several

design changes, notably at Journey Drive. These compounded issues not only extended the project timeline significantly but also added considerable financial increases. The contractor has presented Change Order No. 4 in the amount of \$923,767.53 representing the cost increases and additions to the contract.

Staff has reviewed the quantities and costs and requests council approval to proceed with Change Order No 4 in the amount of \$923,767.53, bringing the sum of all change orders to \$1,015,282.93, an increase of 18%. The City's Procurement Policy allows the Chief Procurement Officer to approve change orders up to 10% and less than \$100,000; any change order in excess of \$100,000 will be brought before Council for approval.

REQUESTING DEPARTMENTS:

Public Works

FISCAL IMPACT:

Once approved by Council, a Budget Amendment will be submitted transferring \$750,000.00 from 199-0000-392-1001 Undesignated Fund Balance to 199-7050-541-6502/21PW06.

STAFF RECOMMENDATION:

Motion to 1) authorize the execution of Change Order No. 4 to Timothy Rose Contracting Bid 45-0-2022, and 2) authorize the use of TIF funds as detailed in the fiscal impact.

ATTACHMENTS:

1. Bid 45-0-2022 Change Order No 4 (21PW06)

Purchase Order No.: 221808

PR No.: N/A

Bid # 45-0-2022

CHANGE ORDER**PROJECT:** 21PW06 Babcock and SJHP Intersection ImprovementsInvitation for Bid # 45-0-2022**CHANGE ORDER:** 4 **DATED:** 05/16/24**CONTRACTOR:** Timothy Rose Contracting**ADDRESS:** 825 8th Street, Vero Beach, FL 32962**JUSTIFICATION:**

Addition of Journey Drive. Escalation costs for multiple unused quantities as detailed in page 2. Additional cost of Asphalt Driveway shown as a lump sum, backup attached. Escalation costs for striping and signage shown as a lump sum, backup attached. Reduction in quantity of relocation of 48" pipe as 60' remained in place.

CONTRACT PRICE AND TIME IMPACT:

ORIGINAL AWARDED CONTRACT AMOUNT:	\$5,509,768.99
CURRENT CONTRACT AMOUNT:	\$5,601,284.39
INCREASE/DECREASE IN CONTRACT AMOUNT:	\$923,767.53
NEW CONTRACT AMOUNT:	\$6,525,051.92
CURRENT CONTRACT <u>FINAL</u> COMPLETION DATE:	12/31/24
INCREASE/DECREASE IN CONTRACT TIME: (DAYS)	0
NEW CONTRACT COMPLETION DATE:	12/31/24

REQUESTING DEPARTMENT'S CONCURRENCE AND APPROVAL:_____
Department Head_____
Date**ORDERED BY THE CITY OF PALM BAY****ACCEPTED BY THE CONTRACTOR**_____
City Manager/Chief Procurement Officer_____
Printed Name & Title_____
Date_____
Signature_____
Date

21PW06 Babcock and SJHP Intersection Improvements

#	Item No.	Description	Qty	Unit	Unit Price	Value
	160-4	Type B Stabilization	-9864.84	SY	\$7.50	-\$73,986.30
	285-709	Optional Base, Base Group 9	-8638	SY	\$17.50	-\$151,165.00
	327-70-5	Milling Existing Asphalt Pavement, 2" Average Depth	-15519	SY	\$3.58	-\$55,558.02
	327-70-6	Milling Existing Asphalt Pavement, 1 1/2" Average Depth	-378	SY	\$23.16	-\$8,754.48
	334-1-13	Superpave Asphaltic Concrete, SP-19 Structural Course, Traffic C, 2"	-3279	TN	\$154.75	-\$507,425.25
	334-1-83	Superpave Asphaltic Concrete, Traffic C (SP 9.5), PG 76-22, 1.5" Thick	-2509	TN	\$208.00	-\$521,872.00
	520-1-7	Concrete Curb & Gutter, Type E	-2635	LF	\$25.00	-\$65,875.00
	520-1-10	Concrete Curb & Gutter, Type F	-5070	LF	\$22.75	-\$115,342.50
	520-5-16	Traffic Separator Concrete, Type I, 8' Wide	-485	LF	\$82.50	-\$40,012.50
	522-1	Concrete Sidewalk 4"	-330	LF	\$75.00	-\$24,750.00
	522-2	Concrete Sidewalk 6"	-236	LF	\$70.50	-\$16,638.00
		Pipe, Remove & Relocate 48" RCP	-60	LF	\$85.00	-\$5,100.00
		Changes in design of Asphalt Driveway	1	LS	\$170,765.00	\$170,765.00
	102-1	Maintenance of Traffic	1	LS	\$93,960.00	\$93,960.00
	160-4	Stabilization (includes reduction from FDR Portions)	5288.97	SY	\$11.95	\$63,203.19
	285-709	Optional Base, Base Group 9 (includes reduction from FDR)	4062.13	SY	\$24.50	\$99,522.19
	327-70-2	Milling Existing Asphalt Pavement, 2" Average Depth	15519	SY	\$4.20	\$65,179.80

