



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

| Fiscal Years                                   | <u>2023</u> | <u>2024</u> | <u>2025</u> | <u>2026</u> | <u>2027</u> |
|--|-------------|-------------|-------------|-------------|-------------|
| Capital Expenditures                           | _____       | _____       | _____       | _____       | _____       |
| Operating Costs                                | _____       | _____       | _____       | _____       | _____       |
| External Revenues (Grants)                     | _____       | _____       | _____       | _____       | _____       |
| Program Income (County)                        | _____       | _____       | _____       | _____       | _____       |
| In-Kind Match (County)                         | _____       | _____       | _____       | _____       | _____       |
| NET FISCAL IMPACT                              | *           | _____       | _____       | _____       | _____       |
| <br># ADDITIONAL FTE<br>POSITIONS (Cumulative) | _____       | _____       | _____       | _____       | _____       |

Is Item Included in Current Budget? Yes \_\_\_\_\_ No X  
 Does this item include the use of federal funds? Yes \_\_\_\_\_ No X

Budget Account No: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
 Reporting Category \_\_\_\_\_

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

\*There is no Fiscal Impact for this item.

C. Departmental Fiscal Review: Webb Duncanson  
(W) 4/19/23

**III. REVIEW COMMENTS**

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

|  |  |
|--|--|
| <p><u>Lara Mante</u> 4/24/2023<br/>                 OFMB 9A-4/24<br/>                 EDW<br/>                 4-24-23</p> | <p><u>Dr. J. ...</u> 4/26/23<br/>                 Contract Dev. and Control<br/>                 mob 4/26/23</p> |
|--|--|

**B. Legal Sufficiency:**

Anne Delgent 4/28/23  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

**AMENDMENT NO. 5 TO THE CONTRACT  
BETWEEN  
PALM BEACH COUNTY DEPARTMENT OF AIRPORTS AND  
LEBOLO CONSTRUCTION MANAGEMENT, INC. FOR  
CONSTRUCTION MANAGEMENT SERVICES  
MISCELLANEOUS AIRPORT IMPROVEMENTS PROJECT NO. DOA 18-13**

This Amendment No. 5 to the Contract is made as of the \_\_\_\_ day of \_\_\_\_\_, 2023, by and between Palm Beach County, Florida (COUNTY) and **LEBOLO CONSTRUCTION MANAGEMENT, INC.**, a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONSTRUCTION MANAGER, having its office and principal place of business for this Contract at 2100 Corporate Drive, Boynton Beach, Florida 33426.

WHEREAS, the Owner and Construction Manager acknowledge and agree that the Contract between Owner and **LEBOLO CONSTRUCTION MANAGEMENT, INC** dated August 20, 2019 (R-2019-1222) is in full force and effect and that this merely supplements said Contract; and

WHEREAS, on July 13, 2021, the County entered into Amendment #1 (R-2021-0888) with the CONSTRUCTION MANAGER exercising the first one (1) year renewal option and that this merely supplements said Contract; and

WHEREAS, on February 8, 2022, the County entered into Amendment #2 (R-2022-0135) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on May 3, 2022, the County entered into Amendment #3 (R-2022-0457) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on July 12, 2022, the County entered into Amendment #4 (R-2022-0676) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, it is the County's desire to exercise the third and final one (1) year renewal option for the continuation of services provided by the CONSTRUCTION MANAGER under this contract.

NOW THEREFORE, in consideration of the mutual covenants herein contained, and such other good and valuable considerations, the receipt of which the parties hereby acknowledge, the parties agree to the following terms and conditions:

1. The parties hereby agree to amend the Contract to include the third and final one (1) year renewal option for the continuation of services provided by the CONTRACTOR under this Contract.
2. Except as specifically amended herein, all other terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the COUNTY and CONSTRUCTION MANAGER has hereunto set its hand the day and year above written.

**ATTEST:**

**JOSEPH ABRUZZO, CLERK OF THE  
CIRCUIT COURT & COMPTROLLER**

**PALM BEACH COUNTY, FLORIDA  
A Political Subdivision of the State of Florida  
BOARD OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Gregg K. Weiss, Mayor

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS  
AND CONDITIONS**

By: *Anne Delgado*  
County Attorney

By: *Laura Bulse*  
Director of Airports

**WITNESS:**

**FOR CONSTRUCTION MANAGER  
SIGNATURE**

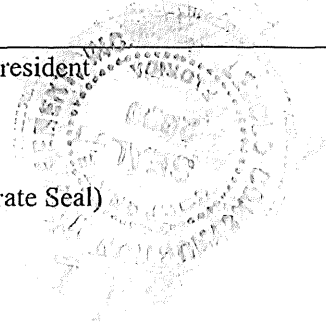
**CONSTRUCTION MANAGER:**

DocuSigned by:  
*[Signature]*  
E201047500DB4A0  
Signature

*[Signature]*  
Signature

Sebastian Fonnegra  
Name (type or print)

