

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: September 10, 2024

Consent  
 Ordinance

Regular  
 Public Hearing

Department: Office of Financial Management & Budget (OFMB)

I. EXECUTIVE BRIEF


**Motion and Title: Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida (BCC), affirming the County Administrator’s authority to approve changes to Policy and Procedures Manual #CW-F-050 (PPM); changing the membership of the Contract Review Committee (Committee); delegating authority to the County Administrator to approve future changes to the membership of the Committee; rescinding resolutions R89-633, R91-810 and R2011-1912 to the extent of any conflict with this Resolution; and providing for an effective date.

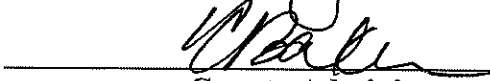
**Summary:** In 1989, the BCC established the Committee and its composition through R89-633 and delegated authority to the Committee and to the Directors of the County’s construction departments to approve changes and time extensions to BCC-approved design and construction contracts within certain approval limits set out in the PPM. The BCC has revised the membership of the Committee and approval authority limits several times. The County Administrator has also approved changes to the PPM several times under the general powers and responsibilities of her office which include developing and maintaining centralized purchasing procedures. This Resolution: 1) affirmatively restates the County Administrator’s authority to approve changes to the PPM; 2) revises the membership of the Committee; and 3) delegates authority to the County Administrator to make changes to the membership of the Committee – all of which are consistent with the County Procurement Code and the County Administrative Code. The Resolution will be effective on November 16, 2024 (the date the recent changes to the Procurement Code will become effective). **(Countywide) (MWJ)**

**Background & Policy Issues:** The BCC established the Committee and approved the PPM in 1989 in an effort to expedite budgeted projects while maintaining proper control of contract expenditures. The PPM authorizes the Committee and the Directors of the County’s construction departments - Airports, Engineering & Public Works, Environmental Resources Management, Facilities Development & Operations (FDO), and Water Utilities - to approve changes to BCC approved design and construction contracts. The Committee currently consists of 5 voting members: appointee of the BCC, the County Engineer, Director of FDO, Director of the Office of Equal Business Opportunity, and the Director of the Contract Development & Control Division of OFMB. Through proposed revisions to the PPM, the membership of the Committee will be increased to 6 to include the Director of Procurement. The approval authority of the Committee and Directors of the construction departments will be increased in accord with the recent changes to the Procurement Code. And, in keeping with the revised Procurement Code, the Committee will be authorized to approve increases to certain procurement contracts within prescribed limits. Included as **Attachment 2** is a copy of the current version of PPM CW-F-050, which will be revised in the coming months for alignment with the provisions of the recently approved County Procurement Code (R2024-010).

**Attachments:**

- 1. Resolution (2 copies)
- 2. PPM #CW-F-050

Recommended By:  8/21/2024  
Department Director Date

Approved By:  8/29/24  
County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<b>Is Item Included in Current Budget:</b>			Yes	_____	No
<b>Is this item using Federal Funds?</b>			Yes	_____	No
<b>Is this item using State Funds?</b>			Yes	_____	No

Budget Account No:      Fund                      Dept.                      Unit                      Object

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

There is no fiscal impact associated with this item.

**III. REVIEW COMMENTS**

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

*Lisa Mante* 8/21/2024  
 \_\_\_\_\_  
 OFMB 8/21 OB 8/21

*Grunds Machell* 8/22/24  
 \_\_\_\_\_  
 Contract Development and Control  
 8/22/24

**B. Legal Sufficiency:**

*[Signature]* 8/28/24  
 \_\_\_\_\_  
 Assistant County Attorney

**C. Other Department Review:**

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

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

**ATTACHMENT 1**  
**RESOLUTION**

**RESOLUTION NO. 2024-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AFFIRMING THE COUNTY ADMINISTRATOR'S AUTHORITY TO APPROVE CHANGES TO PPM #CW-F-050; CHANGING THE MEMBERSHIP OF THE CONTRACT REVIEW COMMITTEE; DELEGATING AUTHORITY TO THE COUNTY ADMINISTRATOR TO APPROVE FUTURE CHANGES TO THE MEMBERSHIP OF THE COMMITTEE; RESCINDING RESOLUTIONS R89-633, R91-810 AND R2011-1912 TO THE EXTENT OF ANY CONFLICT WITH THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners (BCC) established the Contract Review Committee (Committee) on April 4, 1989 by Resolution R89-633 and adopted a Countywide policy regarding approval authority for changes to BCC approved design and construction contracts; and