21PW06 Babcock and SJHP Intersection Improvements

Purchase Order No.: 221808

PR No.: N/A

Bid # 45-0-2022

	327-70-6	Milling Existing Asphalt Pavement, 1 1/2" Average Depth	378	SY	\$35.00	\$13,230.00
	334-1-13	Superpave Asphaltic Concrete, SP-19 Structural Course, Traffic C, 2"	3279	TN	\$194.40	\$637,437.60
	334-1-83	Superpave Asphaltic Concrete, Traffic C (SP 9.5), PG 76-22, 1.5" Thick	2509	TN	\$234.00	\$587,106.00
	520-1-7	Concrete Curb & Gutter, Type E	2635	LF	\$29.25	\$77,073.75
	520-1-10	Concrete Curb & Gutter, Type F	5070	LF	\$23.50	\$119,145.00
	520-5-16	Traffic Separator Concrete, Type I, 6' Wide	485	LF	\$79.75	\$38,678.75
	522-1	Concrete Sidewalk 4"	363.24	SY	\$92.00	\$33,418.08
	522-2	Concrete Sidewalk 6"	242.59	SY	\$133.00	\$32,264.47
	700	10" FDR South end of Babcock	1552	SY	\$26.90	\$41,748.80
	702	10" FDR South end of Babcock	3023.86	SY	\$26.90	\$81,341.83
	711-11-125	Striping and Signage Increases mobilization increases	1		\$11,034.12	\$11,034.12
	800	Journey Drive Entrance (Stabilization)	577		\$26.25	\$15,146.25
	805	Journey Drive Optional Base Group 9	550		\$52.00	\$28,600.00
	810	Journey Drive Type "F" Curb	150		\$41.00	\$6,150.00
	815	Journey Drive 6" Sidewalk	300	SY	\$112.00	\$33,600.00
	820	Journey Drive Detectable Warnings	40		\$51.00	\$2,040.00
	825	Journey Drive Striping and Signage	1		\$9,360.00	\$9,360.00
	850	Journey Drive Signal/Mast Arm (4th quadrant)	1		\$187,401.25	\$187,401.25
	900	Remove Sediment from Base Rock sitting for 9 months	8590		\$2.95	\$25,340.50
	925	Add base rock to areas cut from base rock sitting for 9 months	10000		\$3.75	\$37,500.00
Sub Total						\$923,767.53

21PW06 Babcock and SJHP Intersection Improvements

Purchase Order No.: 221808

PR No.: N/A

Bid # 45-0-2022

Total					\$923,767.53
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Approved by:

Public Works Project Manager

**Timothy Rose Contracting**

1360 Old Dixie Hwy Sw
Vero Beach, FL 32962

(772) 564-7800

To:	City Of Palm Bay	Contact:	
Address:	1050 Malabar Rd	Phone:	
	Palm Bay, FL 32907	Fax:	
Project Name:	DAVIS DRIVEWAY BABCOCK	Bid Number:	
Project Location:		Bid Date:	

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
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ASPHALT DRIVEWAY

700	DAVIS DRIVEWAY CHANGES (ASPHALT)	1.00	LS	\$170,765.00	\$170,765.00
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Total Price for above ASPHALT DRIVEWAY Items: \$170,765.00

Total Bid Price: \$170,765.00

ACCEPTED:

The above prices, specifications and conditions are satisfactory and hereby accepted.

Buyer: _____

Signature: _____

Date of Acceptance: _____

CONFIRMED:

Timothy Rose Contracting

Authorized Signature: _____

Estimator: _____

**Timothy Rose Contracting**

1360 Old Dixie Hwy Sw
Vero Beach, FL 32962















































(772) 564-7800
























Cost Detail By Phase

Project Name: DAVIS DRIVEWAY BABCOCK	Customer: City Of Palm Bay
Job Number:	Billing Address: 1050 Malabar Rd
Bid As:	Palm Bay, FL 32907
Estimator:	Phone:
Project Address:	Contact:
Completion Date:	



