

### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

## **AGENDA ITEM SUMMARY**

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Meeting Date: July 11, 2023	[X]	Consent	[] Regular
	[]	Workshop	[] Public Hearing
Submitted By: Department of Airports			

# I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: Amendment No. 5 to the Construction Manager (CM) at Risk Contract (Contract) with Turner Construction Company (Turner) for CM at Risk Services for Airport Improvements for Palm Beach County Department of Airports (Department), exercising the final one (1) year renewal option for the continuation of services.

**Summary:** The Contract with Turner for CM at Risk Services for Airport Improvements for the Department was approved by the Board on August 20, 2019 (R-2019-1147). The Contract is for 2 years with 3 one (1) year renewal options and is a task/work order based contract for CM at Risk services for the Department. Turner is based in New York City, New York; however, the work will be directly managed by its southeast regional office in Miami-Dade County. Turner was one of two firms selected to provide project management and construction supervision services. The County exercised the first one (1) year renewal option on July 13, 2021 (R-2021-0889). The County exercised the second one (1) year renewal option on July 12, 2022 (R-2022-0689). The contract value to date is \$12,869,610. Approval of Amendment No. 5 will allow the County, at its sole discretion, to exercise the third, and final, one (1) year renewal option for the continuation of services provided under the CM at Risk Contract. The Disadvantaged Business Enterprise (DBE) goal for this contract is 12%. The current cumulative DBE participation for all work orders to date is anticipated to be 19%. **Countywide (AH)** 

**Background and Justification:** In order to carry out the approved Capital Improvement Program for the County, the Department uses several methods of procurement including the CM at Risk Contract. By exercising the final one (1) year renewal option, this Amendment allows for the continuation of CM at Risk services necessary to continue the improvements for the Department at all four county owned airports.

### Attachments:

1. Amendment No. 5 to CM at Risk Contract with Turner w/Contract History– (3 originals) 2. DBE Goal Information

Recommended By:	2 Laina Bilse	5/26/23
Approved By:	Department Director	Date 6 / 14/23
	County Administrator	T/ Date

## **II. FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

Fiscal Years	20 <u>23</u>	20 <u>24</u>	20 <u>25</u>		20 <u>26</u>	20 <u>27</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 Bu	ıdget?		Yes Yes	No _	x	
Does this item include the use	e of federal fu	nds?	Yes	No _	<u> </u>	
Budget Account No: Fund _ Repo	Depart rting Categor				Object _	
B. Recommended Sources of	f Funds/Sumn	nary of Fisc	ai Impact:			

- \*There is no Fiscal Impact for this item.
- C. Departmental Fiscal Review: WUMUL

**III. REVIEW COMMENTS** 

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

5/31/23 and Control

**B. Legal Sufficiency:** 

6/6/23 Xttornev

C. Other Department Review:

**Department Director** 

REVISED 11/17

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

### AMENDMENT NO. 5 TO THE CONTRACT BETWEEN PALM BEACH COUNTY DEPARTMENT OF AIRPORTS AND TURNER CONSTRUCTION COMPANY FOR CONSTRUCTION MANAGEMENT SERVICES

# AIRPORT IMPROVEMENTS PROJECT NO. DOA 18-3

This Amendment No. 5 to the Contract is made as of the 1/2 day of 2023, by and between Palm Beach County, Florida (COUNTY) and **TURNER CONSTRUCTION COMPANY**, 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 7235 Corporate Center Drive, Suite G, Miami, Florida 33126.

WHEREAS, the Owner and Construction Manager acknowledge and agree that the Contract between Owner and TURNER CONSTRUCTION COMPANY dated <u>August 20, 2019 (R-2019-1147)</u> 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-2021-0889) with the CONSTRUCTION MANAGER exercising the first one (1) year renewal option and that this merely supplements said Contract; and

WHEREAS, on November 2, 2021 the County entered into Amendment #2 (R-2021-1683) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on December 7, 2021 the County entered into Amendment #3 (R-2021-1881) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on July 12, 2022 the County entered into Amendment #4 (R-2022-0689) 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 consideration, the receipt of which the parties hereby acknowledge, the parties agree to the following terms and conditions:

- (1) The parties hereby agree 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.

