

## PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

### **AGENDA ITEM SUMMARY**

Meeting Date: May 3, 2022 [X] Consent [] Regular			د المركز والما الجال المركز بينها فعن المركز ال من المركز والمركز المركز ال
[] Workshop [] Public Hearing	Meeting Date: May 3, 2022	[X] []	

### Submitted By: Department of Airports

I. EXECUTIVE BRIEF	

**Motion and Title: Staff recommends motion to approve:** Change Order No. 1 to Amendment No. 7 to the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Miscellaneous Airport Improvements for Palm Beach County Department of Airports (Department) to extend the project time by 145 Calendar Days for Work Order SMC 09: Fire Pump Replacement at Palm Beach International Airport (PBI).

**Summary:** Amendment No. 7 was approved by the Board on August 17, 2021 in the amount of \$605,906 and 244 Calendar Days (R-2021-1161). The contract value to date is \$7,348,832.71. The project includes replacement of the two fire pumps that support the fire protection of the terminal facility, which are nearing the end of their service life. The project was scheduled to be substantially complete within 214 Calendar Days; however, delays in shipment of the diesel fire pump due to supply chain impacts of the global COVID-19 pandemic and current market conditions require the time be extended by 145 Calendar Days. There is no change in cost associated with this change order. **Countywide (AH)** 

**Background and Justification:** The fire pump systems for PBI's Main Terminal and Building 1475 have suffered degradation as a result of age and will soon reach the end of their expected life cycles. This project will replace the existing fire pump system. The subcontractor has been informed in delays of the shipment of the electric and diesel fire pumps from the supplier that are beyond the control of the contractor. Approval of this change order will extend the time for completion by 145 Calendar Days based on the anticipated ship dates of the materials.

### Attachments:

1. Change Order No. 1 to Amendment No. 7 to CM at Risk Contract with MGI (w/Contract History) – (3 originals)

Recommended By	: 5ns Runa Buke	<u> 3-28-22</u>
	Department Director	Date
Approved By:	/ Chater	4/13/22
	County Administrator	<sup>(</sup> 'Date

# **II. FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

Fiscal Years	20 <u>22</u>	20 <u>23</u>	20	24	20 <u>25</u>	20 <u>26</u>
Capital Expenditures Operating Costs External Revenues (Grants) Program Income (County) In-Kind Match (County) NET FISCAL IMPACT	 					
# ADDITIONAL FTE POSITIONS (Cumulative)						·
Is Item Included in Current B Does this item include the us	•	nds?	Yes _ Yes _	X No No	X	·
Budget Account No: Fund	4111 Depart	ment 121	Unit	A212-477	Object	6211

Reporting Category

# **B. Recommended Sources of Funds/Summary of Fiscal Impact:**

There is no Fiscal Impact for this item.

C. Departmental Fiscal Review:

**III. REVIEW COMMENTS** 

A. OFMB Fiscal and/or Contract Development and Control Comments:

**B. Legal Sufficiency:** 

Assistant County Attorney

C. Other Department Review:

**Department Director** 

**REVISED 11/17** 

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

# CERTIFICATE (Corporation)

The undersigned hereby certifies that the following are true and correct statements:

1. That <u>Nabil Takla</u> is the President of <u>The Morganti Group, Inc.</u>, a Corporation organized and existing in good standing under the laws of the State of <u>Connecticut</u>, hereinafter referred to as the Corporation, and that the following Resolutions are true and correct copies of certain Resolutions adopted by the Board of Directors of the Corporation as of the 9<sup>th</sup> day of May, 2019, in accordance with the laws of the State of Connecticut, the Articles of Incorporation and the By-laws of the Corporation.

