

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: August 17, 2010 Consent Regular
 Workshop Public Hearing

Department: **Facilities Development and Operations**

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 4 to contract with Heery International, Inc., (R2006-2219) for program management services for the Jail Expansion Program 2 in the amount of \$1,092,145.

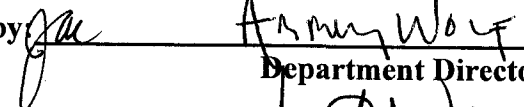

Summary: CSA No. 4 will provide continued program management services for the West County Detention Facility phase of the Jail Expansion Program through March 31, 2011. The Program Manager will continue to act as an extension of staff assisting in all aspects of the project. This CSA will extend the services required for the West County Detention Facility phase as well as design phase for the Central Detention Facility (Stockade) and adds the necessary language to the contract regarding the applicability of the Inspector General Ordinance and the inclusion of the Inspector General fee into this and future CSA's. The overall duration of the West County Detention Facility was extended due to a change order resulting from permitting issues, and as a result the construction duration is longer than originally anticipated. Additionally, close out services including commissioning are now stand alone rather than concurrent with the delayed Central Detention Facility. Costs associated with these additional services which may be attributed to errors/omissions by the design professional will be evaluated in accordance with County policy at the completion of construction. Heery staff for this period has been reduced and will be replaced by two County Architectural Field Representatives in order to delay lay-offs of County personnel. CSA No. 4 is funded from the Criminal Justice and Public Improvement Revenue Bond Series 2008. The Small Business Enterprise (SBE) Goal for this project is 15%. Heery International's SBE participation for this CSA is 28.7%. The overall contract SBE participation is 15.3%. (Capital Improvements Division) Countywide (JM)

Background and Justification: On April 15, 2006, the Board approved proceeding with the Jail Expansion Program II consisting of the expansion of the West County Detention Facility and the Stockade and renovations to the Main Detention Center at an estimated \$267 Million. On October 17, 2006, the Board approved the contract with Heery International, Inc., to provide program management services for the Jail Expansion Program. This CSA extends Heery's program management services for the West County Jail construction phase and Central Detention Facility design phase.

On December 15, 2009, the Board of County Commissioners adopted Ordinance No. R2009-049, the Palm Beach County Office of Inspector General Ordinance. The IG Ordinance authorizes the Inspector General to conduct audits of, require reports from, and receive access to the records of all firms doing business with the County. The cost for the Office of Inspector General shall be borne by the imposition of a fee as specified in the IG Ordinance.

Attachment:

1. Location Map
2. Budget Availability Statement
3. Consultant Services Authorization No. 4

Recommended by:	 _____ Department Director	7/31/10 Date
Approved by:	 _____ County Administrator	8/9/10 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	\$1,092,145	0	0	0	0
Operating Costs	_____	0	0	0	0
External Revenues	_____	0	0	0	0
Program Income (County)	_____	0	0	0	0
In-Kind Match (County)	_____	0	0	0	0
NET FISCAL IMPACT	\$1,092,145	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes x No _____


Budget Account No: Fund 3053 Dept 411 Unit B362 Object 6502
Reporting Category _____

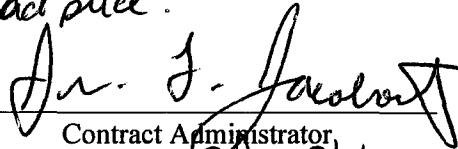
B. Recommended Sources of Funds/Summary of Fiscal Impact: CSA No. 4 is funded from the Criminal Justice and Public Improvement Revenue Bond Series 2008.

III. REVIEW COMMENTS:

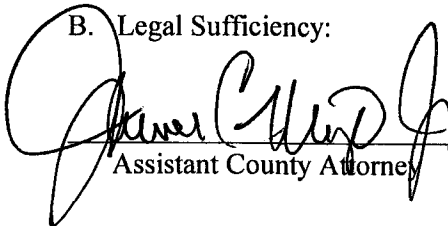
A. OFMB Fiscal and/or Contract Development and Control Comments:

*Additional cost associated to additional services and extension is \$ 1,092,145
4 of one percent is incorporated into the contract price.*


