

## MEMORANDUM

DATE: June 15, 2023

TO: \*\*\*\*ORIGINAL\*\*\*\*  
CITY CLERK

FROM: Robyn Holder *RH*  
Procurement Manager- Procurement Management Department

SUBJECT: Record Retention

CONTRACT: #20220032 Amendment #4 & #5  
CONTRACT TITLE: The Port District – Park & Playground  
Infrastructure & Improvement Project

VENDOR NAME: Ferreira Construction, Co.  
VENDOR ADDRESS: 13000 SE Flora Ave  
CITY & STATE: Hobe Sound, FL 33455

APPROVED BY COUNCIL: June 13, 2022  
7c) Award Contract #20220032 **The Port District - Park & Playground  
Infrastructure and Improvement Project with Ferreira Construction, Co.** in  
the amount of \$9,909,022.94.

CONTRACT TERM: August 1, 2022 and will terminate two hundred seventy  
(270) calendar days thereafter on April 28, 2023.

APPROVED BY COUNCIL: N/A.  
AMENDMENT #1: \$2,500.00 & 0 additional days are required.  
NEW CONTRACT AMOUNT: \$9,911,522.94

APPROVED BY COUNCIL: N/A.  
AMENDMENT #2: \$19,044.60 & 100 additional calendar days.  
NEW CONTRACT AMOUNT: \$9,930,567.54  
NEW END DATE: August 6, 2023

**APPROVED BY COUNCIL: January 10, 2023**

AMENDMENT #3: \$9,831.43 & 0 days

7c) Approve Amendment #3 to Contract #20220032 for the Construction of The Port District & Playground Infrastructure Improvement Project in the amount of \$9,831.43 for a new Contract amount of \$9,940,398.97.

**APPROVED BY COUNCIL: June 12, 2023**

7d) Approve Amendments #4 & #5 to Contract #20220032 for the Construction of The Port District & Playground Infrastructure Improvement Project in the amount of \$733,274.44 for Amendment #4 & \$1,373,636.38 for Amendment #5. The new Contract amount is \$12,047,309.79. The new end date is February 23, 2024.



**CONTRACT AMENDMENT**

This amendment by and between the Contractor and the City as defined below shall be effective as of the date this Amendment is fully executed.

<b>Contractor's Full Legal Name:</b>	Ferreira Construction Company, Inc.
<b>Solicitation No./Event ID:</b>	20220032
<b>Solicitation Title/Event Name:</b>	The Port District – Park & Playground Infrastructure and Improvement Project
<b>Contract Award Date:</b>	6/13/2022
<b>Initial Current Contract Term:</b>	8/1/2022 through 4/28/2023
<b>Current Contract Expiration Date:</b>	8/6/2023
<b>Requested Contract Expiration Date:</b>	2/23/2024
<b>Initial Contract Amount:</b>	\$9,909,022.94
<b>Current Contract Amended Amount:</b>	\$9,940,398.97
<b>Requested Financial Change Amount:</b>	\$733,274.44
<b>New Contract Amount:</b>	\$10,673,673.41
<b>Amendment No.:</b>	4
<b>Amendment Type:</b>	Increase of Commodities

WHEREAS, the Contract is in effect through the Current Contract Term as defined above; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

Amendment #4 - Additional Scope of Work not included in the original Contract:

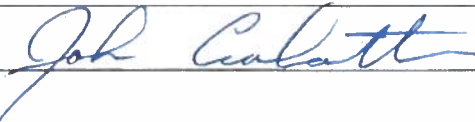
1. CO #7 - Install underdrains and yard drains within the playground area to augment the surface flows. Total cost is \$76,437.31.
2. CO #8 – Adjustments to the existing potable water lines and associated valve pads that are too low with respect to the new site conditions is needed. Total cost is \$14,006.55.
3. CO #9 – Adjustments to the existing load center, electrical pull boxes currently too low with respect to the new site conditions along with the sleeves required to pass the power through the retaining cut-off wall is needed. Total cost is \$29,533.54.
4. CO #10 will be issued as a separate Amendment in order keep funding sources separated.
5. CO #11 – An additional 201 calendar days are needed due to supply chain issues, redesign and upgrade of the site lighting system, delays by FP&L for power service to the site, addition of security measures and coordination with the provider, and plan adjustments for coordination with the future restaurant site improvements. Total cost associated with the delays is \$528,493.26.
6. CO #12 – Adjustments to the existing southern boardwalk access location to meet ADA requirements is needed. Total cost is \$7,359.97.
7. CO #13 – Installation of three (3) sets of steps and associated handrail be placed around the stage seating area is required. Total cost is \$39,493.09.
8. CO #14 – Adjustments to the project entrance along Westmoreland Blvd. to provide for additional truck turning radii is consistent with the original unit prices provided for pavement and concrete work is fair and reasonable for the work required. Total cost is \$56,552.93.
9. CO #15 – Adjustments to the rear access curb ramp along the internal roadway is consistent with the original unit prices provided for curbing and concrete work is fair and reasonable for the work required. Total cost is \$14,588.24.
10. CO #16 – Addition of rip-rap slope protection at the southern end of the new retaining wall to protect and shore up erosion at the end of the wall is required. Total cost is \$15,165.55.
11. CO #17 – Additional handrail to be placed on the gravity wall in front of the restaurant area is needed. Total cost is \$28,536.00.
12. CO #18 – Substitute poured in place surfacing to turf is a credit in the amount of (\$76,892.00).