Pay Items

Description	Quantity	UM	Unit Direct Cost	Total Direct Cost
Phase: ASPHALT DRIVEWAY				
D 700 - DAVIS DRIVEWAY CANGES (ASPHALT)	1.00	LS	\$142,304.42	\$142,304.42
STEEL SHEET CANAL	2,250.00	SF	\$29.00	\$65,250.00
REMOVE CMP	40.00	LF	\$99.30	\$3,972.03
REMOVAL OF PIPE AND INLETS (53.33 LF/DY, 0.75 DY)	40.00	LF	\$76.34	\$3,053.70
Excavator operator	6.00	HR	\$36.54	\$219.25
Foreman	0.15	WK	\$2,394.12	\$359.12
JOHN DEERE 300G	6.00	HR	\$142.50	\$855.00
DODGE 3500	6.00	HR	\$24.56	\$147.35
KOMATSU 380	6.00	HR	\$120.75	\$724.50
Loader Operator	6.00	HR	\$30.24	\$181.45
Hill Man	6.00	HR	\$28.98	\$173.89
Tail Man	6.00	HR	\$30.24	\$181.45
Pipe Layer	6.00	HR	\$35.28	\$211.69
HAUL REMOVED PIPE	1.00	LOAD	\$918.33	\$918.33
HAULING MATERIAL WITH 40 CY TRUCKS (1.00 LOAD/DY, 1.00 DY)	1.00	LOAD	\$918.33	\$918.33
All 40 CY Trucks	8.00	HR	\$84.55	\$676.40
Low boy & Semi Drivers Class A CDL	8.00	HR	\$30.24	\$241.93
INSTALL 48" HDPE	60.00	LF	\$353.80	\$21,228.18
REMOVAL OF PIPE AND INLETS (20.00 LF/DY, 3.00 DY)	60.00	LF	\$228.06	\$13,683.40
Excavator operator	24.00	HR	\$36.54	\$877.00
Foreman	0.60	WK	\$2,394.12	\$1,436.47
JOHN DEERE 300G	24.00	HR	\$142.50	\$3,420.00
DODGE 3500	24.00	HR	\$24.56	\$589.42
KOMATSU 380	24.00	HR	\$120.75	\$2,898.00
Loader Operator	24.00	HR	\$30.24	\$725.80
Hill Man	24.00	HR	\$28.98	\$695.56
Tail Man	24.00	HR	\$30.24	\$725.80
Pipe Layer	24.00	HR	\$35.28	\$846.76