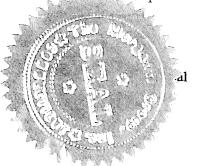
RESOLVED that the corporation shall enter into that certain Contract, DOA 18-13 CM at Risk Services for Airport Improvements for the Department of Airports Agreement between Palm Beach County, a political subdivision of the State of Florida and the Corporation (the Agreement), a copy of which is attached hereto: and be it

FURTHER RESOLVED, that <u>Stephen Sines</u>, the <u>Vice President Operations</u>, of the Corporation, is hereby authorized and instructed to execute such Agreement and such other instruments as may be necessary and appropriate for the Corporation to fulfill its obligations under the Agreement,

- 2. That the foregoing resolutions have not been modified, amended, rescinded, revoked or otherwise changed and remain in full force and effects as of the date hereof.
- 3. That the Corporation is in good standing under the laws of the State of Florida, and had qualified, if legally required, to do business in the State of Florida and has full power and authority to enter into such Agreement.

IN WITNESS WHEREOF, the undersigned has set his hand and affixed the Corporate Seal of the Corporation on the <u>18<sup>th</sup></u> day of <u>July</u>, <u>2019</u>.

(Witness)



(Signature)

Subscribed and sworn before me by Nabil Takla this 18th day of July, 2019

JUDITH E. ANNUNZIATA NOTARY PUBLIC COMMISSION EXPIRES OCT. 31, 2021 ofary Public



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### Palm Beach County Compliance Summary Report

Vendor Number	Vendor Name	AM Best Rating	Insurance Carrier	Policy #	Eff, Date	Exp. Date	Coverage	Contract Number	Contract Name
DX00000605	The Morganti Group, Inc.	Modified	Compliant					DOA 18-13(Main account )	CM at Risk for Miscellaneous Airport Improvements
		A++ , XV	Federal Insurance Company	54309474	12/31/2021	12/31/2022	Auto Liability		
		A+g , XV	American Guarantee and Liability Insurance Company	/ aec038479804	12/31/2021	12/31/2022	Excess Liability		
		A , XIV	Starr Indemnity & Liability Company	1000584535211	12/31/2021	12/31/2022	Excess Liability		
		A++g , XV	Chubb National Insurance Company	54309475	12/31/2021	12/31/2022	General Liability		
		A++g , XV	Executive Risk Indemnity Inc.	54309476	12/31/2021	12/31/2022	General Liability		
		A++ , XV	Federal Insurance Company	54309477	12/31/2021	12/31/2022	Workers Comp		
Risk Profile :	Standard - General Services-	AOA							

Required Additional Insured : Palm Beach County Board of County Commissioners

Ownership Entity :

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#### Palm Beach County **Compliance Summary Report**

Vendor Number	Vendor Name	AM Best Ratin	g Insurance Carrier	Policy #	Eff. Date	Exp. Date	Coverage	Contract Number	Contract Name
DX00001586	The Morganti Group, Inc.	Modified	Compliant					DOA 18-13 (SMC 09) B	The Morganti Group, Inc.
		A++g , XV	Travelers Property Casualty Company of America	QT6607R805467TTL21	8/25/2021	4/5/2022	Builders Risk		
Risk Profile :	Standard - Construction Serv	ices							

Required Additional Insured : Palm Beach County Board of County Commissioners

Ownership Entity :

	Owner Initiate Differing Site Conditions Zoning/Code/Ordinance Changes Errors/Omissions/In Design	Quantity Overruns/Underruns Request By Another Agency/Outside Party A. Reimbursable  B. Non-Reimbursable Other
PROJECT:	Misc Airport Improvements for The Department of Airports SMC-09 Fire Pump Replacement at PBI	CHANGE ORDER NO: One (1) COUNTY/FAA PROJECT NO: DOA 18-13 CONTRACT DATE: August 20, 2019 RESOLUTION NO. R2019-1221 Contract WO SMC-09: NTP 8/25/2021 R2021-1161 DISTRICT # Countywide
TO:	The Morganti Group, Inc.	

1662 North US Highway 1, Suite C Jupiter, Florida 33469

### **Description of Change**:

The project was issued a Notice to proceed on 8/25/21 and was to be completed within 214 Calendar Days. Following the procurement phase the contractor was notified of a significant delay in the shipment of the pumps due to the impacts of the COVID-19 pandemic. The tentative ship date for the Electric Fire Pump is 4/15/22 with the Diesel Fuel Pump ship date of 7/1/22. This change order will amend the GMP to extend the project time by 145 Calendar Days to address the delay in delivery of the materials.