**TOTAL AMOUNT FOR AMENDMENT #4 = \$733,274.44**


13. **SUCCESSORS AND ASSIGNS.** This Amendment shall be binding upon and inure to the benefit of the successors and permitted assigns of the parties hereto.
14. **ENTIRE AGREEMENT.** Except as expressly modified by this Amendment, the contract shall be and remain in full force and effect in accordance with its terms and shall constitute the legal, valid, binding and enforceable obligations to the parties. This Amendment and the contract (including any written amendments thereto), collectively, are the complete agreement of the parties and supersede any prior agreements or representations, whether oral or written, with respect thereto.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed by their authorized representatives.

**CONTRACTOR**

<b>Contractor's Full Legal Name: (PLEASE TYPE OR PRINT)</b>	Ferreira Construction Co. Inc
<b>Authorized Signature:</b>	
<b>Printed Name and Title of Person Signing:</b>	JOHN CIABATTARI V.P
<b>Date:</b>	6/8/23
<b>Company Address:</b>	13000 SE FLORA AVE HOBE SOUND FL

**THE CITY OF PORT ST. LUCIE**

<b>Authorized Signature:</b>	
<b>Printed Name and Title of Person Signing:</b>	Caroline Sturgis, Director, Office of Management & Budget, and Procurement
<b>Date:</b>	June 19, 2023
<b>City Address:</b>	121 S.W. Port St. Lucie Blvd., Port St. Lucie, FL 34984



**CONTRACT AMENDMENT**

This amendment by and between the Contractor and the City as defined below shall be effective as of the date this Amendment is fully executed.

<b>Contractor's Full Legal Name:</b>	Ferreira Construction Company, Inc.
<b>Solicitation No./Event ID:</b>	20220032
<b>Solicitation Title/Event Name:</b>	The Port District – Park & Playground Infrastructure and Improvement Project
<b>Contract Award Date:</b>	6/13/2022
<b>Initial Current Contract Term:</b>	8/1/2022 through 4/28/2023
<b>Current Contract Expiration Date:</b>	2/23/2024
<b>Requested Contract Expiration Date:</b>	2/23/2024 (no change)
<b>Initial Contract Amount:</b>	\$9,909,022.94
<b>Current Contract Amended Amount:</b>	\$10,673,673.41
<b>Requested Financial Change Amount:</b>	\$1,373,636.38
<b>New Contract Amount:</b>	\$12,047,309.79
<b>Amendment No.:</b>	5
<b>Amendment Type:</b>	Increase of Commodities

WHEREAS, the Contract is in effect through the Current Contract Term as defined above; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

Amendment #5 - Additional Scope of Work not included in the original Contract:

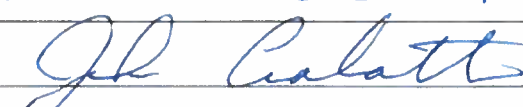
1. CO #10 – Extension of the Riverwalk Boardwalk under Port St. Lucie Blvd. to connect the existing north and south sections. Construct steel spans and timber spans per drawings and specifications. Install boardwalk lighting and water service per plan. Total cost is \$1,373,636.38. Underpass work will be completed this calendar year but will displace labor and equipment from the original contract likely necessitating additional contract days. NOI submitted.

**TOTAL AMOUNT FOR AMENDMENT #5 = \$1,373,636.38**


2. **SUCCESSORS AND ASSIGNS.** This Amendment shall be binding upon and inure to the benefit of the successors and permitted assigns of the parties hereto.
3. **ENTIRE AGREEMENT.** Except as expressly modified by this Amendment, the contract shall be and remain in full force and effect in accordance with its terms and shall constitute the legal, valid, binding and enforceable obligations to the parties. This Amendment and the contract (including any written amendments thereto), collectively, are the complete agreement of the parties and supersede any prior agreements or representations, whether oral or written, with respect thereto.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed by their authorized representatives.

**CONTRACTOR**

<b>Contractor's Full Legal Name: (PLEASE TYPE OR PRINT)</b>	Ferreira Construction Co Inc
<b>Authorized Signature:</b>	
<b>Printed Name and Title of Person Signing:</b>	JOHN CIABATTARI V.P
<b>Date:</b>	6/8/23
<b>Company Address:</b>	13000 SE FLORA AVE HobeSound FL

**THE CITY OF PORT ST. LUCIE**

<b>Authorized Signature:</b>	
<b>Printed Name and Title of Person Signing:</b>	Caroline Sturgis, Director, Office of Management & Budget, and Procurement
<b>Date:</b>	June 19, 2023
<b>City Address:</b>	121 S.W. Port St. Lucie Blvd., Port St. Lucie, FL 34984