Description		Quantity	UM	Unit Direct Cost	Total Direct Cost
(Item 700 - DAVIS DRIVEWAY CHANGES (ASPHALT) continued)					
 WACKER 4045 COMPACTORS		24.00	HR	\$27.25	\$654.00
 Spectra Laser Level		0.60	WK	\$150.00	\$90.00
 Spectra Pipe Laser		0.60	WK	\$250.00	\$150.00
 Skilled Laborer		24.00	HR	\$23.94	\$574.59
 48" (PPP) PIPE		60.00	LF	\$125.75	\$7,544.78
 FILL		150.00	UNIT	\$45.00	\$6,750.00
 COQUINA BASE OPTIONAL BASE GROUP 6		125.00	SY	\$50.00	\$6,250.00
 BYPASS CANAL WATER (8" PUMP)		1.00	UNIT	\$7,500.00	\$7,500.00
 BUILD BABCOCK UP TO ACCOMMODATE DAVIS DRIVE		120.00	SY	\$71.72	\$8,606.94
 Grading- Bulldozer (120.00 SY/DY, 1.00 DY)		120.00	SY	\$6.20	\$744.50
 John Deere 450J		8.00	HR	\$54.00	\$432.00
 Bulldozer Operator		8.00	HR	\$39.06	\$312.50
 HAUL MATERIAL WITH 18 CY DUMP TRUCKS		225.00	TON	\$34.94	\$7,862.45
 Hauling Materials (225.00 TON/DY, 1.00 DY)		225.00	TON	\$6.74	\$1,517.06
 All 18 CY Trucks [2]		8.00	HR	\$70.88	\$1,134.00
 Dump Truck Driver Class B CDL [2]		8.00	HR	\$23.94	\$383.06
 Coquina Rock		225.00	TON	\$11.77	\$2,648.25
 GRADING		120.00	SY	\$30.81	\$3,697.14
 FINISH GRADE CREW (120.00 SY/DY, 1.00 DY)		120.00	SY	\$30.81	\$3,697.14
 Grader Operator		0.20	WK	\$2,646.13	\$529.23
 John Deere & Komatsu - 3.5 CY		8.00	HR	\$95.38	\$763.00
 Loader Operator		8.00	HR	\$30.24	\$241.93
 General Laborer		8.00	HR	\$21.42	\$171.37
 Spectra Laser Level		0.20	WK	\$150.00	\$30.00
 JOHN DEERE 672 GP		8.00	HR	\$146.00	\$1,168.00
 Large Single Drum (Dynapac, Hamm)		8.00	HR	\$70.27	\$562.16
 Roller Operator		8.00	HR	\$22.68	\$181.45
 Spectra Pipe Laser		0.20	WK	\$250.00	\$50.00
 PAVE DAVIS DRIVEWAY		125.00	SY	\$135.50	\$16,937.44
 PAVING CREW (VISTA) (62.50 SY/DY, 2.00 DY)		125.00	SY	\$84.94	\$10,617.48
 Leeboy 8616		16.00	HR	\$207.20	\$3,315.20
 Paver Operator		16.00	HR	\$36.54	\$584.67
 General Laborer [2]		16.00	HR	\$21.42	\$685.47
 Screw man [2]		16.00	HR	\$28.98	\$927.41
 Roller Operator		16.00	HR	\$22.68	\$362.90
 Small Double Drum (Bomag, Hamm)		16.00	HR	\$51.06	\$816.96
 Large Single Drum (Dynapac, Hamm)		16.00	HR	\$70.27	\$1,124.32
 Roller Operator		16.00	HR	\$22.68	\$362.90
 Foreman		0.40	WK	\$2,394.12	\$957.65
 Skilled Laborer		16.00	HR	\$23.94	\$383.06
 DODGE 3500		16.00	HR	\$24.56	\$392.94
 TRAFFIC ROLLER		16.00	HR	\$44.00	\$704.00
 HAUL ASPHALT		27.00	TON	\$173.89	\$4,694.96
 Hauling Materials (13.50 TON/DY, 2.00 DY)		27.00	TON	\$56.19	\$1,517.06
 All 18 CY Trucks		16.00	HR	\$70.88	\$1,134.00
 Dump Truck Driver Class B CDL		16.00	HR	\$23.94	\$383.06
Asphalt SP12.5		27.00	TON	\$117.70	\$3,177.90

Description	Quantity	UM	Unit Direct Cost	Total Direct Cost
(Item 700 - DAVIS DRIVEWAY CHANGES (ASPHALT) continued)				
 PRIME COAT	125.00	UNIT	\$13.00	\$1,625.00
 PREP FOR RIBBON CURB	140.00	LF	\$41.50	\$5,809.83
 PREP AND LAYOUT FOR D CURB (233.33 LF/DY, 0.60 DY)	140.00	LF	\$5.75	\$805.57
 Foreman	0.12	WK	\$2,646.13	\$317.54
 Cut offw/Diamond blade	0.60	DY	\$93.50	\$56.10
 Skilled Laborer	4.80	HR	\$31.50	\$151.21
 DODGE 3500	4.80	HR	\$24.56	\$117.88
 CONCRETE FINISHER	4.80	HR	\$33.92	\$162.84
 TRENCH FOR D CURB	140.00	LF	\$35.74	\$5,004.26
 TRENCH FOR D CURB (140.00 LF/DY, 1.00 DY)	140.00	LF	\$11.00	\$1,539.36
 Foreman	0.20	WK	\$2,646.13	\$529.23
 Skilled Laborer	8.00	HR	\$31.50	\$252.01
 DODGE 3500	8.00	HR	\$24.56	\$196.47
 CONCRETE FINISHER	8.00	HR	\$33.92	\$271.40
 Conc Curb - Trencher	8.00	HR	\$36.28	\$290.25
 POUR D CURB	140.00	LF	\$24.75	\$3,464.90
 POUR D CURB (140.00 LF/DY, 1.00 DY)	140.00	LF	\$14.73	\$2,062.77
 Foreman	0.20	WK	\$2,646.13	\$529.23
 Skilled Laborer [2]	8.00	HR	\$31.50	\$504.03
 DODGE 3500	8.00	HR	\$24.56	\$196.47
 CONCRETE FINISHER [2]	8.00	HR	\$33.92	\$542.80
 Conc Curb - Trencher	8.00	HR	\$36.28	\$290.25
 Concrete - 3000 PSI	6.24	CY	\$224.70	\$1,402.13

Indirect Items

Description	Quantity	UM	Unit Indirect Cost	Total Indirect Cost
 MOT	0.00	LS	\$0.00	\$0.00
 101-1 - Mobilization	0.00	LS	\$0.00	\$0.00