Total Change in Contract Amount ...... \$ 00.00

EXECUTION OF THIS CHANGE ORDER ACKNOWLEDGES FINAL SETTLEMENT OF, AND RELEASES ALL CLAIMS FOR, COSTS AND TIME ASSOCIATED, DIRECTLY OR INDIRECTLY, WITH THE ABOVE STATED MODIFICATION(S), INCLUDING ALL CLAIMS FOR CUMULATIVE DELAYS OR DISRUPTIONS RESULTING FROM, CAUSED BY, OR INCIDENT TO, SUCH MODIFICATION(S), AND INCLUDING ANY CLAIM THAT THE ABOVE-STATED MODIFICATION(S) CONSTITUTES, IN WHOLE OR PART, A CARDINAL CHANGE TO THE CONTRACT.

The Original Guaranteed Maximum Price (GMP) was	\$605,906.00
Net change by previous Change Orders	
The GMP prior to this Change Order	
The GMP will be increased/decreased by this Change Order	
The new GMP including Change Order will be	\$605,906.00
The Time to complete this Work will be increased/decreased by	145 Calendar days.
The Date of Substantial Completion of this Change Order therefore is	August 18, 2022

AECOM								
Engineer								
7650 West Courtney Campbell Causeway								
Tampa, FL 33607								
Name and Title:								
Andy Kacer, South	east Aviation Manager							
Signature	andrew kacer							
Date: 3-21-2022	250A7DB363BD411.							

Т	he Morganti Group, Inc
С	ontractor
16	662 North US Highway 1, Ste C
Ju	upiter, Florida 33469
1	ame and Title: tephen Sines, VP Operations
S	ignature
D	ate: 3-21-2022

PBC Bd Of County Commissioners Owners PO Box 21229 West Palm Beach, FI 33416-1229 Name and Title: Signature Date:

### PALM BEACH COUNTY DEPARTMENT OF AIRPORTS

Attest: Joseph Abruzzo Clerk of the Circuit Court & Comptroller

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By:

**Deputy Clerk** 

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Approved As To Terms

Terms and Conditions

Director of Airports

Approved as to Form and Legal Sufficiency

By:\_

**County Attorney** 

#### DEPARTMENT OF AIRPORTS MISCELLANEOUS AIRPORT IMPROVEMENTS - CMAR (LOCAL OEBO PROGRAM) THE MOGANTI GROUP INC. PB NO: DOA 18-13 CONTRACT HISTORY