DOA 18-3 Amendment No. 5

Page 1 of 2

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.

By:

#### 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

Gregg K. Weiss, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: County Attorney

APPROVED AS TO TERMS AND CONDITIONS

By Director of Airports

WITNESS:

CONSTRUCTION MANAGER: Signature

Christian Jahrling

FOR CONSTRUCTION MANAGER SIGNATURE Signature 1530 Name (type or print)

Vice President and General Manager



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DOA 18-3 Amendment No. 5

# DEPARTMENT OF AIRPORTS AIRPORT IMPROVEMENTS - CMAR FEDERAL CONTINUING CONTRACT TURNER CONSTRUCTION COMPANY

PB NO; DOA 18-3
CONTRACT HISTORY

PRIGINAL CONTRACT ESOLUTION NO ATE APPROVED XPIRATION		YEAR 1-2 R-2019-1147 8/20/2019 8/20/2021		f" EXT YR 3 R2021-0889 7/13/2021 8/20/2022		2 <sup>ad</sup> EXT YR 4 R-2022-0689 7/12/22 6/20/23		3 <sup>14</sup> EXT YR 5								
Tesk Order/Work Order or Amendment No	Funding Source	DESCRIPTION	DBE PARTICIPATION	TIME(Cal Days) for Substantial	NTP	Bubstantial Completion Date	Finel Completion Date	AMOUNT	CHANGE ORDER OR ADJUSTMENT	<sup>1</sup> CHANGE ORDER VALUE PLUS TIME	REVISED AMOUNT	LEAD DEPT APPROVAL	GRC APPROVAL	BCC APPROVAL	STATUS	TO/WD CLOS
		Switchgear Replacement Feeder Teeling														
Amendmanl 1		Time Extension-first une year remewel												7/13/2021 Board Meeting	Approved R2021- 0589	
TC 01 (Amendment 2)	FDOT	Chiller 4 and 8 Replacement	12.00%	650	11/3/21	8/14/23	9/13/23	\$5,514,105.00						11/02/2021 Board Mealing	Approved R2021- 1683	
	<del>.</del>	CO No 1 BPO - Deduction		0					(\$1,058,020.00}			(\$1,008,020.00)			Approved 3/18/22	
		GO No 2 DPO - Deduction		0					(\$54,649.00)			(\$54,649.00)			Approved 4/21/22	
		CO No 3 - Cooling Tower #4 VFD Replacent & SPD's, Costs taken from conlingency		0				\$0.00								
		CO No 4 - Temp Power CT2, CT3, SP1 - costs taken from contingency		0				\$0,00			\$4,391,436.00					
TC 02 (Amendmeni 3)	FDOT	Switchgear Replacement - Finat project	12.60%	829	12/13/21	3/20/24	4/19/24	\$12,578,174.00						12/07/2021 Board Maeling	Approved on 12/7/21 R2021-1851	
		CO No 1 DPC - Deduction							(\$4,100,000.00)			(\$4,100,000.00)			Approvad 4/7/22	i
		CO No 2 FPL Changes - costs taken from contingency		Ø					\$0.00			\$0.50		2/07/20223 Board Meeting		
											\$8,476,174,00					
end men		Time Extension - second one year												\$0.00	Approved on 7/12/22 R-2022-0669	
Ann end Insa		Tima Extension - third one year												\$0.00	6/13/23 Board	
		Total					1	\$18,092,278.00	-\$6,222,669.00		\$12,669,610.00	(\$5,222,069.00)	\$0.00	\$0.00	·	

Approval Jobor No Color No Clask Authorizations (CM @ Risk) - No currentiative tracking Desummi Task Crear Task Crear Task Crear CRC Amendment BCC

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DDA Project Costs Tracking- 2023,5,23 5/25/2023