



20 N. Swinton Avenue  
Delray Beach, FL 33444

Agenda Item #  
May 11, 2017

10E

~ **CRA BOARD SUMMARY** ~

**CHANGE ORDER REQUEST FOR TIME EXTENSION TO CONTRACT – CONSTRUCTION  
AGREEMENT WITH HATCHER CONSTRUCTION & DEVELOPMENT, INC. -  
ARTS WAREHOUSE PROJECT**

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At the August 25, 2016, the Board awarded the contract for the Arts Warehouse Conversion Project (CRA Project No. CRA 2016-04) to Hatcher Construction & Development, Inc. (Hatcher) in the amount of \$2,199,987.00. The project is located on the northeast corner of NE 3<sup>rd</sup> Street and Artists Alley within the Pineapple Grove Arts District (313 NE 3<sup>rd</sup> Street). The Agreement specifies that the entire project shall be completed within 270 calendar days after the issuance of the Notice to Proceed on September 26, 2016. In accordance with the Agreement, the dates of Substantial Completion and Final Completion are May 24, 2017 and June 23, 2017 respectively.

Construction is approximately 75% completed and there has been seven (7) Change Orders approved (available upon request) in accordance with the terms of the executed Agreement and within the project's contingency allowance.

On January 24, 2017, a miscalculation by the architect of the grade differential between the last stair treads and finished grade resulted in a redesign of the required north staircase to meet current Building Code requirements for a second means of egress. As this is an exterior staircase, this will not affect the other interior and exterior work so the construction contract time continued.

Meetings with the Building Department and Fire Marshall were held to review the alternatives for the staircase and ramp located along the north property line and decide on the most appropriate approach so the renovations may proceed without further delays. The redesign will result in an increase in the scope of work and thus an increase in the contract price and will require 60 additional days to order and install a new staircase. The Contractor, architect, and staff have had communication identifying a need to extend the contract time since the resubmission and re-review of the revised drawings, lead time and availability of the staircase from the manufacturer, and the additional time needed for the City to inspect the new staircase is beyond the contractor's control. As the original Substantial Completion date will occur before the May 25, 2017 Board meeting, Change Order No. 8 will be required at this time.

The contractor is also working on an itemized cost estimate for additional changes to the scope to accommodate future security alarm and monitoring systems and WiFi internet communication systems since it is more cost effective when the wall framing is still in progress, versus waiting until the in-house staff is hired. It is anticipated that the total cost of these items will exceed the remaining contingency.

An Amendment to the Work Assignment with Currie Sowards Aguila and Associates, Inc. (CSA), if needed, will be scheduled for the next available Board meeting for the board's consideration, once approval is received from the City officials. The contractor will provide a revised cost estimate based on the revised drawings, and a change order for the additional costs (staircase, security alarm and monitoring systems, WiFi internet communication systems, etc.) will be processed and presented to the Board at the next available meeting.

**Recommended Action:**

Approve Change Order No. 8 to provide for a 60 day time extension for Substantial Completion to July 23, 2017 and the Final Completion date to August 22, 2017 for the Arts Warehouse, subject to all other provisions of the executed Agreement between the CRA and Hatcher Construction & Development, Inc.

**Submitted By:** Thuy Shutt, Assistant Director

Attachment(s): Change Order No. 8 and supportive documents

ASD

# CHANGE ORDER

Owner	X
Architect	X
Contractor	X
Field	
Other	

PROJECT:  
 Art Warehouse  
 313 NE 3rd Street  
 Delray Beach, Florida 33444

CHANGE ORDER NUMBER: EIGHT  
 DATE: 5/4/2017  
 ARCHITECT'S PROJECT NO: 100701  
 NOTICE TO PROCEED: \_\_\_\_\_  
 CONTRACT FOR: Art Warehouse

CONTRACTOR:  
 Hatcher Construction & Development, Inc.  
 3300 S. Congress Avenue, Suite #15  
 Boynton Beach, FL 33426

The Contract is changed as follows: Request for an additional 60 days to complete the project

CONTRACT ITEM	DESCRIPTION	UNIT	QTY	UNIT COST	TOTAL
	Additional 10 days to remove and replace lower roof.	LS	1	\$0.00	\$0.00
	Additional 50 days to rework the staircase and ramp. Due to revision of rear stairs and change in slope, new drawings, review and approval are required. Stair manufacturer needs 6-8 weeks for fabrication.	LS	1	\$0.00	\$0.00
	New requested Substantial Completion Date = <b>July 23, 2017</b> New requested Final Completion Date = <b>August 22, 2017</b>				
45	Allowance/Contingency remaining after CO #1, #2, #4, #6, #7 = <b>\$4,160.15</b>				
				<b>TOTAL</b>	<b>\$ -</b>

ORIGINAL CONTRACT	=	\$ 2,199,987.00
CONTRACT CHANGE DUE TO THIS CHANGE ORDER	=	\$0.00
NEW CONTRACT TOTAL INCLUDING THIS CHANGE ORDER	=	\$ 2,199,987.00
SUBSTANTIAL COMPLETION DATE		5/24/2017
CONTRACT TIME CHANGE	=	<b>DAYS 60</b>
REVISED SUBSTANTIAL COMPLETION DATE	=	7/23/2017

**NOTE:**

1) Not valid until signed by the Owner, Architect and Contractor.  
 2) Change Order requests must be accompanied by supporting documentation such as, but not limited to vendor price quotes, (materials & labor costs), Requests For Information (RFI), responses to inquiries, and other supporting information, as applicable. Changes in price, credits and/or contract sum must include changes to overhead & profit, and be fair and reasonable.

3) This Change Order will be deducted from contingency line item #45

**TERMS & CONDITIONS:** THIS CHANGE ORDER IS SUBJECT TO THE SAME TERMS AND CONDITIONS OF THE PROJECT CONTRACT.

ARCHITECT  
 Currie Sowards Aguila Architects  
 185 NE 4th Ave #101  
 Delray Beach, FL 33444  
 By: \_\_\_\_\_  
 Date: \_\_\_\_\_

CONTRACTOR  
 Hatcher Construction & Dev., Inc.  
 3300 S. Congress Av., #15  
 Boynton Beach, FL 33426  
 By: \_\_\_\_\_  
 Date: \_\_\_\_\_

OWNER  
 Delray Beach CRA  
 20 North Swinton Avenue  
 Delray Beach, FL 33444  
 By: \_\_\_\_\_  
 Date: \_\_\_\_\_



3300 South Congress Ave # 15,  
Boynton Beach, FL. 33426

May 3, 2017

**Delray Beach CRA**  
20 N Swinton Ave,  
Delray Beach, FL 33444

**RE: DELRAY BEACH CRA-ART WAREHOUSE RENOVATIONS**

Mr. Matthews,

We continued to pursue completion of the project as rapidly as is reasonable possible under the present circumstances.

We recently encountered certain delays to our performance through no fault of our own which were beyond our control. A careful evaluation was done to the lower roof during the construction phase and it was determined and agreed on by the Architect (Currie Sowards Aguila Architects) and The Delray Beach CRA that the roof was irreparable and needed to be replaced.

During preparation for the installation of rear stairs, we noticed that field conditions were not reflecting plans. The change in slope and the layout of the stairs had to be revised, which brought about new shop drawings, review and approval. Additionally, lead time for new stairs fabrication is 6-8 weeks. These have caused a substantial amount of delays to the project.

Please be assured that we diligently seek to minimize as best as we can the effects of these delays.

We are therefore requesting an additional thirty sixty (60) days to complete this project.

Sincerely Yours,



William Hatcher.