Answer     Add     Add<								CONTRACT HISTOR	Y							
head	CONTRACT RESOLUTION NO DATE APPROVE SBE Goal	O ED	R-2019-1221 8/20/2019 15.00%	R-2021-1023 8/17/21	•											
Here Area Description operation <th>EXPIRATION</th> <th></th> <th>8/20/2021</th> <th>8/20/2022</th> <th></th> <th>8/20/2023</th> <th></th> <th>8/20/2024</th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th>	EXPIRATION		8/20/2021	8/20/2022		8/20/2023		8/20/2024								
Image: space of the space o	REF DOC	API-OSC	DESCRIPTION	Days) for				AMOUNT	OR	ORDER VALUE	REVISED AMOUNT	LEAD DEPT APPROVAL	CRC APPROVAL	BCC APPROVAL	STATUS	TO/WO CLOSED
$ \begin matrix and the set of t$	Amendment No 1 SMC-01	16% of which 4% MBE (AA and HA)	SMC 01 Terminal Condensation Phase 1	190	6/8/20	12/14/20	1/13/21	\$1,383,500.00						\$1,383,500.00	June 2, 2020 Board (R2020-0558)	
$ \begin{tabular}{ c                                   $			CO NO 1	8		12/22/20			\$34,896,07	\$42,896.07		\$34,896,07				
Mathematical Markanes     Marka Markanes     Marka Marka Markanes     Marka			CO NO 2	0		12/22/20	1/21/21		\$72,529,17	\$72,529,17				\$72,529.17	1/12/21 Board Meeting 2021-0053	
Ansatz     Appendix     Appendix     Park								<u>,                                     </u>								
AUC-2     AUX     SUC-2V MIRENCE PARSE 1     IV     IVALUE     IVALUE <t< td=""><td></td><td></td><td>GMP Adjustments</td><td></td><td>ļ</td><td></td><td></td><td><u> </u></td><td>-\$19,806.41</td><td></td><td>\$1,471,118,83</td><td></td><td> </td><td></td><td></td><td>CRC 7/7/2021</td></t<>			GMP Adjustments		ļ			<u> </u>	-\$19,806.41		\$1,471,118,83					CRC 7/7/2021
Image: space spa		20%	SMC 02 Wallis Road Improvements-Phase 1	100	7/14/20	10/21/20	11/20/20		hia Portnoy:					\$434,700.00	June 16, 2020 Board R2020-0634	
Model   Model <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>GMP i comp</td><td>reflected 198 days with letion of 12/22</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></t<>								GMP i comp	reflected 198 days with letion of 12/22							
NAME   Investigation   Investindeddddddddddddddddddddddddddddddddddd									1		\$392,239.33					CRC 7/7/2021
And Market Market Mater Value Relationship Values Mater Values Relationship Values Mater Value Relationship Values Mater Value	WO SMC 03		ISMC 03 Domestic Water Valve Replacement Field Investigation					\$15,712.00				\$ 16, 7 12,00			Approved 9/1/2020	
And Market Market Mater Valve Replacement-Phase 1   And Market Market Mater Valve Replacement-Phase 1   Model Market Market Mater Valve Replacement-Phase 1   Model Market Market Market Valve Replacement-Phase 1   Model Market Market Market Valve Replacement-Phase 1   Model Market Ma									taaa		tie 743.00					POA closed
$\frac{1}{10000000000000000000000000000000000$	WO SMC 04		SMC 04 Domestic Water Valve Replacement-Phase 1	60	9/16/20	11/14/20	12/14/20	\$93,976.00	30.00			\$93,976,00			Approved on	
$\frac{1}{10000000000000000000000000000000000$			Priority Valves												9/11/2020.	
$\frac{2}{100 \text{ min}  $			GMP Adjustments						(\$15,074.79)		\$78,901.21					DOA Closed on 6/17/21
And Control A	Amend No 3 (SMC 05)	20% of which 5% is for M/WBE	SMC 05 Terminal Condensation Phase 2	376	11/30/20	12/10/21	1/9/22	\$3, 148, 984, 00						\$3,148,984.00	November 17, 2020	
CON02 Control 2			CO No 1	0					\$43, 185,78	\$0.00		\$43,185,78			Approved on 10/14/21	
CO No. 4			GO No 2		Cynthia Portnoy:				\$59,007.56	\$0,00			\$59,007.56		Approved by CRC 10/20/21	
			CO No 3	60	fire alarm devices in 4/6/22	2/8/22	3/10/22			\$60,000.00			\$0.00		GRC 11/03/21	
GMP Adjustments \$3,261,177.34			CO No. 4													
			GMP Adjustments								\$3,251,177.34					

DOA Project Costs Tracking- 2022.03.08 3/21/2022

#### DEPARTMENT OF AIRPORTS MISCELLANEOUS AIRPORT IMPROVEMENTS - CMAR (LOCAL OEBO PROGRAM) THE MOGANTI GROUP INC. PB NO: DOA 18-13 CONTRACT HISTORY

