



20 N. Swinton Avenue  
Delray Beach, FL 33444

Agenda Item #  
July 27, 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 meeting, 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).

At the May 11, 2017 meeting, the Board approved 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. The contractor has indicated that they will not be able to meet the substantial completion date and has submitted Change Order No. 15 requesting a 30 day time extension.

As outlined in the contractor's request, they are requesting 7 additional days for delays due to them remobilizing with heavier machinery to complete the associated utility work, as the water-main was discovered to be 13 feet below grade, in lieu of the typical 3 to 4 feet. They are also requesting 10 additional days for delays to resolve unspecified fire tap details, resulting in a longer lead time for ordering materials, 3 additional days for field changes as per the City inspector, and 10 additional days for delays due to FPL requesting additional work before energizing the building.

Change Order No. 15 has been reviewed by Currie Sowards Aguila Architects, Inc., CRA's consultant providing construction administration services for the project, and they have determined that the requested 30 day time extension justifiable. Staff is also in support of the requested time extension.

To date, fourteen (14) Change Orders were previously approved/processed (available upon request) in accordance with the terms of the executed Agreement.

The overall project is approximately 90% completed.

**Recommended Action:**

Approve Change Order No. 15 to provide for a 30 day time extension for Substantial Completion to August 22, 2017 and the Final Completion date to September 21, 2017 for the Arts Warehouse, subject to all other provisions of the executed Agreement between the CRA and Hatcher Construction & Development, Inc.

**Submitted By:** Kevin Matthews, Project Manager

Attachment(s): Change Order No. 15

*Handwritten initials*

# CHANGE ORDER

Owner	<input checked="" type="checkbox"/>
Architect	<input checked="" type="checkbox"/>
Contractor	<input checked="" type="checkbox"/>
Field	<input type="checkbox"/>
Other	<input type="checkbox"/>

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

CHANGE ORDER NUMBER: Fifteen  
 DATE: 7/18/2017  
 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 30 days to complete the project

CONTRACT ITEM	DESCRIPTION	UNIT	QTY	UNIT COST	TOTAL
	<ul style="list-style-type: none"> <li>Per plan the existing water main showed 1 1/4 inches, but in field it was actually 1/4 inches. This had to be increased to 2 inches to meet City codes. This resulted in the ordering of new materials and extra work done over a longer period of time. Additionally, City standard water main is usually 3- 4 ft below ground, but was found to be 13ft upon excavation. Hence, sub-contractor had to mobilize once more to bring heavier machinery to complete excavation, resulting in seven (7) additional days to complete the job.</li> <li>Documents provided by The City of Delray Beach Engineering Department did not specify the type of materials required for the fire tap line. This was also a lengthy process as GC &amp; sub contractor had to wait ten (10) day for confirmation from Engineer prior to ordering materials, which had an extensive lead time.</li> <li>The Engineers confirmed in the pre-site meeting that 90 degree horizontal turns were OK but upon inspection, the Inspector stated that 45 degree should be used instead. Thus costing three (3) extra to order new materials and adjust work.</li> <li>FP&amp;L had initially approved the work and material needed to supply power to the building, but then they added extra work. Hatcher performed the additional work then requested a new date for service. FP&amp;L scheduled was ten (10) business days. This change delayed the scheduled process in finalizing the installation of the Air-condition, balancing the elevator and polishing the concrete.</li> </ul> <p>These issues caused a substantial delay to the project and have a resulting domino effect on the site work to include paving, irrigation and landscaping.</p>	1	LS	\$0.00	\$0.00
	New requested Substantial Completion Date = August 22, 2017 New requested Final Completion Date = September 21, 2017				
45	Allowance/Contingency remaining				

		<b>TOTAL</b>	\$	-
AMENDED CONTRACT AMOUNT	=		\$	2,252,458.40
CONTRACT CHANGE DUE TO THIS CHANGE ORDER	=			\$0.00
NEW CONTRACT TOTAL INCLUDING THIS CHANGE ORDER	=		\$	2,252,458.40
SUBSTANTIAL COMPLETION DATE	=			7/23/2017
CONTRACT TIME CHANGE	=	DAYS		30
REVISED SUBSTANTIAL COMPLETION DATE	=			8/22/2017

**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:

  
7/20/17

**CONTRACTOR**

Hatcher Construction & Dev., Inc.  
3300 S. Congress Av., #15  
Boynton Beach, FL 33426

By:

Date:

  
07/19/17

**OWNER**

Delray Beach CRA  
20 North Swinton Avenue  
Delray Beach, FL 33444

By:

Date:



3300 South Congress Ave # 15,  
Boynton Beach, FL. 33426  
July 12, 2017

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

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

Mr. Matthews,

We are currently pursuing the successful completion of the project as quickly as is reasonable possible under the present circumstances. We experienced some delays in the construction schedule which were beyond our control and these have affected us meeting the established project completion date. The issues are described below:

- Per plan the existing water main showed 1¾ inches, but infield it was actually ¾ inches. This had to be increased to 2 inches to meet City codes. This resulted in the ordering of new materials and extra work done over a longer period of time. Additionally, City standard water main is usually 3- 4 ft below ground, but was found to be 13ft upon excavation. Hence, sub-contractor had to mobilize once more to bring heavier machinery to complete excavation, resulting in seven (7) additional days to complete the job.

- Documents provided by The City of Delray Beach Engineering Department did not specify the type of materials required for the fire tap line. This was also a lengthy process as GC & sub contractor had to wait ten (10) day for confirmation from Engineer prior to ordering materials, which had an extensive lead time.

- The Engineers confirmed in the pre-site meeting that 90 degree horizontal turns were OK but upon inspection, the Inspector stated that 45 degree should be used instead. Thus costing three (3) extra to order new materials and adjust work.

- FP&L had initially approved the work and material needed to supply power to the building, but then they added extra work. Hatcher performed the additional work then requested a new date for service. FP&L scheduled was ten (10) business days. This change delayed the scheduled process in finalizing the installation of the Air-condition, balancing the elevator and polishing the concrete.

These issues caused a substantial delay to the project and have a resulting domino effect on the site work to include paving, irrigation and landscaping.

We are therefore requesting an additional thirty (30) days to complete this project.

Sincerely Yours,

A handwritten signature in blue ink that reads "Wm. Hatcher". The signature is written in a cursive style with a long horizontal stroke at the end.

William Hatcher.