DocuSigned by:  
*[Signature]*  
2F7653C0AE4C4EC  
Randall E. Lebolo

\_\_\_\_\_  
President  
  
(Corporate Seal)

DEPARTMENT OF AIRPORTS  
MISCELLANEOUS AIRPORT IMPROVEMENTS - CMAR (LOCAL O&B PROGRAM)  
LEBOLO CONSTRUCTION MANAGEMENT INC.  
PB NO: DOA 18-13  
CONTRACT HISTORY

| ORIGINAL CONTRACT |  | YEAR 1-2               |        | 1 <sup>st</sup> EXT YR 3   |                                 | 2 <sup>nd</sup> EXT YR 4 |                             | 3 <sup>rd</sup> EXT YR 5 |                |                            |                              |                |                    |              |                       |        |   |  |
|-------------------|--|------------------------|--------|--|---------------------------------|--------------------------|-----------------------------|--------------------------|----------------|----------------------------|------------------------------|----------------|--------------------|--------------|-----------------------|--------|---|--|
| RESOLUTION NO     |  | R-2019-1222            |        | R2021-0888   |                                 | R2022-0676               |                             |                          |                |                            |                              |                |                    |              |                       |        |   |  |
| DATE APPROVED     |  | 8/20/2019              |        | 7/13/21  |                                 | 7/12/22                  |                             |                          |                |                            |                              |                |                    |              |                       |        |   |  |
| SBE Goal          |  | 15.00%                 |        | 8/20/2021  |                                 | 8/20/2022                |                             | 8/20/2023                |                | 8/20/2024                  |                              |                |                    |              |                       |        |   |  |
| EXPIRATION        |  | 8/20/2021              |        | 8/20/2022  |                                 | 8/20/2023                |                             | 8/20/2024                |                |                            |                              |                |                    |              |                       |        |   |  |
| API-GSC           | REF DOC  | SBE/WMBE PARTICIPATION |        | DESCRIPTION  | TIME (Cal Days) for Substantial | NTP                      | Substantial Completion Date | Final Completion Date    | AMOUNT         | CHANGE ORDER OR ADJUSTMENT | CHANGE ORDER VALUE PLUS TIME | REVISED AMOUNT | LEAD DEPT APPROVAL | CRC APPROVAL | BCC APPROVAL          | STATUS | TO/WO CLOSED                            |  |
|                   |  | Total SMWBE (%)        | % SMBE |  |                                 |                          |                             |                          |                |                            |                              |                |                    |              |                       |        |   |  |
| N/A Under \$100k  | Task Order SL-01                                   |                        | 0%     | Precon for New Noise Monitoring Station at PBI                                 | 30                              | 4/26/19                  |                             |                          | \$1,500.00     |                            |                              | \$1,500.00     | \$1,500.00         |              |                       |        | Approved 1/12/19                        |  |
| N/A Under \$100k  | Work Order SL-02                                   |                        | 0%     | Noise Monitor - GMP  | 60                              | 3/10/20                  | 5/8/20                      | 8/7/20                   | \$18,100.00    |                            |                              |                | \$18,100.00        |              |                       |        |   |  |
|                   |  |                        |        | GMP Adjustments  |                                 |                          |                             |                          |                | (\$1,000.00)               |                              | \$18,276.04    |                    |              |                       |        | Approved/Closed-out by DOA on 8/10/2020 |  |
| Waiver - 0%       | Work Order SL-03                                   |                        | Waiver | Storm Resiliency Package   | 90                              | 6/10/20                  | 8/7/20                      | 10/7/20                  | \$108,325.00   |                            |                              |                |                    |              |                       |        | Approved by CRC on 8/10/2020            |  |
|                   |  |                        |        | CO No 1  | 48                              |                          | 10/23/20                    | 11/23/20                 |                | \$0.00                     |                              |                |                    | 0.00         |                       |        | Approved 8/18/2020                      |  |
|                   |  |                        |        | GMP Adjustments  |                                 |                          |                             |                          |                | (\$8,377.83)               |                              | \$109,847.08   |                    |              |                       |        | Approved by CRC 8/24/2021               |  |
|                   | Amendment 1 Time Extension                         |                        |        |  |                                 |                          |                             |                          |                |                            |                              |                |                    |              | 7/13/21 Board Meeting |        | Approved R2021-0888                     |  |
| N/A Under \$100k  | Task Order SL-08                                   |                        | 15%    | Preconstruction Services for Terminal Building 4th Level Exterior Wall Repairs |                                 |                          |                             |                          | \$14,844.82    |                            |                              | \$14,844.82    | \$14,844.82        |              |                       |        | Approved 8/12/21                        |  |
| 20% SBE Goal      | Amendment 2: SL 07                                 | \$248,297.80           | 32%    | Construction Services for Terminal Building 4th Level Exterior Wall Repairs    | 211                             | 2/14/22                  | 8/12/22                     | 10/12/22                 | \$777,548.89   |                            |                              |                |                    |              | \$777,548.89          |        | Approved 2/8/22 R-2022-0135             |  |
|                   |  |                        |        | CO No 1  | 0                               |                          |                             |                          |                | \$33,698.89                |                              |                | \$33,698.89        |              |                       |        | Approved 4/8/22                         |  |
|                   |  |                        |        | CO No 2  | 48                              |                          | 10/28/22                    | 11/27/22                 |                | \$277,037.22               | \$323,037.22                 |                |                    |              | \$277,037.22          |        | R2022-0891 Board Meeting 7/12/2022      |  |
|                   |  |                        |        | CO No 3  | 178                             |                          | 4/24/23                     | 5/24/23                  |                | \$167,270.47               | \$345,270.47                 |                |                    |              | \$0.00                |        | Approved 2/7/23 Board R-2023-0132       |  |
|                   |  |                        |        | GMP Adjustments  |                                 |                          |                             |                          |                |                            |                              | \$1,255,553.27 |                    |              |                       |        |   |  |
| 20% w/5%AANA      | Amendment 3: SL 04                                 | \$821,435.00           | 80%    | PreCon & Construction Services for Storm Resiliency Package 2                  | 200                             | 5/18/22                  | 1/30/23                     | 3/1/23                   | \$1,518,790.48 |                            |                              |                |                    |              | \$1,518,790.48        |        | Approved 6/3/2022 R-2022-0457           |  |
|                   |  |                        |        |  | 187                             |                          | 7/17/23                     |                          |                |                            |                              |                |                    |              | \$0.00                |        | May 2, 2023 Board                       |  |
|                   |  |                        |        |  |                                 |                          |                             |                          |                |                            |                              | \$1,518,790.48 |                    |              |                       |        |   |  |
|                   | Amendment 4 Time Extension-second one year renewal |                        |        |  |                                 |                          |                             |                          |                |                            |                              |                |                    |              | \$0.00                |        | Board Meeting 7/12/2022 R2022-0678      |  |
|                   | Amendment 5 Time Extension-third one year renewal  |                        |        |  |                                 |                          |                             |                          |                |                            |                              |                |                    |              | \$0.00                |        | Board Meeting 5/16/23                   |  |
|                   |  | Total                  |        |  |                                 |                          |                             |                          | \$2,498,987.09 | \$467,746.70               |                              | \$2,866,733.79 | \$88,003.81        | \$0.00       | \$2,573,374.38        |        |   |  |