OFMB *8/9/10* *8/13/10*


Contract Administrator *8/6/10*
8/6/10

B. Legal Sufficiency:

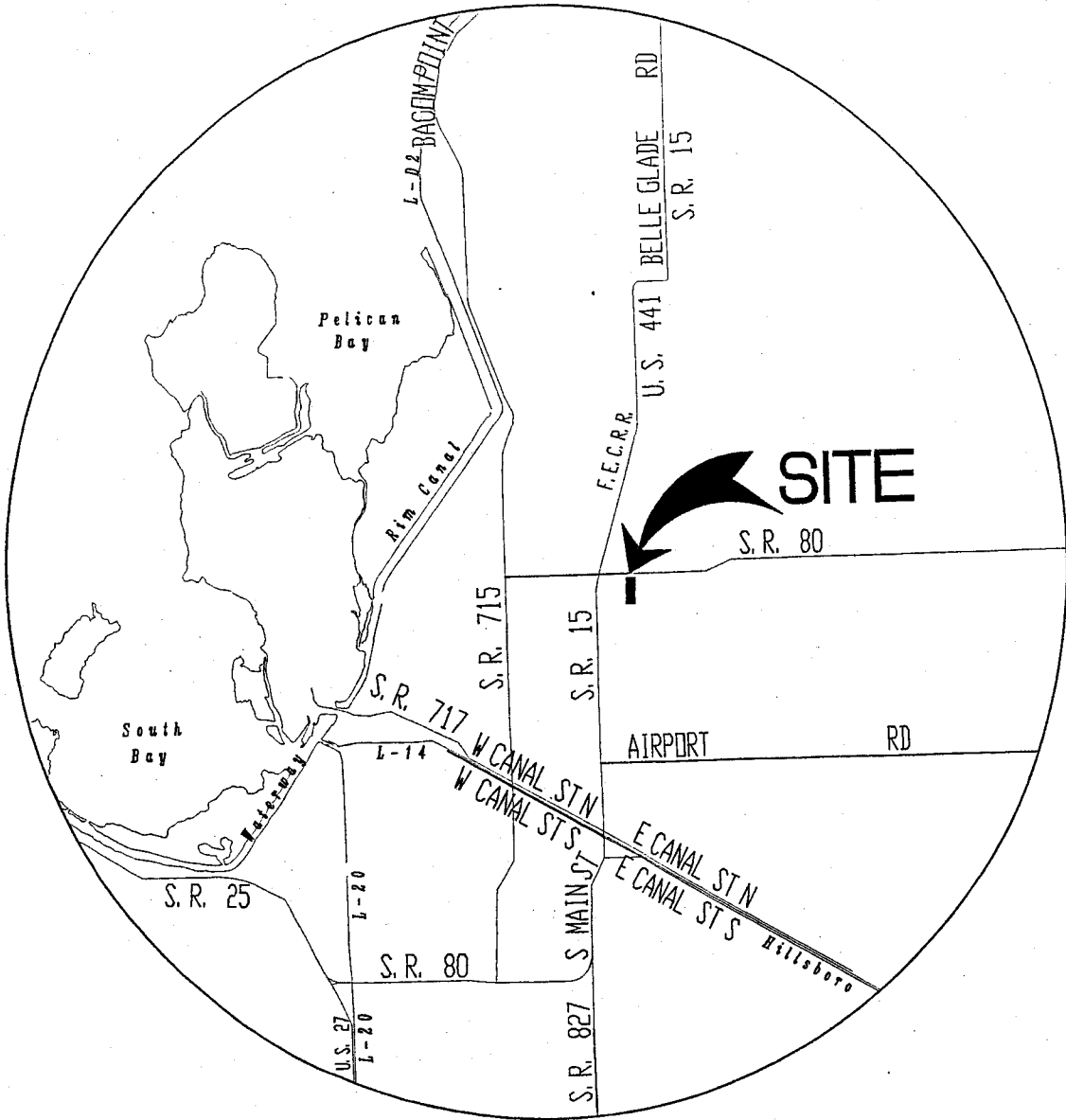

Assistant County Attorney *8/9/10*

This item complies with current County policies.

C. Other Department Review:

Department Director

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



LOCATION MAP

N.T.S.

**FACILITIES DEVELOPMENT & OPERATIONS
BUDGET AVAILABILITY STATEMENT**

REQUEST DATE: 07/19/10

REQUESTED BY: Mike McPherson

PHONE: 233-0278

FAX: 233-0270

PROJECT TITLE: PBC Jail Expansion Program II (West County)

PROJECT NO.: 06213

ORIGINAL CONTRACT AMOUNT:

BCC RESOLUTION#:

DATE:

REQUESTED AMOUNT: \$1,092,145.00

Revised

~~CSA or CHANGE ORDER NUMBER:~~

CSA No. 4

CONSULTANT/CONTRACTOR: Heery International, Inc.

