

3H-14

Agenda Item #:

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: June 19, 2007

Consent Regular
 Workshop Public Hearing

Department: Facilities Development and Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No.11 to the Agreement with Centex Construction, LLC (R2003-1541) for Construction Management Services for the Library Expansion Program and various government buildings.

Summary: On September 23, 2003, the Board entered into a contract with Centex Rooney Construction Company, Inc., for construction management services for the Library Expansion Program and various government buildings. Subsequent to that contract, Centex Rooney Construction Company, Inc. changed its name to Centex Construction, LLC. Centex Construction, LLC has now changed its name to Balfour Beatty Construction, LLC and Amendment No. 11 acknowledges the name change. **(Capital Improvements Division) Countywide (JM).**

Background and Justification: Centex Rooney Construction Company was selected as construction manager for the Library Expansion Program. This Amendment recognizes the name change to Balfour Beatty Construction, LLC.

Attachments:

- 1. Amendment No. 11

Recommended by:

Anthony Wolf
Department Director

5/25/07
Date

Approved by:

[Signature]
County Administrator

6/2/07
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	\$ <u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	\$ <u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Is Item Included in Current Budget? Yes No
 Budget Account No: Fund _____ Dept _____ Unit _____ Object _____
 Reporting Category _____

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

III. REVIEW COMMENTS:

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

[Signature]
 OFMB
 6/6/07
 6/14/07

[Signature]
 Contract Administrator
 6/18/07

B. Legal Sufficiency:
[Signature]
 James Mize 6/11/07
 Assistant County Attorney

This amendment complies with our review requirements.

C. Other Department Review:

 Department Director

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

AMENDMENT NO. 11
TO CONTRACT FOR
CONSTRUCTION MANAGEMENT SERVICES
LIBRARY EXPANSION PROGRAM
AND VARIOUS GOVERNMENT BUILDINGS
PROJECT NO. 02236

WHEREAS, the Owner and Construction Manager acknowledge and agree that the Contract between Owner and Construction Manager dated September 23, 2003 (R2003-1541) is in full force and effect.

WHEREAS, the Construction Manager is hereby amending their name to Balfour Beatty Construction, LLC; and

WHEREAS, the Construction Manager has provided a revised performance and payment bonds and insurance certificates in the new name of Balfour Beatty Construction, LLC; and

WHEREAS, both parties agree to this Amendment; and

NOW THEREFORE, in exchange for the mutual covenants and promises set forth herein and, the parties agree as follows:

To recognize the name change from Centex Construction, LLC
to Balfour Beatty Construction, LLC.

ATTACHMENT #1

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:
SHARON R. BOCK, CLERK &
COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Addie L. Greene, Chairperson

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: _____
County Attorney

By: Army Wolf
Director - FD&O

WITNESS: FOR CONSTRUCTION
MANAGER SIGNATURE

CONSTRUCTION MANAGER:

Samathy A. Hanna
Signature

[Signature]
Signature

SAMATHY A. HANNA
Name (type or print)

Clarence L. Cross
Name (type or print)

Gov LP
Title



BALFOUR BEATTY CONSTRUCTION, LLC

CERTIFICATE OF INCUMBENCY

I, the undersigned officer of BALFOUR BEATTY CONSTRUCTION, LLC, a limited liability company duly organized and existing under the laws of the State of Delaware ("the Company"), do hereby certify that I have access to the records and minutes of the proceedings of the Board of Managers of the Company and that as of April 10, 2007, each of the following individuals was a duly elected and acting officer of the Company, each such individual holding the office set forth following such individual's name and having the authority to execute on behalf of the Company, bonds, deeds, mortgages and other instruments requiring a seal and contracts and other documents.

<u>Name</u>	<u>Office</u>
Clinton C. Glass	Division Senior Vice President

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the Company on this 10th day of April, 2007.



BALFOUR BEATTY CONSTRUCTION, LLC,
A Delaware limited liability company

By: Samathy A. Hanna
Samathy A. Hanna, Assistant Secretary