

**AMENDMENT #2 TO
CONTRACT NO. 2022000162
BETWEEN CHARLOTTE COUNTY
and
TANDEM CONSTRUCTION
for
PORT CHARLOTTE BEACH RECREATION CENTER**

THIS AMENDMENT #2 to Contract No. 2022000162 ("Contract") is made by and between CHARLOTTE COUNTY, a political subdivision of the State of Florida, 18500 Murdock Circle, Port Charlotte, Florida 33948-1094 (hereinafter the "County") and P.J. HAYES, INC. d/b/a TANDEM CONSTRUCTION, 5391 Lakewood Ranch Blvd. North, Suite 200, Sarasota, Florida 34240 (hereinafter the "Construction Manager").

WHEREAS, on or about April 26, 2024, the Parties executed Amendment #1 to the Contract to incorporate additional Preconstruction services to the Contract; and

WHEREAS, on October 5, 2024, Governor Ron DeSantis issued Executive Order 24-214, as amended by Executive Order 24-215 regarding Tropical Storm Milton, declaring a state of emergency for Florida counties, including Charlotte County; and

WHEREAS, Hurricane Milton caused catastrophic damage to the County's infrastructure and facilities including the Port Charlotte Beach Recreation Center and Pool; and

WHEREAS, the Parties desire to further amend the Contract Guaranteed Maximum Price ("GMP") to account for additional cost to expedite demolition of unsafe structures within the scope of the Project; and

WHEREAS, a state of emergency exists, and the County's immediate action is required to demolish the unsafe structures; and

WHEREAS, the close proximity in time between, and widespread destruction caused by, Hurricanes Helene and Milton has created an unforeseen event where contractor resources are scarce, and Contractor is ready, willing, and able to expedite the services required by County; and

WHEREAS, to efficiently and expeditiously complete demolish the unsafe structures and site improvement, the Contract requires revisions to the Contract GMP to expedite the demolition; and

WHEREAS, time is of the essence due to the dangers to public health and safety and the need for timely demolition and site improvement; and

WHEREAS, engaging in a lengthy bidding or procurement process to expedite the services would substantially delay the provision of these vital services to the citizens of

Charlotte County, resulting in harm to Charlotte County; and

WHEREAS, County has reviewed the additional costs to expedite the demolition of the unsafe structures and has determined that they are reasonable and appropriate; and

WHEREAS, Contractor agrees to continue to provide services to the County in accordance with the terms and conditions of the Contract.

NOW, THEREFORE, in consideration of the promises and mutual covenants contained herein and for other good and valuable considerations, the receipt and sufficiency of which are hereby mutually acknowledged, the parties hereto agree as follows:

ARTICLE I **COMPENSATION / SERVICES**

1.1. The following provisions of this Amendment #2, and **Exhibit A**, Port Charlotte Beach Recreation Center Demolition GMP, attached hereto, are specifically incorporated into, and made a part of the Contract.

1.2. The Scope of Services for the Project is hereby amended as described in **Exhibit A**, to include CM at Risk services associated with the demolition services described.

1.3. The Construction Manager shall provide the additional services as described in **Exhibit A**, and the County shall pay an amount not to exceed Nine Hundred Forty-Seven Thousand Nine Hundred Eighty-Nine Dollars and no cents (\$947,989.00) for these services.

1.4. The additional services shall be provided concurrently with other Project services, within the timeframe as previously established.

ARTICLE II **MISCELLANEOUS**

2.1. The effective date of this Amendment #2 is the date on which it is signed by both parties.

2.2. Any terms used in this Amendment #2 shall have the same meanings and definitions as they have in the Contract.

2.3. All other provisions of the Contract not in conflict with this Amendment #2 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have affixed their signatures on the dates written below.