PROVIDE A BRIEF STATEMENT OF THE SCOPE OF SERVICES TO BE PROVIDED BY THE CONSULTANT/CONTRACTOR:

Program Management

CONSTRUCTION

PROFESSIONAL SERVICES

STAFF COSTS** (Design/Construction Phase)

MISC. (permits, prints, advertising, etcetera (IG Fee)

TOTAL

\$1,092,145.00

\$1,092,145.00

** By signing this BAS your department agrees to these staff costs and your account will be charged upon receipt of this BAS by FD&O. Unless there is a change in the scope of work, no additional staff charges will be billed.

BUDGET ACCOUNT NUMBER (IF KNOWN)

FUND: 3053

DEPT: 411

UNIT: B362

OBJ: 6502

FUNDING SOURCE (CHECK ALL THAT APPLY):

AD VALOREM OTHER

FEDERAL/DAVIS BACON

SUBJECT TO IG FEE?

YES NO

BAS APPROVED BY: _____

DATE: _____

7-19-10

ENCUMBRANCE NUMBER: _____

071910-1103

Revised 03/30/04

Attachment 2

**CONSULTANT SERVICES AUTHORIZATION
HEERY INTERNATIONAL, INC.**

**JAIL EXPANSION PROGRAM II
PROJECT NO. 06213
COUNTYWIDE**

THIS AUTHORIZATION NO. 4 to the Contract dated 10/17/06 (R2006-2219) between Palm Beach County and the Consultant identified herein is for the Consultant Services described in Item 3 of this Authorization.

1. **CONSULTANT:** HEERY INTERNATIONAL, INC.
999 PEACHTREE STERREET NE
ATLANTA, GEORGIA 30309-3953

2. **Services completed to date:** Program Management Services have been completed for the existing contract and the previous CSA.

3. **Description of Services to be provided by Consultant:** Professional services include Program Management Services as detailed on the attached proposal dated July 13, 2010.

4. **History:**

<u>CSA #</u>	<u>Amount</u>	<u>Date Approved</u>	<u>Approved By</u>
Original	\$2,043,104.00	10/17/06	BCC
CSA #1	\$ 710,728.00	10/16/07	BCC
CSA #2	\$3,311,688.00	07/22/08	BCC
CSA #3	\$ 232,650.00	09/15/09	BCC

5. **Time of Commencement:** Consultant shall begin work promptly on the requested services upon receipt of this executed document which shall constitute official "Notice to Proceed".

6. **Compensation:** The compensation to be paid to the Consultant for the requested services shall be:

Lump Sum charge of \$1,092,145.00

6. a. Revise the contract per the following:

Add the following new paragraph:

5.3.1 Without changing the contract price, a fee of 0.25% will be deducted by the COUNTY from each Pay Application to defray costs of the Office of the Inspector General in accordance with Ordinance R2009-049. Refer to Paragraph 7.24 for more information.

Add the following new paragraph to **7.13 Disclosure and Ownership of Documents:**

Notwithstanding any other provision in this Contract, all documents, records, reports and any other materials produced hereunder shall be subject to disclosure, inspection audit, pursuant to the Palm Beach County Office of Inspector General Ordinance 2009-049, as may be amended.

Add the following new section:

7.24 Office of the Inspector General

The 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 consultants and parties doing business with the COUNTY and receiving COUNTY funds shall fully cooperate with the Inspector General including receiving access to records relating to this 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 consultant, its officers, agents, employees, and lobbyists in order to ensure compliance with contract specifications and detect corruption and fraud. The cost of the Inspector General's Office 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.

7. This Authorization may be terminated by the County without cause or prior notice. In the event of termination not the fault of the Consultant, the Consultant shall be compensated for all services performed to termination date, together with reimbursable expenses (if applicable) then due.

Consultant agrees to waive any and all claims for lost profits or anticipated future profits in the event of a termination with or without the cause under this Contract.

8. If not previously provided or for a new project, the Consultant shall provide County with an executed Conflict of Interest Disclosure Form, attached hereto and incorporated herein.
9. **EXCEPT AS HEREBY AMENDED, CHANGED OR MODIFIED**, all other terms and conditions of the original Contract remain in full force and effect.

IN WITNESS WHEREOF, this Authorization is accepted, subject to the terms and conditions of the aforementioned Contract.