							CONTRACT HISTOR	<u>Y</u>							
DRIGINAL CONTRACT RESOLUTION NO DATE APPROVE SBE Goal	D	YEAR 1-2 R-2019-1221 8/20/2019 15.00%	1 <sup>31</sup> EXT YR 3 R-2021-1023 8/17/21		2 <sup>nd</sup> EXT YR 4		3 <sup>rd</sup> EXT YR 5								
EXPIRATION	API-OSC	B/20/2021 DESCRIPTION	8/20/2022 TIME(Cal Days) for Substantial	NTP	8/20/2023 Substantial Completion Date	Final Completion Date	8/20/2024 AMOUNT	CHANGE ORDER OR ADJUSTMENT	<sup>1</sup> CHANGE ORDER VALUE PLUS TIME	REVISED AMOUNT	LEAD DEPT APPROVAL	CRC APPROVAL	BCC APPROVAL	STATUS	TO/WO CLO
Task Order SMC 06	N/A under \$100k	SMC 06 Security Phase 2 <i>-</i> Continuum Upgrade		11/9/20			\$97,530.00	-				\$97,530.00		Approved by CRC on 11/04/2020	
		GMP Adjustments								\$97,530.00					
		SMC 07 Security Phase 3 - Replace 26 cameras	60	11/9/20	1/7/21	2/6/21	\$59,100.00				\$69, 100,00			Approved by the Dept on 10/20/2020	
		Change Order No 1	57		3/5/21	4/4/21		\$0.00	\$0.00			\$0,00			
Amendment No 4		GMP Adjustments								\$59,100,00				4/6/21 Board R2021-	
(SMC 08)		SMC 08 Building B46 UPS Upgrade	145	4/12/21	9/3/21	10/3/21	\$438,131.00						\$438,131.00	0463	
		CO No 1 Time suspended as of 8/23/21, Resumed 1/23/22 GMP Adjustments	89		1/23/2022	4/22/22				\$438,131.00					
Amendment No 5	SBE Price Proference	SMC 10 LTG 3 Structural repair	101	4/12/21	7/21/21	8/20/21	\$221,117.00						\$221,117.00	4/6/21 Board R2021-	
(SMC 10)														0419	
		CO No 1	28		8/18/21	9/17/21		\$0.00	\$28,000.00		\$0,00			Approved on 8/31/21	
		CO No 2	92		11/18/21	12/18/21		\$0.00	\$92,000.00			\$0.00		Approved by CRC on 10/20/21	
		GMP Adjustments								\$221,117.00					
	20%	SMC 11 Domestic Water Valve Replacement-Phase 2					\$521,936.00							On hold due to funding	
Amend No 6	10% SBE	First year time extension												8/17/2021 Board Meeting R- 2021-1023	
mend No 7 (SMC 09)	SBE 10%	SMC 09 Fire Pump Replacement	214	8/25/21	3/26/22	4/25/22	\$605,906.00						\$605,906.00	8/17/21 Board Meeting R2021-1161	
		CO No 1 Material Delay	145		8/18/22	9/17/22		\$0.00						5/3/2022 Board Meeting	
		GMP Adjustments								\$605,906.00					

DOA Project Costs Tracking- 2022.03.08 3/21/2022

#### DEPARTMENT OF AIRPORTS MISCELLANEOUS AIRPORT IMPROVEMENTS - CMAR (LOCAL OEBO PROGRAM) THE MOGANTI GROUP INC. PB NO: DOA 18-13 CONTRACT HISTORY

							CONTRACT HISTORY								
ORIGINAL CONTRACT RESOLUTION NO DATE APPROVED SBE Goal		YEAR 1-2 R-2019-1221 8/20/2019 15.00%	1 <sup>st</sup> EXT YR 3 R-2021-1023 8/17/21		2 <sup>nd</sup> EXT YR 4		3 <sup>rd</sup> EXT YR 5								
EXPIRATION		8/20/2021	8/20/2022		8/20/2023	· · · · · · · · · · · · · · · · · · ·	8/20/2024	T	1	T	T				·····
REF DOC	APLOSC	DESCRIPTION	TIME(Ca) Days) for Substantial	NTP	Substantiai Completion Date	Final Completion Date	AMOUNT	CHANGE ORDER OR ADJUSTMENT	<sup>1</sup> CHANGE ORDER VALUE PLUS TIME	REVISED AMOUNT	LEAD DEPT APPROVAL	CRC APPROVAL	BCC APPROVAL	STATUS	TO/WO CLOSE
AmendNo. 8 (SMC 11)		SMC 11 Generator Controllers	135	1/3/22	5/17/22	6/16/22	\$717,900.00						\$717,900.00	12/21/21 Board (R2021 1951)	
		GMP Adjustments								\$717,900.00					
Amend No 9 (SMC12)		SMC 12 West People Tube Repairs	81	5/30/22	8/19/22		\$889,840.00						\$889,840.00	04/12/22 Board	
		GMP Adjustments													
		SMC 13 CUPPS Expansion													
		GMP Adjustments													
SMC 14		SMC 14 West Taxi Loop													
		GMP Adjustments		-											
SMC 15		SMC 15 F45 Building Repairs - investigation services													
		GMP Adjustments													
SMC 16		SMC 16 PBI Structural Investigations													
		GMP Adjustments													
SMC 17		LNA NEC Corrections													
		GMP Adjustments								·					
otes; ms in Blue are draft		Total SMWBE Breakdown Total SMWBE	1				\$8,628,332,00	\$132,276,71		\$7,348,832.71	\$246,869,85	\$156,537,56	\$7,912,607.17		
		M @ Risk) - No cummulative tracking				1	Approval Authority								
proval Additionly for Ta ocument ask Order ask Order mendment		gg XH9(-No cummulative tracking Lead Dept less than \$100,000 CRC \$100,000 <\$200,000 BCC ≥ \$200,000					арлога и иллоту "Time <u>CO Value</u> \$0-50.000 \$50.0001-100,000 \$100.001 <u>Time Extensions in excess of 90 pays must be approved by the Board</u>			<u>Authority</u> Lead Depi CRC BCC	de the Current-time **	31-90 120	Authority Lead Dept CRC BCC		
						<u>c</u>	Cumulative Value - Revised :	as of 6/24/09		work approved by the Lead or C			original contract an agen	da item notifying the	