**WHEREAS**, the BCC subsequently revised the membership of the Committee and the approval authority under the Countywide policy by Resolution R91-810 on June 11, 1991 and Resolution R2011-1912 on December 6, 2011; and

**WHEREAS**, the Countywide policy, now known as PPM #CW-F-050 (the PPM), has served to expeditiously authorize additional services and expenses for continuing work on BCC approved design and construction contracts resulting in fewer delays to projects;

**WHEREAS**, as part of the general duties and responsibilities of the office, the County Administrator is tasked with developing and maintaining centralized purchasing procedures; and

**WHEREAS**, following the BCC's adoption of the PPM in 1989 and its approval of revisions to the PPM in 1991 and 2011, in exercising the duties and responsibilities of the office, the County Administrator approved revisions to the PPM in 2012, 2015, 2016 and 2023; and

**WHEREAS**, the BCC wishes to recognize the changes to the PPM approved by the County Administrator and affirmatively restate that the same fall within the general duties

and responsibilities of the office of the County Administrator; and

**WHEREAS**, in the continued interest of expediting budgeted projects while maintaining proper control of contract expenditures, the BCC wishes to restate the County Administrator's authority to approve changes to the PPM, revise the membership of the Committee and delegate authority to the County Administrator to approve future changes to the membership of the Committee which are consistent with the County Procurement Code and County Administrative Code.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

**Section 1. Recitals**

The foregoing recitals are true and correct and incorporated herein by reference.

**Section 2. Revisions to PPM #CW-F-050 (PPM)**

The BCC hereby recognizes the changes to the PPM as approved by the County Administrator in 2012, 2015, 2016 and 2023, and affirmatively restates the County Administrator's authority as part of the general duties and responsibilities of the office to approve changes to the PPM.

**Section 3. Changes to Membership of the Committee**

The BCC hereby approves membership of the Contract Review Committee as follows: The Committee shall consist of six voting members: one appointee of the BCC, the County Engineer, the Director of Facilities Development and Operations, the Director of the Office of Equal Business Opportunity, the Director of the Contract Development and Control Division of OFMB, and the Procurement Director. Members of the Committee may designate, in writing, any individual within their department to attend meetings they are unable to attend, except for the appointee of the BCC.

**Section 4. Delegation of Authority to the County Administrator**

The BCC hereby delegates authority to the County Administrator to approve future changes to the membership of the Committee which are consistent with the County Procurement Code and County Administrative Code.

**Section 5. Prior Resolutions**

Prior resolutions, including but not limited to Resolutions R89-633, R91-810, and R2011-1912, are rescinded to the extent of any conflict with this Resolution.

**Section 6. Effective Date**

The provisions of this Resolution shall be effective on November 16, 2024.

The foregoing resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The Motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

- Commissioner Maria Sachs, Mayor
- Commissioner Maria G. Marino, Vice Mayor
- Commissioner Gregg K. Weiss
- Commissioner Michael A. Barnett
- Commissioner Marci Woodward
- Commissioner Sara Baxter
- Commissioner Mack Bernard

The Mayor thereupon declared the resolution duly passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2024.

PALM BEACH COUNTY, a political subdivision of the State of Florida,  
BOARD OF COUNTY COMMISSIONERS

JOSEPH ABRUZZO  
CLERK OF THE CIRCUIT COURT &  
COMPTROLLER

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

APPROVED AS TO  
LEGAL SUFFICIENCY

By:   
Assistant County Attorney

**ATTACHMENT 2**

**PPM #CW-F-050**

**TO:** ALL COUNTY PERSONNEL  
**FROM:** VERDENIA C. BAKER  
COUNTY ADMINISTRATOR  
**PREPARED BY:** OFFICE OF FINANCIAL MANAGEMENT & BUDGET (OFMB)  
**SUBJECT:** CHANGE ORDER AND CONSULTANT SERVICES  
AUTHORIZATION AUTHORITY FOR CONSTRUCTION,  
ENGINEERING AND ARCHITECTURAL CONTRACTS  
**PPM #** CW-F-050

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**ISSUE DATE**  
April 6, 2023

**EFFECTIVE DATE**  
April 6, 2023

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**PURPOSE:**

In order to ensure that change order and consultant service authorizations authority for Construction, Engineering and Architectural Contracts is consistent with uniform application and prior Board policy, authority limits and procedures as described below shall apply when indicated.