P.J. HAYES, INC.
d/b/a TANDEM CONSTRUCTION

WITNESSES:

Signed By: Chastity Williams
Print Name: Chastity Williams
Date: 11/18/24

Signed by: [Signature]
Print Name: BRIAN M. LEAVEL
Title: PRESIDENT
Date: 11/18/24

ATTEST:

Roger D. Eaton, Clerk of the Circuit
Court and Ex-Officio Clerk to the
Board of County Commissioners

By: [Signature]
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: [Signature]
William G. Truex, Chairman
Date: November 12, 2024

**APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:**

By: [Signature]
Janette S. Knowlton, County Attorney
LR24-0940 [Signature]

Exhibits:

Exhibit A – Port Charlotte Beach Recreation Center Demolition October 18, 2024 GMP

EXHIBIT A

Port Charlotte Beach Recreation Center Demolition

October 18, 2024

GMP

TANDEM CONSTRUCTION

5391 LAKEWOOD RANCH BLVD. NORTH SUITE 200

SARASOTA, FL 34240

GENERAL REQUIREMENTS		QUANTITY	UOM	UNIT COST	EXTENDED COST
Total GENERAL REQUIREMENTS				\$	359,870.00
BUILDING & SITEWORK		QUANTITY	UOM	UNIT COST	EXTENDED COST
02 EXISTING CONDITIONS					
Total EXISTING CONDITIONS					211,976.00
03 CONCRETE					
03-0010	CONCRETE	1	LS		NIC
Total CONCRETE					-
04 MASONRY					
04-0010	MASONRY	1	LS		NIC
Total MASONRY					-
05 METALS					
05-0010	STRUCTURAL STEEL	1	LS		NIC
Total METALS					-
06 WOOD, PLASTICS & COMPOSITES					
06-0010	ROUGH CARPENTRY	1	LS		NIC
Total WOOD, PLASTICS & COMPOSITES					-
07 THERMAL & MOISTURE PROTECTION					
07-1100	DAMPPROOFING	1	LS		NIC
Total THERMAL & MOISTURE PROTECTION					-
08 OPENINGS					
08-0010	DOORS & FRAMES	1	LS		NIC
Total OPENINGS					-
09 FINISHES					
09-2116	GYPSUM BOARD ASSEMBLIES	1	LS		NIC
Total FINISHES					-
10 SPECIALTIES					
10-1100	VISUAL DISPLAY SURFACES	1	LS		NIC
Total SPECIALTIES					-

11 EQUIPMENT				
11-1300	LOADING DOCK EQUIPMENT	1	LS	NIC
	Total EQUIPMENT			-
12 FURNISHINGS				
12-2100	WINDOW BLINDS	1	LS	NIC
	Total FURNISHINGS			-
13 SPECIAL CONSTRUCTION				
13-1100	SWIMMING POOLS	1	LS	NIC
	Total SPECIAL CONSTRUCTION			-
14 CONVEYING SYSTEMS				
14-2000	ELEVATORS	1	LS	NIC
	Total CONVEYING SYSTEMS			-
21 FIRE SUPPRESSION				
21-0010	FIRE SPRINKLER	1	LS	NIC
	Total FIRE SUPPRESSION			-
22 PLUMBING				
22-0010	PLUMBING	1	LS	NIC
	Total PLUMBING			-
23 HVAC				
	Total HVAC			10,000.00
25 INTEGRATED AUTOMATION				
25-0010	INTEGRATED AUTOMATION	1	LS	NIC
	Total INTEGRATED AUTOMATION			-
26 ELECTRICAL				
	Total ELECTRICAL			14,000.00
27 COMMUNICATIONS				
27-0000	COMMUNICATIONS	1	LS	NIC
	Total COMMUNICATIONS			-
28 ELECTRONIC SAFETY & SECURITY				
28-0000	ELECTRONIC SAFETY & SECURITY	1	LS	NIC
	Total ELECTRONIC SAFETY & SECURITY			-
31 EARTHWORK				
	Total EARTHWORK			200,000.00
32 EXTERIOR IMPROVEMENTS				
32-1100	BASE COURSES	1	LS	NIC
	Total EXTERIOR IMPROVEMENTS			-

