



CONSTRUCTION CHANGE ORDER NO. 1 (FINAL)

PROJECT: South Cross Bayou Lighting Upgrades
CONTRACT NO: 190-0241-CP-(PLU)
AGREEMENT DATE: June 23, 2020
COMMENCEMENT DATE: September 9, 2020
AGREEMENT TERM: 365 consecutive Calendar Days
OWNER: Pinellas County
CONTRACTOR: Himes Electric Company, Inc.

DESCRIPTION:

1. Release all remaining retainages.
2. Release final payment.
3. Decrease the Agreement by (\$150,757.56)
4. Extend the Agreement term by 208 consecutive Calendar Days.

REASON FOR CHANGE:

The project was substantially complete, and the county received beneficial use on April 19, 2022. The County obtained final completion on May 19, 2023. Additional days were required to obtain materials during covid, but liquidated damages were still applied and recovered from January 24, 2022, to April 19, 2022, as the work exceeded the additional day granted for material procurement. Liquidated damages were the actual damages incurred by the county, and they were subtracted from monthly invoices. Final inspections for all work performed under the contract were conducted by representatives of Public Works Construction Management Division, Utilities Engineering, EOR, and SCB plant staff. All work has been completed in accordance with the construction contract documents. The time between substantial and final completion accounts for the duration to complete the walk thru inspection, with project stakeholders, punch list items, final testing, project acceptance, procure and install replacement materials, receipt and approval of as-builts, EOR final acceptance and approval, final project deliverables, final quantity of materials audit, resolution of claims and disputes, and receipt of final invoice.

Final quantities have been tabulated resulting in a net decrease of (\$150,757.56). This is the difference between estimated and final quantities, and also liquidated damages and unspecified allowance not used.

CHANGE IN AGREEMENT PRICE:


Original Agreement Amount: \$2,337,028.00

Decrease due to Change Order No. 1 (FINAL): (\$150,757.56)

Final Revised Agreement Amount: \$2,186,270.44


The Contractor's acceptance of this Final Change Order shall be and shall operate as a release by the Contractor of all claims, whether known or unknown, (including, but not limited to, material, equipment, labor, overhead, fees, lost profits, and delay claims) the Contractor may have against the Owner for all things done or furnished in connection with the Project and for every act of the Owner and others relating to or arising out of the Project. Final payment by the Owner shall not release the Contractor or the Surety(ies) from any obligation under the Contract Documents for the Performance and Payment Bond or release the Contractor from any claims the Owner may have against the Contractor.

PINELLAS COUNTY, FLORIDA
by and through its County
Administrator

By: 
Barry A. Burton
County Administrator

Date: July 24, 2023

CONTRACTOR:

By: 
Thomas Cook / Vice President
Type/Print Name and Title

APPROVED AS TO FORM

By: Joseph Morrissey
Office of the County Attorney