**UPDATES:**

Future updates to this PPM are the responsibility of the Director, OFMB.

**AUTHORITY:**

Palm Beach County Administrative Code Sections 307.00 & 307.03, as may be amended.  
Palm Beach County Ordinance No. 2005-062, as may be amended.  
Palm Beach County Ordinance No. 2009-049, as may be amended.  
Florida Statute, Section 287.055, as may be amended.  
Palm Beach County Code, Chapter 2, Part A, the Purchasing Code, as may be amended.  
Palm Beach County Code, Chapter 2, Section 2-421 through 2-440, as may be amended.  
Countywide PPM #CW-F-064, as may be amended.  
Countywide PPM #CW-F-081, as may be amended.

**DEFINITIONS:** See Attachment "A"

**POLICY:**

The approval of routine change orders, consultant services authorizations, work orders, additional services, final acceptance of construction projects, referred to as "Construction Related



Documents”, are delegated to the County’s Contract Review Committee and Lead Department Heads within described authority limits.

This policy applies to:

1. All Board of County Commissioners executed construction contracts; and
2. Board of County Commissioners executed contracts with architects, engineers (including testing labs), land surveyors, and landscape architects which are entered into in compliance with Florida Statute 287.055.

This policy is intended to apply to routine contract situations which can be efficiently handled by County staff but shall not limit the ability of the Board of County Commissioners or County Administrator to implement project specific policies for present or future major County projects.

**PROCEDURES:**

1. There shall be established a permanent Contract Review Committee hereinafter referred to as the "Committee" to review and approve/reject specific additional services against annual Professional Services Agreements or contracts and, change order requests against construction contracts from Lead and User Departments within the limitations set forth in this Policy. This Committee shall consist of five voting members: one appointee of the Board of County Commissioners; County Engineer, the Director of Facilities Development and Operations, the Director of the Office of Equal Business Opportunity, and Director of the Contract Development and Control Division/OFMB Department. The four voting County staff representatives must be present for a quorum. The Director of the User Department or designee may also sit on the Committee during deliberations which affect the User Department. Members of this Committee may designate, in writing, any individual within their department to attend meetings they are unable to attend, except for the appointee of the Board of County Commissioners. This Committee shall draft, and subsequently revise, as necessary, by-laws for operation which will become a supplement to this policy as evidenced by Attachment "B" hereto. Said by-laws may include, but are not limited to, a procedure for breaking tie votes, frequency of meetings, selection of a chairperson, format for Construction Related Documents, and a procedure for the User Departments to follow if the requested action is rejected.
2. Any Construction Related Documents within the over-all scope of the contract which is approved by the Lead Department or Committee in accordance with this policy shall be submitted to the Board of County Commissioners and the Clerk's Finance Department by the Contract Development and Control Division within 30 days after the end of the month of approval by the Lead Department or Committee. A summary of approved items shall then be placed on the next available Board agenda by the Clerk's Office as a Receive and File item. Any Construction Related Documents exceeding the limitations specified in this policy must be approved by the Board of County Commissioners prior to notice to proceed being issued to the contractor or consultant.

Any Construction Related Documents must be directly related to the scope of work delineated in the original agreement. Changes to the scope of work must be approved by the Board of County Commissioners or authorized official so designated by the Board.

3. Prior to any Construction Related Documents being approved under the terms of this policy by the Lead Department or the Committee, sufficient funds for the authorization must be available in an appropriate, approved budget line item. This must be documented through the use of a Budget Availability Statement, which shall have an effective term of ninety (90) days from date of issuance.
4. When construction contracts or contracts with architects, engineers, land surveyors, and landscape architects are entered into for less than \$200,000 and executed by an appropriate Department Head as permitted by the County's Purchasing Code (Palm Beach County Code, Chapter 2, Part A) and all subsequent amendments thereto, as well as Countywide PPM CW-F-064, all change orders and consultant services authorizations, and work orders shall be executed by an appropriate Department Head, unless:
  - A. The change order or consultant services authorization brings the cumulative total contract amount to \$200,000 or more; or
  - B. The Lead Department head desires to bring the particular change order or consultant services authorization to the attention of the Board of County Commissioners.