Direct Cost Totals

	Amount	Percent of Direct Cost
Labor:	\$17,177.68	12.07%
Equipment Owned:	\$22,978.68	16.15%
Equipment Rented:	\$0.00	0.00%
Materials Owned:	\$0.00	0.00%
Materials Purchased:	\$14,773.06	10.38%
Subcontracted:	\$0.00	0.00%
Trucking Owned:	\$0.00	0.00%
Trucking Hired:	\$0.00	0.00%
Miscellaneous:	\$22,125.00	15.55%
Plug:	\$65,250.00	45.85%
Direct Cost:	\$142,304.42	

Pay Item Summary

	Amount	Percent of Bid Price
Total Direct Cost:	\$142,304.42	83.33%
Total DC Adds/Cuts:	\$0.00	0.00%
Total Indirect Cost:	\$0.00	0.00%
Total Bond:	\$0.00	0.00%
Total Overall Cost:	\$142,304.42	83.33%
Total Overhead:	\$11,384.35	6.67%
Total Profit:	\$17,076.22	10.00%
Total Margin:	\$28,460.58	16.67%
Total Bid Price:	\$170,765.00	

3920 SE Commerce Ave
Stuart, FL 34997
Office: 772-214-1714
Fax: 772-223-5461

Proposal #TIM2208
Date: 4/10/2024
Equal Opportunity Employer



Zach Rose
Timothy Rose Contracting, Inc.
825 8th Street
Vero Beach, FL 32962

Project Name: Babcock Street Widening
Project Location: At St. Johns Heritage Parkway
Project County, City, State: City of Palm Bay, FL

IFB # 45-0-2022/SB

We hereby propose to furnish the equipment and labor necessary for the installation of Temp & Permanent Pavement Markings.
*** All Temporary Striping is included in the pricing below. Thermoplastic roadway markings will be applied 14 days after paving is completed.

	Timothy Rose Contracting				
	Babcock Street Drainage (Phase 1)				
	Mobilization	1	LS	\$ 750.00	\$ 750.00
706-1-3	Raised Retro Reflective Pavement Markers	12	EA	\$ 4.50	
711-11-125	Thermoplastic Standard, White, Solid 24" For Stop Line & Crosswalk	30	LF	\$ 6.95	
711-15-101	Thermoplastic Standard, White, Solid 6"	50	LF	\$ 1.00	
711-15-201	Thermoplastic, standard, Yellow, Solid, 6"	20	LF	\$ 1.00	
	Thermoplastic Daily Minimum	1	LS	\$2,850.00	\$ 2,850.00
	Babcock Street Widening Phase 2				
	Mobilization	1	LS	\$ 6,018.00	\$ 6,018.00
700-1-11	Single Post Sign, F & I Ground Mount <12 SF	21	AS	\$ 520.00	\$ 10,920.00
700-1-50	Single Post Sign, Relocate	6	AS	\$ 240.00	\$ 1,440.00
700-1-60	Single Post Sign, Remove	6	AS	\$ 31.00	\$ 186.00
706-1-1	Raised Pavement Marker, Type B	576	EA	\$ 6.50	\$ 3,744.00
711-11-123	Thermoplastic, Standard, White, Solid, 12" For Crosswalk	647	LF	\$ 4.00	\$ 2,588.00
711-11-124	Thermoplastic, Standard, White, Solid, 18" For Diagonals	895	LF	\$ 3.50	\$ 3,132.50
711-11-125	Thermoplastic, Standard, White, Solid, 24" For Stop Line & Crosswalk	507	LF	\$ 6.40	\$ 3,244.80
711-11-141	Thermoplastic, Standard, White, 2-4 Dotted Guideline, 6"	900	LF	\$ 0.45	\$ 405.00
711-11-160	Thermoplastic, Standard, White Message	3	EA	\$ 480.00	\$ 1,440.00
711-11-170	Thermoplastic, Standard, White Arrow	35	EA	\$ 80.00	\$ 2,800.00
711-11-224	Thermoplastic, Standard, Yellow Solid 18" Diagonal	512	LF	\$ 3.50	\$ 1,792.00
711-15-101	Thermoplastic, Standard, White, Solid, 6" Line	19,586	LF	\$ 1.05	\$ 20,565.30
711-15-131	Thermoplastic, Standard, White, Skip 10-30	0.22	GM	\$ 5,800.00	\$ 1,276.00
711-15-201	Thermoplastic, Standard, Yellow Solid 6" Line	13,647	LF	\$ 1.05	\$ 14,329.35
				Subtotal	\$77,480.95

TOTAL BID: \$77,480.95