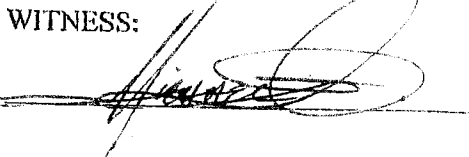
COUNTY

ATTEST:
Sharon R. Bock, Clerk & Comptroller

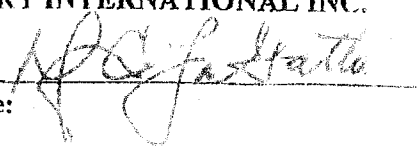
PALM BEACH COUNTY
BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Burt Aaronson, Chair

WITNESS:


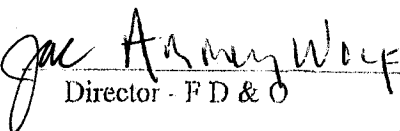
Michael Gill - Heery International, Inc.
Name (type or print)

HEERY INTERNATIONAL INC.
By: 
Name: _____
Title: Vice President
Date: July 14, 2010

Approved as to Form and Legal Sufficiency

Approved as to terms and conditions

Assistant County Attorney



Director - F D & O

Exhibit A

**Palm Beach County Jail
PM Fee Summary to Complete
3/1/2010-3/31/2011**

7/14/2010

PM Labor (including Consultant)	\$	1,358,073
Expenses	\$	115,830
	\$	(381,758) SBE Adjustment
Total Fee	\$	1,092,145

Palm Beach County Jail

July 14, 2010

Cost of labor services covered by Heery from previous CSA's at no additional cost to PBC

Program Management Services

			46	47	48	49	50	51	52	53	54	55	56	57	58	2010			2011							
PROGRAM MANAGEMENT SERVICES			2010												2011			Hours	Rate	Cost	Hours	Rate	Cost	Total Hours	Total Cost	w/Multiplier
Work Days in Month			23	20	22	22	20	23	20	22	20	21	21	20	23											1.1
Work Hours in Month			184	160	176	176	160	184	160	176	160	168	168	160	184											2.76
Core Team																										
Project Executive (NTE)	LaGatta					15	15	15	15	15	15	15	15	15	15	105		\$ 10,518	45		\$ 4,508	150	\$ 15,026	\$ 41,470		
Sr. Program Manager	Milliken				176	160	184	160	176	160	168	168	160	184	1,184		\$ 85,497	512		\$ 36,972	1,696	\$ 122,468	\$ 338,012			
Project Manager	Iccabucci				176	160	184	160	176	160	168	168	160	184	1,184		\$ 142,080	512		\$ 61,440	1,696	\$ 203,520	\$ 203,520			
Asst. Project Manager	McKenzie				176	160	184	160	176	160	168	168	160	184	1,184		\$ 56,595	512		\$ 24,474	1,696	\$ 81,069	\$ 223,750			
Document Control / Proj. Engr.	Wood				176	160	184	160	176	160	168	168	160	184	1,184		\$ 76,960	512		\$ 33,280	1,696	\$ 110,240	\$ 110,240			
Construction Inspector 1 (Arch)	Quinn															0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Construction Inspector 1 (Arch)	By Owner															0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Construction Inspector 2 (MEP)	Barton				176	160	184	160	176	160	168	168	160	184	1,184		\$ 72,188	512		\$ 31,217	1,696	\$ 103,405	\$ 285,398			
Consultant	Bird			88	176	160	184	160	176	160	168	168	160	184	1,272		\$ 53,424	512		\$ 21,504	1,784	\$ 74,928	\$ 82,421			
Core Team Cost																7,297	\$ 497,262	3,117	\$ 213,393	10414	\$ 710,656	\$ 1,284,811				
Support Services																										
Estimating																										
West County																										
Conceptual Cost Verification																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Schematic Design Validation																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Design Development Validation																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
GMP Price Validation																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Reconciliation																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Stockade (CDC Facility)																										
Conceptual Cost Verification																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Schematic Design Validation																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Design Development Validation																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
GMP Price Validation (50% & 100%)																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Reconciliation																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Main Detention																										
Conceptual Cost Verification																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Schematic Design Validation																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Design Development Validation																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
GMP Price Validation																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Reconciliation																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Peer Review																										
West County																										
Schematic Review																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Design Development Review																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
50% CD Review																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
95% CD Review																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Stockade																										
Schematic Review																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Design Development Review																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
50% CD Review								240								240	\$ 13,272	0	\$ -	240	\$ 13,272	\$ 36,631				
95% CD Review										240						240	\$ 13,272	0	\$ -	240	\$ 13,272	\$ 36,631				
Main Detention																										
Schematic Review																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Design Development Review																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
50% CD Review																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
95% CD Review																0	\$ -	0	\$ -	0	\$ -	\$ -	\$ -			
Support Services Cost																480	\$ 26,544	0	\$ 0	0	\$ 0	\$ 26,544	\$ 73,261			
TOTAL ESTIMATED LABOR																7,777	\$ 523,806	3,117	\$ 213,393	10414	\$ 737,200	\$ 1,358,073				