In either A or B above, such change orders, consultant services authorizations or work orders shall be put on a meeting agenda for action by the Board of County Commissioners.

This section does not apply to annual contracts with architects, engineers, land surveyors and landscape architects authorized by the Board of County Commissioners. No other provisions of this PPM apply to contracts less than \$200,000.

5. The following approval authority is hereby effective for authorization of additional services to continuing (annual) contracts, as defined in Florida Statutes 287.055 (2)(g):
  - A. The Lead Department shall be authorized to approve individual consultant services authorizations or individual supplements to a CSA, within the over-all scope of the original agreement, up to and including the amount of \$50,000.
  - B. The Committee shall be authorized to approve individual consultant services authorizations or individual supplements to a CSA, within the overall scope of the original agreement, up to and including the amount of \$100,000.
  - C. The approval authorities listed in A and B above apply to each individual item and are not cumulative. However, the cumulative amount of the sum of all consultant services authorizations and supplements issued under any individual agreement may not exceed the budgeted amount approved by the Board of County

Commissioners.

6. The following approval authority is hereby effective for authorization of work orders and supplements to work orders—to Contractors who have executed annual construction contracts, continuing construction manager at risk contracts or continuing design build contracts approved by the Board of County Commissioners:
  - A. The Director of the appropriate Lead Department shall be authorized to execute individual work orders up to and including the amount of \$100,000.
  - B. The Committee shall be authorized to execute individual work orders up to \$199,999.
  - C. All work orders exceeding the above approval limits must be approved by the Board of County Commissioners.

The above approval authorities shall also apply to project specific construction manager at risk contracts for pre-construction services authorizations or work orders for construction services.

7. The following approval authority is hereby effective for approval of change orders to individual construction contracts, and for modifications to agreements which are not continuing contracts as defined in Florida Statutes 287.055 (2) (g):
  - A. The Lead Department shall be authorized to approve each change order to individual construction contracts within the overall scope of work up to and including \$50,000.
  - B. The Lead Department shall be authorized to approve each additional service in relation to agreements as defined in Florida Statutes 287.055 (2) (g) (including reimbursables) related to the project up to and including the amount of \$50,000.
  - C. The Committee shall be authorized to approve each change order within the overall scope of work or each additional service (including reimbursables) related to the project up to and including the amount of \$100,000.
  - D. Any change order to individual construction contracts or additional services item that exceeds \$100,000 must go to the Board of County Commissioners as a Board agenda item for the Board's approval.
  - E. When the cumulative value of change orders or additional services to individual construction contracts exceeds the greater of \$250,000 or 5% of the original contract value, 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. After the Board receives and files the item, the cumulative amount will be reset and start calculating towards the cumulative limit again. This process will continue throughout the life of the applicable contract. It shall be the responsibility of the

Lead or User Department to prepare and present the receive and file item.

- F. (1) The Lead Department may authorize time extensions for construction contracts on a cumulative basis that do not exceed 30 days.

The Committee may authorize individual time extensions for construction contracts that do not exceed 90 days.

Any item containing an individual time extension in excess of 90 days must be approved by the Board of County Commissioners, and will not be counted toward the cumulative limit.

When a cumulative limit of one hundred twenty (120) days has been reached for time extensions, the item that causes the limitation to be reached shall be presented to the Board of County Commissioners as a Receive and File item by the Lead Department with notification that the Change Order puts the cumulative time extensions over the 120-day threshold. The receive and file item shall contain the Change Order and all backup materials to the item as approved by either the Lead Department or Committee.

At that point, the cumulative limits for time extensions begin again until the 120-day limit is once again reached. This procedure will remain in effect for the life of the contract or project.