**Notes:**  
Classified projects  
Items in Blue are draft  
Approval Authority for Task Authorizations (CM @ Risk) - No cumulative tracking  
Document  
Task Order  
Task Order  
Amendment

Approval Authority  
Lead Dept  
CRC  
BCC

less than \$100,000  
\$100,000 - \$200,000  
> \$200,000

Approval Authority  
CO Value  
See Note 1  
See Note 1  
See Note 1

Cumm CO Value  
See Note 1  
See Note 1  
See Note 1

Days  
0-30 days  
31-90  
120

Approval Authority  
Lead Dept  
CRC  
BCC

**Time Extensions in excess of 90 Days must be approved by the Board and does not count towards the**

- Cumulative Value - Revised as of 2/24/16**  
1 When the cumulative value of changes or additional work approved by the Lead or CRC exceeds the greater of \$250,000 or 5% of the original contract an agenda item notifying the board that the item puts it in the excess category must be prepared and forwarded as a Receive and File item  
2 When the cumulative time extensions approved by a combination of the Lead Dept and the CRC exceeds 120 Cal Days then an agenda item notifying the board that the item puts it in the excess category must be prepared and forwarded as a Receive and File item

\*Time must also be evaluated based on value of LD's for projects over \$1,000,000. The value of the time extension is not included when calc the cumulative value