

Agenda Item #:

3H-2

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 17, 2010

Consent  
 Workshop

Regular  
 Public Hearing

Department: Facilities Development & Operations

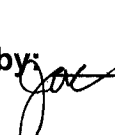
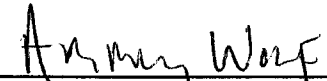
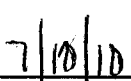

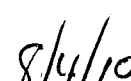
I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: Amendment No.7 to the annual Contract with Hedrick Brothers Construction (R2007-1506) for construction management services for various capital projects.

**Summary:** Hedrick Brothers Construction was selected to provide construction management services associated with the design and construction of various capital projects which may include new construction, additions, or renovations from \$400,000 to \$25,000,000. The original contract provided for an initial two (2) year term with three (3) - one (1) year renewal options. Amendment No. 7 would provide for services during the second renewal period and add language to the contract regarding the County's policy for the Office of Inspector General. Hedrick Brothers Construction has a Small Business Enterprise (SBE) participation goal of 15%. During the three years of the contract, Hedrick Brothers Construction has achieved 27.2% participation. Hedrick Brothers Construction is a Palm Beach County company. **(Capital Improvements Division) Countywide (JM)**

**Background and Justification:** Hedrick Brothers Construction was one of three firms selected to perform professional construction management services on a continuing contract basis. Work is authorized through individual task agreements when required during the term of this contract. The contract term is for two years and the original Board action allowed for three additional one year renewals. This Amendment would provide services during the second renewal period and would be the fourth year of the contract. It is the consensus of Facilities Development & Operations that Hedrick Brothers Construction has successfully provided the services required by the County in a timely manner. They are in good standing and wish to continue to provide services. During the three years of the contract, Hedrick Brothers Construction was awarded \$16,654,948 in Construction Management Authorizations.

**Attachments:**  
Amendment No. 7

Recommended by:			
		Department Director	Date
Approved by:			
		County Administrator	Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
<b>NET FISCAL IMPACT</b>	-0-	-0- <i>See below</i>	-0-	-0-	-0-

# ADDITIONAL FTE  
POSITIONS (Cumulative)

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
Budget Account No: Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_


Reporting Category \_\_\_\_\_

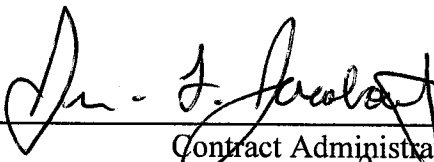
\* Fiscal impact cannot be determined at this time. Individual Task Assignments and GMP Amendments requiring BCC approval will be brought to the Board and fiscal impact will be addressed at that time, otherwise, funding will come from previously approved BCC projects.

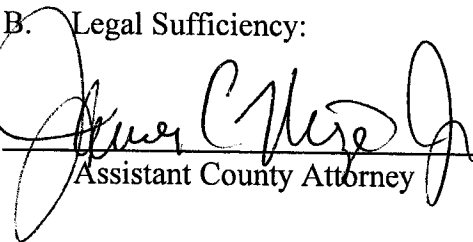
**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

**III. REVIEW COMMENTS**

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

  
\_\_\_\_\_  
OFMB  
*1/28/10*

 7/30/10  
\_\_\_\_\_  
Contract Administrator  
E. Jones 7/30/10

**B. Legal Sufficiency:**  
  
\_\_\_\_\_  
Assistant County Attorney  
8/2/10

**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 TO CONTRACT FOR  
Annual Construction Management Services  
Continuing Contract Basis**

This Amendment No.7 dated \_\_\_\_\_, to the Contract (R-2007-1506) dated September 11, 2007, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of Commissioners, hereinafter referred to as the COUNTY and Hedrick Brothers Construction, a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONSTRUCTION MANAGER.

**WITNESSETH**

**WHEREAS**, the parties have entered into a Contract under which the CONSTRUCTION MANAGER provided certain construction management services to the COUNTY for various projects; and

**WHEREAS**, the parties hereto desire to amend the Contract to extend it for an additional one (1) year period.

**NOW, THEREFORE**, in consideration of the premises and of the mutual covenants hereinafter set forth and for such other good and valuable consideration, the receipt of which the parties hereto expressly acknowledge, the parties covenant and agree to the following terms and conditions:

1. The term of this Contract is renewed for one (1) additional year to September 10, 2011.
2. Add Article 13 regarding the Office of Inspector General:  
**13.1** Palm Beach County has established the Office of the Inspector General, Ordinance R2009-049 which is authorized and empowered to review past, present and proposed County contracts, transactions, accounts and records.

All contractors and parties doing business with the County and receiving County funds shall fully cooperate with the Inspector General including receiving full and unrestricted access to records relating to Bid or any resulting contract. The Inspector General has the power to subpoena witnesses, administer oaths, require the production of records, and audit, investigate, monitor, and inspect the activities of the contractor, its officers, agents, employees, and lobbyists in order to ensure compliance with contract specifications and detect corruption and fraud. The cost of the Office of the Inspector General shall be incorporated into the contract price of all contracts and shall be one quarter ( $\frac{1}{4}$ ) of one (1) percent of the contract price.

3. Add the following paragraph to the Contract General Conditions, GC 68:

**68.3.1** Without changing the contract price, a fee of 0.25% will be deducted by the Owner from each application for payment to defray costs of the Office of the Inspector General in accordance with Ordinance R2009-049.

4. Except as specifically modified above, the terms and conditions of the Contract are hereby confirmed and remain in full force and effect.

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

ATTEST:  
SHARON R. BOCK, CLERK &  
COMPTROLLER

PALM BEACH COUNTY BOARD OF  
COUNTY COMMISSIONERS

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

By: \_\_\_\_\_  
Burt Aaronson, Chair

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

By: \_\_\_\_\_  
County Attorney

By: Janet Amy Wolf  
Director - FD&O

WITNESS: FOR CONSTRUCTION  
MANAGER SIGNATURE

CONSTRUCTION MANAGER:  
HEDRICK BROTHERS CONSTRUCTION

[Signature]  
Signature

[Signature]  
Signature

Benjamin J. CLEMENTS  
Name (type or print)

Dale Hedrick  
Name (type or print)

President  
Title

(Corporate Seal)