- (2) Time extensions for projects with a contract award amount exceeding one million dollars (\$1,000,000) or in cases where the Lead Department determines that the nature and circumstances of that specific project warrant stricter control or a higher level of monitoring and review shall be authorized according to the authority limits established in this section. Time extensions shall be authorized upon the level of approval authority contained in Sections 7A and 7C above, as calculated by multiplying the number of days of the time extension request by the liquidated damage amount in the executed contract. This calculated amount shall not be counted toward the cumulative dollar amounts specified in 7E. Projects recommended for the authority limits calculated on the basis of this paragraph will be identified in the Board item accompanying the contract for execution.

- G. The dollar amounts specified in sections 7A, 7B and 7C above shall also apply to contract decreases via change order or modification; provided, however, decreases in amounts shall not be used to offset increases in amounts on the same change order to determine the total dollar amount of the change order and corresponding limitations of this policy unless increases and decreases are directly related.

When considering cumulative limits, deductive change orders shall be tracked

separately from and not combined with additive change orders.

H. The Lead Department shall be authorized to approve change orders of any amount associated with the sales tax exemption program. The cumulative values of these change orders shall not count towards any cumulative limits specified elsewhere in this PPM.

I. The Lead Department shall be authorized to approve \$0 change orders associated with a Contingency Use Directive (CUD Change Order). The Lead Department shall file all such \$0 CUD Change Orders as a Receive and File item with the Board of County Commissioners.

8. In relation to all items in Sections 5 and 7 above, an attachment must accompany each with a history page(s) indicating all prior changes/authorizations/work orders, etc. If the contract is project specific, the history will apply to all activity under the contract. If the contract is a continuing contract, the history shall be for all work under a specific project under said contract. Included in the history shall be the originating amount, the cumulative amount to that point, and a listing of time extensions as well as cumulative days in relation to all previous time extensions. Time extensions relate to construction contracts.

Cumulative values/limits as addressed in this PPM relate to Lead Departments, the Contract Review Committee and any combination thereof. Items approved directly by the Board of County Commissioners do not count toward cumulative calculations.

9. As a condition precedent for change order approvals, reasons must be given for the change order and indicated in the back up materials attached to the change order. The acceptable reasons for a change order are any one or combination of the following:

- 1) Owner Initiated
- 2) Differing Site Conditions
- 3) Zoning/Code/Ordinance Changes (Requirements)
- 4) Errors/Omissions in Design
- 5) Quantity Overruns/Under Runs
- 6) Request by another Agency/Outside Party-reimbursable
- 7) Request by another Agency/Outside Party-Non-reimbursable
- 8) Other

When the reimbursable category is utilized in relation to a change order explanation, the reimbursable amount shall be indicated in the supporting documentation to the change order.

10. A copy of the contractor's Notice to Proceed for each construction contract must be simultaneously sent to the Contract Development and Control Division by the User Department.

A copy or notice of all items representing additional services that include professional architectural, engineering, landscape architectural, or surveying and mapping services shall be provided to the Engineering & Public Works Contracts Manager for purposes of tracking the volume of work.

11. Subsequent contractual documents for construction and professional services shall contain language to effectuate the provisions of this policy.
12. The Committee shall review and approve the final acceptance and final payment for all Board executed construction projects. All work orders related to annual construction contracts regarding the maintenance and repair/replacement of existing County infrastructure and all work ~~task~~ orders less than \$100,000 shall be exempt from Committee review of final acceptance and payment. The Contract Development and Control Division shall include these Committee approved items in the monthly report to the Board and the Clerk's Finance Department, as well as items submitted by Lead Departments to Contract Development & Control. In the Final Contract Summary documentation for construction contracts, premium values and charge back amounts that the Lead or User Department intends to negotiate with the design professional, shall be reported.
13. All construction procurements are subject to the requirements of Palm Beach County Code, Sections 2-421 through 2-440, as may be amended, which creates the Office of Inspector General (OIG). As set forth in PPM CW-F-081, all construction and professional services procurements are subject to the requirements of the OIG.



