

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: August 22, 2023

[X] Consent

[] Regular

[] Workshop

[] Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: Change Order No. 8 to Amendment No. 1 (R2021-1793) to the Construction Manager (CM) at Risk Services contract (R2019-1751) with Kast Construction Company LLC in the amount of \$44,044.22 for the Supervisor of Elections (SOE) Production Facility project.

Summary: On November 19, 2019, the Board of County Commissioners (Board) approved the CM at Risk contract (R2019-1751) with Kast Construction Company LLC for construction management services for the SOE Production Facility project. On December 7, 2021, the Board approved Amendment No. 1 (R2021-1793) in the amount of \$53,206,963, establishing a Guaranteed Maximum Price (GMP) for the construction of approximately 156,000 square feet of office and warehouse space which will house the SOE administrative office and production facility operations; a multi-story parking garage of approximately 146,000 square feet and additional surface parking for both public and staff use; including all the associated site infrastructure improvements required to support both buildings. Change Order No. 8 to Amendment No. 1 (Change Order No. 8) authorizes labor and materials necessary to lower the garage footer, change light poles, add signage, infill window opening and add a convertor to Modbus. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, when the cumulative value for additional work exceeds the greater of 5% or \$250,000 of the original contract value (Threshold Amount) then an agenda item notifying the Board of the item that puts the cumulative value in the excess category must be presented as a receive and file. To date, the cumulative value of additive change orders, including Change Order No. 8, totals \$274,801.53. This agenda item is being submitted to notify the Board that the cumulative value of changes or additional work is in excess of the \$250,000 Threshold Amount established by PPM CW-F-050. The solicitation for a CM was advertised on July 21, 2019 according to the requirements of the Equal Business Opportunity (EBO) ordinance. The CM has partnered with All-Site Construction Inc., a Minority Business Enterprise (MBE) CM for services in an amount no less than 15% of the CM fees. On July 21, 2021, the Goal Setting Committee established an Affirmative Procurement Initiative (API) of 20% Small Business Enterprise (SBE) participation for the construction phase of the project, of which 8% must be African American or Hispanic American firms. SBE participation for this change order is 28.30%. There is no African American or Hispanic American SBE participation on this change order. To date, the SBE participation for this contract is 23.50%, of which 9.35% is African American or Hispanic American participation. The CM is a Palm Beach County Business. This project is funded by the 51.05M NAV Pub Imp Rev Bonds, 21A, CP, SOE Bldg. Fund. (Capital Improvements Division) District 7 (MWJ)

Background and Justification: Construction Management at Risk is a project delivery method in which the construction manager provides design phase assistance, evaluation of cost, schedule and implications of alternate designs, systems and materials, and serves as general contractor bidding the subcontracts for construction. The original contract value was \$5,075.64 for the preconstruction services phase of the work. Additional preconstruction services, Work Order No.1 and the GMP Amendment No. 1 authorizing the construction phase of the work total \$53,421,284. Additive and deductive change orders for changes or additional work to this contract resulted in an adjusted contract value of \$49,790,992.08. To date, the additive change orders approved through delegated authority total \$274,801.53. The preceding value exceed the Threshold Amount established in PPM CW-F-050, thus requiring a notification to the Board via a receive and file item.

Attachment:

- 1. Change Order No. 8
2. Budget Availability Statement

Recommended by: [Signature] Department Director Date: 7/20/23

Approved by: [Signature] County Administrator Date: 8/1/23

II. FISCAL IMPACT ANALYSIS

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	\$44,045	\$			
Operating Costs		\$	\$	\$	\$
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	\$44,045	\$	\$	\$	\$
# ADDITIONAL FTE POSITIONS (Cumulative)					

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

Budget Account No: Fund 3080 Dept. 411 Unit B652 Object 6502

CONSTRUCTION	\$44,044.22
STAFF COSTS	\$ 0.00
CONTINGENCY	\$ 0.00
TOTAL	\$44,044.22

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

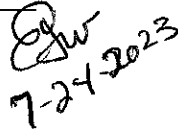
Funding for this project is from the 51.05M NAV Pub Imp Rev Bonds, 21A, CP, SOE Bldg. Fund.

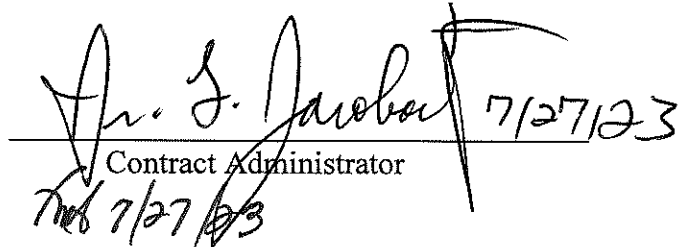
C. Departmental Fiscal Review: 

III. REVIEW COMMENTS:

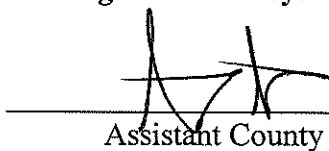
A. OFMB Fiscal and/or Contract Development and Control Comments:

 7/25/2023
OFMB 4/4 2023

 7-24-2023

 7/27/23
Contract Administrator
7/27/23

B. Legal Sufficiency:

 7/26/23
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.