33 SITE UTILITIES				
33-0010	UTILITY - SUB	1	LS	NIC
	TOTAL SITE UTILITIES			-
34 TRANSPORTATION				
34-0010	TRANSPORTATION	1	LS	NIC
	TOTAL WATERWAY & MARINE CONSTRUCTION			-
35 WATERWAY & MARINE CONSTRUCTION				
35-0010	WATERWAY & MARINE CONSTRUCTION	1	LS	NIC
	TOTAL WATERWAY & MARINE CONSTRUCTION			-
48 ELECTRICAL POWER GENERATION MANUFACTURERS				
48-1400	SOLAR ENERGY GENERATION EQUIPMENT	1	LS	NIC
	TOTAL WATERWAY & MARINE CONSTRUCTION			-
TOTAL BUILDING AND SITEWORK				\$ 435,976.00

Port Charlotte Beach Recreation Center Demolition

10/18/2024

GMP

DESCRIPTION

DIVISION 1 - GENERAL REQUIREMENTS	\$	359,870.00
DIVISION 2 - EXISTING CONDITIONS	\$	211,976.00
DIVISION 3 - CONCRETE		NA
DIVISION 4 - MASONRY		NA
DIVISION 5 - METALS		NA
DIVISION 6 - WOOD, PLASTICS & COMPOSITES		NA
DIVISION 7 - THERMAL & MOISTURE PROTECTION		NA
DIVISION 8 - OPENINGS		NA
DIVISION 9 - FINISHES		NA
DIVISION 10 - SPECIALTIES		NA
DIVISION 11 - EQUIPMENT		NA
DIVISION 12 - FURNISHINGS		NA
DIVISION 13 - SPECIAL CONSTRUCTION		NA
DIVISION 14 - CONVEYING SYSTEMS		NA
DIVISION 21 - FIRE SUPPRESSION		NA
DIVISION 22 - PLUMBING		NA
DIVISION 23 - HVAC	\$	10,000.00
DIVISION 25 - INTEGRATED AUTOMATION		NA
DIVISION 26 - ELECTRICAL	\$	14,000.00
DIVISION 27 - COMMUNICATIONS		NA
DIVISION 28 - ELECTRONIC SAFETY & SECURITY		NA
DIVISION 31 - EARTHWORK	\$	200,000.00
DIVISION 32 - EXTERIOR IMPROVEMENTS		NA
DIVISION 33 - UTILITIES		NA
DIVISION 34 - TRANSPORTATION		NA
DIVISION 35 - WATERWAY & MARINE CONSTRUCTION		NA
DIVISION 48 - ELECTRICAL POWER GENERATION MANUFACTURERS		NA
DIRECT COST SUBTOTAL	\$	795,846.00

Port Charlotte Beach Recreation Center Demolition

10/18/2024

GMP

DESCRIPTION

GENERAL REQUIREMENTS - DIVISION 01	\$	359,870.00
BUILDING AND SITEWORK	\$	435,976.00

SUBTOTAL DIRECT COST	\$	795,846.00
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CONTINGENCY

98-0010	CM CONTINGENCY	10%	\$	79,585.00
				79,585.00

INSURANCE & BONDS

01-0290	BUILDERS RISK POLICY PREMIUM			NIC
01-0291	BUILDERS RISK DEDUCTIBLES			NIC
01-0310	OCP INSURANCE ALLOWANCE			NIC
01-0300	LIABILITY AND UMBRELLA INSURANCE		\$	13,000.00
01-0320	PAYMENT AND PERFORMANCE BONDS		\$	14,416.00
				27,416.00

CM FEES

CM FEE	5%	\$	45,142.00
			45,142.00

PROJECT DIRECT COST TOTAL	\$	947,989.00
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INDIRECT PROJECT COSTS

BUILDING PERMIT / IMPACT FEE ALLOWANCE	NIC
GOVERNMENTAL FEES	NIC
ENGINEERING FEES	NIC
ARCHITECTURE FEES	NIC
LEGAL FEES	NIC

TOTAL PROJECT DIRECT AND INDIRECT COST	\$	947,989.00
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