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VERDENIA C. BAKER  
COUNTY ADMINISTRATOR

Supersession History:

1. Countywide Policy O-011 (Resolution R91-810D)
2. PPM #CW-F-050, effective 8/1/94
3. PPM #CW-F-050, effective 12/1/96
4. PPM #CW-F-050, effective 7/2/98
5. PPM #CW-F-050, effective 4/14/03
6. PPM #CW-F-050, effective 3/1/04
7. PPM #CW-F-050, effective 2/1/06
8. PPM #CW-F-050, effective 1/1/07
9. PPM #CW-F-050, effective 10/20/08

10. PPM #CW-F-050, effective 6/1/09
11. PPM #CW-F-050, effective 6/1/11
12. PPM #CW-F-050, effective 12/6/11
13. PPM #CW-F-050, effective 2/27/12
14. PPM #CW-F-050, effective 9/1/15
15. PPM #CW-F-050, effective 2/4/16

**CONTRACT REVIEW  
CONTRACT DEFINITIONS**

<b>Term</b>	<b>Definition</b>
<b>Additional Services</b>	Services added through a supplement that were not previously requested of an engineering, architectural, landscape architectural or land surveyor firm in relation to an existing Board approved contract with the County, through a consultant services authorization or through a formal amendment to the contract that is approved by the Board.
<b>Annual Contract</b>	A Board approved contract that relates to a specific type of discipline where requests are made on a project by project basis through individual work orders (utilizing continuing construction contracts) or through a consultant services authorization (utilizing continuing professional services contracts).
<b>Board</b>	The Palm Beach County Board of County Commissioners.
<b>Change Order</b>	A document executed to direct a contractor to make changes or additions to time and/or cost to a Board approved construction contract.
<b>Construction Contract</b>	A contract approved by the Board for goods or services (as defined in Ordinance 2005-062 and by the Purchasing Department Policy) which results in improvement(s) to real property such as building, altering, repairing, improving or demolishing. This type of contract is awarded on a project by project basis. These may also be awarded as annual contracts.
<b>Construction Manager at Risk</b>	A project delivery method where the construction manager serves as the County's General Contractor, subcontracting the work, and provides design phase assistance in evaluating costs, schedule and implications of alternate designs, systems, and materials during design.
<b>Consultant Services Authorizations (CSA)</b>	A document utilized in relation to professional services contracts approved by the Board with engineers, architects, landscape architects and land surveyors that request services in relation to that contract.
<b>Contingency Use Directive (CUD)</b>	Document issued by the Lead Department which authorizes a Construction Manager or Design Builder to use the Construction Manager's or Design Builder's contingency for unforeseen items.
<b>Design-Build</b>	Project delivery method where design and construction services are contracted from a single entity known as a Design-Build Entity or Design-Build Firm.
<b>Finals</b>	Includes final contract summaries for individual construction contracts and final authorization summaries in relation to individual work orders under an annual construction contract.
<b>Guaranteed Maximum Price (GMP)</b>	Includes the cost of the work required by the Contract Documents, the Construction Manager's fee, and a contingency for unforeseen items, and applies to Construction Manager at Risk and Design-Build Contracts. The GMP is subject to modification for changes in the work made by the County. This is also utilized in Design-Build Contracts as the limit on the amount that an owner will have to pay to the Design-Build Entity on the project, regardless of the actual cost of the project; the total cost to the owner may be less than the GMP but it will not exceed it.
<b>GMP Amendment</b>	Used to establish the Guaranteed Maximum Price of a Construction Manager at Risk or Design-Build contract. Changes not the responsibility of the Construction Manager or Design-Build Entity, as identified in its contract may be documented by a Change Order or by an amendment to the contract.
<b>Lead Department</b>	The Water Utilities Department limited to the Director of Water Utilities; Engineering & Public Works Department limited to the County Engineer, Deputy County Engineer and the Assistant County Engineer; the Facilities Development & Operations Department, limited to the Director of Facilities Development & Operations; the Department of Environmental Resources Management, limited to the Director and Deputy Director of the Environmental Resources Management Department; and the Department of Airports, limited to the Director of Airports.
<b>Professional Services Contract</b>	A Board approved contract awarded to an engineering, architectural, landscape architectural or land surveyor firm through the County's Consultants Competitive Negotiation Act (CCNA) process as outlined in Countywide PPM No. CW-O-048.
<b>Supplement</b>	A document requesting a modification to an existing CSA or a work order or to a project specific design contract.
<b>User Department</b>	County departments which initiated the original contract requirement and are not included in the Lead Department(s) definition above.
<b>Work Order</b>	A document utilized to define individual project scope, construction time and fee in relation to a Board approved annual construction contract.



