CENTRAL FLORIDA EXPRESSWAY AUTHORITY

**FINDING OF FACTS**

Project No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Work Order No. \_\_\_\_\_\_\_\_\_\_\_\_\_

Description:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_

*Example of documentation required to support CEI recommendation to compensate Contractor by Work Order:*

# CONTRACT PROVISIONS

* Article 2.32.5 Extra Work: …….Alterations, changes, additional or unforeseen Work having no quantity or price provide in the Contract will be paid at a negotiated price. Where the cost is negotiated, the Contractor shall submit an estimate to the Authority in terms of labor, materials, equipment, overhead with a time impact analysis and other expenses incurred solely as a result of the alteration, change, additional or unforeseen Work. The portion of the cost for Equipment shall be as provided in 2.3.2….

# ORIGIN

* Contractor submitted RFI #122 requesting direction concerning existing 18” RCP at Ramp “B”.
* Engineer responded to keep the existing RCP but to change the proposed flow line elevations at structures S-100 and S-101 to make the drainage system function as originally designed. However, the existing MCI cable has to be relocated again to accommodate the design revision.

# ANALYSIS

* MCI relocated their cable per the original drainage plan elevations. However, the relocated cable was found to be in conflict with the proposed 18” drainage pipes.
* MCI was directed to relocate their cable for a second time to keep the drainage system functional as originally designed.
* Therefore, the MCI cable relocation is considered unforeseen and additional work.

# SUMMARY OF NEGOTIATIONS

* 9/21/06: Contractor submitted the MCI cost estimate, plus mark up, totaling $3,535.16.
* CEI sent letter to Contractor that final invoice cannot exceed $4,000.00.
* 11/1/06: Contractor resubmitted the final relocation cost in the amount of $3,535.16, including a copy of the check paid to the sub-contractor.
* Engineer’s Estimate is $3,814.12.
* CEI determined Contractor’s estimate was fair and reasonable, and recommends approval.

# RECOMMENDATIONS

* + CEI recommends that this work order be authorized and paid under work order allowance.
	+ No additional time recommended since this work can be completed concurrently with other contract work items.

### CORRESPONDENCE AND BACK-UP DATA

* Contractor’s cost estimate and copy of the check.
* MCI invoice.
* Engineer’s Estimate