c since revised as to reveal or the comparison of the original contract an agenda item notifying the field or CRC exceeds the greater of \$250,000 or 5% of the original contract an agenda item notifying the field or CRC exceeds the greater of \$250,000 or 5% of the original contract an agenda item notifying the field or CRC exceeds the greater of \$250,000 or 5% of the original contract an agenda item notifying the field or CRC exceeds the greater of \$250,000 or 5% of the original contract an agenda item notifying the field or CRC exceeds the greater of \$250,000 or 5% of the original contract an agenda item notifying the field or CRC exceeds the greater of \$250,000 or 5% of the original contract an agenda item notifying the field or CRC exceeds the greater of \$250,000 or 5% of the original contract an agenda item notifying the field or CRC exceeds the greater of \$250,000 or 5% of the original contract an agenda item notifying the field or CRC exceeds the greater of \$250,000 or 5% of the original contract an agenda item notifying the field or \$250,000 or 5% of the original contract and the greater of \$250,000 or 5% of the original contract and the field or \$250,000 or 5% of the original contract and the greater of \$250,000 or 5% of the original contract and the greater of \$250,000 or 5% of the original contract and the greater of \$250,000 or 5% of the original contract and the greater of \$250,000 or 5% of the original contract and the greater of \$250,000 or 5% of the original contract and the greater of \$250,000 or 5% of the original contract and the greater of \$250,000 or 5% of the original contract and \$250,000 or 5% of t

DOA Project Costs Tracking+ 2022,03,08 3/21/2022

MISCELLANEOUS AIRPORT IMPROVEMENTS - CMAR (LOCAL OEBO PROGRAM) THE MOGANTI GROUP INC. PB NO: DOA 18-13 CONTRACT HISTORY																
ORIGINAL CONTRACT RESOLUTION NO DATE APPROVED SBE Goal		YEAR 1-2 R-2019-1221 8/20/2019 15.00%		1 <sup>st</sup> EXT YR 3 R-2021-1023 8/17/21		2 <sup>nd</sup> EXT YR 4		3 <sup>rd</sup> EXT YR 5								
EXPIRATION		8/20/2021		8/20/2022		8/20/2023		8/20/2024	r							
REF DOC	API-GSC		DESCRIPTION	TIME(Cal Days) for Substantial	NTP	Substantial Completion Date	Final Completion Date	AMOUNT	ADJUSTMENT	ORDER VALUE PLUS TIME	REVISED AMOUNT	AFFROME	CRC APPROVAL	BCC APPROVAL	STATUS	TO/WO CLOSED
									board that the item puts it	in the excess category m	usl be prepared and forwarded	as a Receive and File it	m			

DEPARTMENT OF AIRPORTS

DOA Project Costs Tracking- 2022,03.08 3/21/2022