Expenses

March 1, 2010 thru March 31, 2011 (13 Months)		Per Month	
	Cell Phone Monthly Service	\$ 18,850.00	\$ 1,450.00
	Ink Printer Cartridges	\$ 3,705.00	\$ 285.00
	Lazer Printer Cartridges	\$ 4,550.00	\$ 350.00
	Copier Agreement	\$ 7,800.00	\$ 600.00
	Copier Paper / Excess Usage	\$ 15,600.00	\$ 1,200.00
	Proj. Mgr. Local Travel	\$ 19,760.00	\$ 1,520.00
	IT Support	\$ 1,300.00	\$ 100.00
	Prog. Mgr. Team Travel	\$ 13,000.00	\$ 1,000.00
	Project Supplies	\$ 3,900.00	\$ 300.00
	Postage	\$ 3,900.00	\$ 300.00
	Drawing Reproduction	\$ 5,005.00	\$ 385.00
	Software Licenses	\$ 7,800.00	\$ 600.00
	P3 Annual Maintenance	\$ 1,560.00	\$ 120.00
	Site Vehicle / Water / Cleaning	\$ 9,100.00	\$ 700.00
	Expense Total	\$ 115,830.00	\$ 8,910.00

SCHEDULE 1

LIST OF PROPOSED SBE-M/WBE SUBCONSULTANTS

PROJECT NAME: PBC Jail Expansion Project - II PROJECT NO. 04202

NAME OF PRIME CONSULTANT: Heery International, Inc.

DESCRIPTION OF WORK: Program Management Services

PLEASE IDENTIFY ALL APPLICABLE CATEGORIES OF SUBCONSULTANTS

(Check one or both Categories Subcontract Amount)

Name, Address and Phone Number	Minority Business	Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)
1 Gaudet Associates, Inc. 3021 Jupiter Park Cir. #101 Jupiter, Florida 33458	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$	\$	\$	\$313,760.00	\$
2	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$	\$	\$
3	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$	\$	\$
4	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$	\$	\$
5	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$	\$	\$
(Please use additional sheets if necessary)			TOTAL \$	\$	\$		\$

Total Price \$1,092,145.00 Participation \$313,760.00 Total SBE-M/WBE% 28.70%

Note:

- 1 The amounts listed on this form must be supported by the Subconsultant prices included on Schedule 2 in order to be counted toward goal attainment.
- 2 Firms may be certified by Palm Beach Count as an SBE and/or M/WBE. If firms are certified as both an SBE and M/WBE, please indicate the dollar amount under the appropriate category.
- 3 M/WBE information is being collected for tracking purposes only.

SCHEDULE #2

LETTER OF INTENT TO PERFORM AS AN SBE OR MIWBE SUBCONSULTANT

PROJECT NO. 04202 PROJECT NAME: PBC Jail Expansion Project-II

TO: Heery International, Inc.
(Name of Prima)

The undersigned is certified by Palm Beach County as a (check one):

Small Business Enterprise Black Business Enterprise Hispanic Business Enterprise

Women Business Enterprise Other (Please Specify) _____

Date of Palm Beach County Certification: _____

The undersigned is prepared to perform the following described work in connection with the above project (Specify in detail particular work items or parts (hereof to be performed):

Project Manager & Project Engineer \$313,760 Program Management Services

at the following price \$ _____

and will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If undersigned intends to sub-subcontract any portion of this subcontract to a non-certified SBE subcontractant, the amount of any such subcontract must be stated: \$ 0.0

The undersigned subcontractant understands that the provision of this form to prime consultant does not prevent subcontractant from providing services to other consultants.

Gaudet Associates, Inc.

(Print name of SBE-M/WBE Subconsultant)

By: 
(Signature)

Joseph Gaudet, President
(Print name/title of person executing on behalf of SBE-MIWBE Subconsultant)

Date: _____