## COMMITTEE BY-LAWS

1. **AUTHORITY.** The Palm Beach County Contract Review Committee (hereinafter referred to as Committee) was established by Resolution R89-633 approved by the Board of County Commissioners on April 4, 1989. The duties and responsibilities of the Committee are set forth in Countywide PPM No. CW-F-050. The Palm Beach County Code, Chapter 2, Part A, further delegates certain specific contractual authority to the County Engineer, the Director of Facilities Development & Operations, the Director of Water Utilities, the Director of the Department of Airports, and the Director of Environmental Resources Management.
2. **MEMBERSHIP.** The Committee is composed of five voting members:
  - A) One appointee of the Board of County Commissioners, who shall attend a minimum of one-half of the meetings scheduled during a calendar year or be removed automatically for failure to do so;
  - B) One member of the County Engineer's office;
  - C) One member of Facilities Development and Operations;
  - D) One member of the Office of Equal Business Opportunity, and;
  - E) One member of the office of OFMB/Contract Development and Control.
3. **PRESIDING OFFICER.** The Director of Contract Development and Control shall preside over the meetings of the Committee. In his/her absence, the County Engineer or designee shall preside.

The role of the County Attorney's office shall be to act as legal counsel to the Committee at meetings, and provide legal assistance, as may be requested by the Committee.
4. **QUORUM.** Four voting County Staff representatives of the committee must be present to conduct Committee business. A simple majority of voting members present is required to approve any Construction Related Documents. In order to assure continuity only staff members or their designees in writing and the Board of County Commissioners' appointee shall be allowed to vote. In case of a tie vote, the motion will be considered failed.
5. **MEETINGS.** Committee meetings will be held as noticed at a designated location at 8:45 A.M. Wednesday unless otherwise scheduled by the Committee. All meetings are considered public meetings and all interested parties are invited to attend. The Contract Development and Control Division shall be responsible for meeting notification.
6. **AGENDA AND MINUTES.** The Contract Development and Control Division shall be responsible for preparing a listing of all items considered by the Committee and a tabulation of the voting on each item at each meeting. Lead and User Departments must provide any items for discussion electronically to the office of Contract Development and Control Division no later than 9:00 A.M., Monday or 9:00 A.M. on the Friday directly preceding a week where there are no regular office hours on the following Monday, unless otherwise provided. Should no items for discussion be received by Contract Development and Control Division by the stated deadline, no regularly scheduled meeting will be held.

7. **APPROVAL REQUESTS.** The Lead and User Department will provide a listing of proposed Construction Related Documents and budget availability statements in advance of the Committee meeting at which they will be discussed. The proposed Construction Related Documents-will include a summary of the reasons for the request as well as the actual Construction Related Documents in the standard format. S/M/WBE schedules 1 and 2 shall be provided where applicable. All proposed Construction Related Documents shall be considered to be in draft form until approved by the Committee.
8. **APPROVALS BY COMMITTEE.** Construction Related Documents approved by the Committee will be signed by the Committee's Presiding Officer.
9. **APPROVALS BY LEAD DEPARTMENT.** Copies of Construction Related Documents approved by Lead Departments shall be forwarded to the Contract Development and Control Division within two (2) weeks after approval to be included in the summary by the Contract Development and Control Division to the Board and Clerk's Finance Department as indicated in Item 10 below. All Construction Related Documents shall include sufficient back-up to detail the reasons for the specific items. Additionally, a history of each item shall be attached as backup.
10. **ACTION.** Within thirty (30) days of the last day of the month of approval, a summary and copies of Construction Related Documents approved by the Committee and Lead Departments will be provided by the Director of Contract Development and Control to the members of the Board of County Commissioners and the Clerk's Finance Department for informational purposes.
11. **FINALS.** All work orders related to annual construction contracts regarding the maintenance and repair/replacement of existing County infrastructure and all work orders less than \$100,000 shall be exempt from Committee review of final acceptance and payment.
12. **CONTRACTS AFFECTED.** These by-laws shall apply to all currently existing contracts and all future executed contracts for construction and professional design services only.
13. **APPROVAL OF BY-LAWS.** These by-laws were approved unanimously by Committee members. Changes or amendments to these by-laws must be approved by the Committee. Any changes or amendments to the by-laws will be furnished to the County Administrator.