

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

Meeting Date: July 10, 2012

Consent

Regular

Workshop

Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Continuing services contracts for Construction Management Services for various capital improvement projects with the following firms:

- A) Hedrick Brothers Construction Co., Inc.
- B) The Weitz Company, LLC
- C) Trillium Construction, Inc.

Summary: This contract provides for Construction Management Services associated with the design and construction of various capital projects, to be determined later, which may include new construction, additions, or renovations from \$100,000 to \$10,000,000. Once a project is assigned, a task authorization for preconstruction services will be authorized. Once the project completes the design phase, a Guaranteed Maximum Price (GMP) will be prepared for the construction phase. The GMP will include the cost of work required by the construction documents and the construction manager's fee associated with project construction. Individual GMP's will be implemented as amendments or work orders to this annual contract and will be presented to the appropriate approval authority. The Contract is for a period of 2 years, with one (1), two year renewal option. All of the firms are local businesses (non-SBE). SBE goals for the projects will be 15%. (Capital Improvements Division) Countywide (JM).

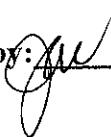
Background and Justification: Construction Manager at Risk is a project delivery method where the construction manager serves as the County's General Contractor, subcontracting the work, and provides design phase assistance in evaluating costs, schedule and implications of alternate designs, systems, and materials during design. These contracts will replace three (3) similar construction manager contracts which the Board approved in 2007. In the first two years of those contracts, \$43.5M of work was awarded. In the third and fourth years, \$26.4M and \$11.9M of work was awarded. Selection of the construction manager is based on criteria that combines qualifications and experience. Proposals for construction manager services were received on March 29, 2012, and on May 16, 2012, the Final Selection Committee reviewed and evaluated the firms based on predetermined selection criteria. Three firms were selected to receive continuing services contracts. The contract calls for preconstruction services which include active participation in the design process, value engineering and the development of a guaranteed maximum price for construction. If an acceptable guaranteed maximum price cannot be developed, an alternate construction method or another Construction Manager may be used.

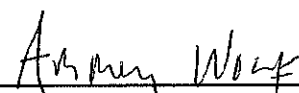
Attachments:

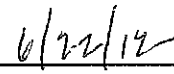
- 1) Hedrick Brothers Construction Co., Inc. Contract
- 2) The Weitz Company, LLC Contract
- 3) Trillium Construction, Inc. Contract
- 4) Disclosure of Ownership Interests (3)

Contracts may be viewed in Minutes

Recommended by:

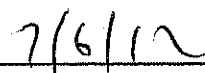



Department Director


Date

Approved by:


County Administrator


Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
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
NET FISCAL IMPACT	\$ 0 <i># See below</i>				
# ADDITIONAL FTE POSITIONS (Cumulative)					

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

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

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

C. Departmental Fiscal Review: *[Signature]* 6-19-12

III. REVIEW COMMENTS:

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

[Signature] 6/25/12 OFMB *6/25/12*
 [Signature] 7/5/12 Contract Administrator *7/5/12 B.W. Keeler*
6/23/12

B. Legal Sufficiency:

[Signature] 7/6/12
 Assistant County Attorney

C. Other Department Review:

 Department Director

DISCLOSURE OF OWNERSHIP INTERESTS

TO: PALM BEACH COUNTY CHIEF OFFICER,
OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared DALE HEDRICK, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant appears herein as:

an individual or

the PRESIDENT of KERRICK BROTHERS CONSTRUCTION Co. Inc.
[position—e.g., sole proprietor, president, partner, etc.] [name & type of entity—e.g., ABC Corp., XYZ Ltd. Partnership, etc.]

The Affiant or the entity the Affiant represents herein seeks to do business with Palm Beach County through its Board of County Commissioners.

2. Affiant's address is: 1100 LANTANA WEST DRIVE
WEST PALM BEACH, FL 33409

3. Attached hereto as Exhibit "A" is a complete listing of the names and addresses of every person or entity having a five percent (5%) or greater interest in the Affiant's corporation, partnership, or other principal. Disclosure does not apply to nonprofit corporations, government agencies, or to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County and the Board of County Commissioners. Affiant further acknowledges that he or she is authorized to execute this document on behalf of the entity identified in paragraph one, if any.

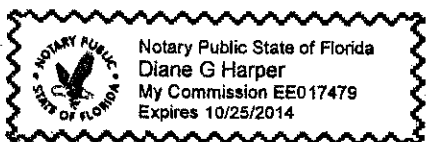
5. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

6. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct and complete.

FURTHER AFFIANT SAYETH NAUGHT.

[Signature]
DALE HEDRICK - PRESIDENT, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 23 day of May, 2012, by Dale Hedrick, who is personally known to me or who has produced _____ as identification and who did take an oath.



Diane G. Harper
Notary Public
Diane G. Harper
(Print Notary Name)
State of Florida at Large
My Commission Expires: 10/25/2014

DISCLOSURE OF OWNERSHIP INTERESTS

TO: PALM BEACH COUNTY CHIEF OFFICER,
OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Edward E. Meinzinger, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant appears herein as:

[] an individual or
[X] the President of Trillium Construction, Inc.

[position—e.g., sole proprietor, president, partner, etc.] [name & type of entity—e.g., ABC Corp., XYZ Ltd. Partnership, etc].

The Affiant or the entity the Affiant represents herein seeks to do business with Palm Beach County through its Board of County Commissioners.

2. Affiant's address is: 1450 Kinetic Road, Suite B
Lake Park, FL 33403

3. Attached hereto as Exhibit "A" is a complete listing of the names and addresses of every person or entity having a five percent (5%) or greater interest in the Affiant's corporation, partnership, or other principal. Disclosure does not apply to nonprofit corporations, government agencies, or to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County and the Board of County Commissioners. Affiant further acknowledges that he or she is authorized to execute this document on behalf of the entity identified in paragraph one, if any.

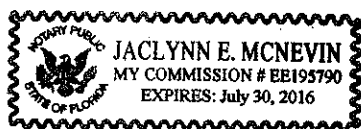
5. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

6. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Edward E. Meinzinger
Edward E. Meinzinger, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 5th day of June, 2012, by Edward E. Meinzinger, [x] who is personally known to me or [] who has produced _____ as identification and who did take an oath.



Jaclynn E. McNevin
Notary Public
Jaclynn E. McNevin
(Print Notary Name)
State of Florida at Large
My Commission Expires: _____

EXHIBIT "A"

DISCLOSURE OF OWNERSHIP INTERESTS IN AFFIANT

Affiant must identify all entities and individuals owning five percent (5%) or more ownership interest in Affiant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant's principal is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to any nonprofit corporation, government agency, or to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name

Address

Thomas J. Carrick

4601 SW Thistle Terrace

Palm City, FL 34990

Van C. Williams

19242 Pinetree Drive

Jupiter, FL 33469

Edward Meinzinger

4428 SE Coventry Lane

Stuart, FL 34997

A handwritten signature in dark ink, appearing to read "EJW", is located in the bottom right corner of the page.

DISCLOSURE OF OWNERSHIP INTERESTS

TO: PALM BEACH COUNTY CHIEF OFFICER,
OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared JON E. TORI, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant appears herein as: [] an individual or [X] Senior Vice President of The Weitz Company, LLC. The entity the Affiant represents, i.e., The Weitz Company, LLC, herein seeks to do business with Palm Beach County through its Board of County Commissioners.

2. Affiant's address is: 1720 Centrepark Drive East, West Palm Beach, FL 33401.

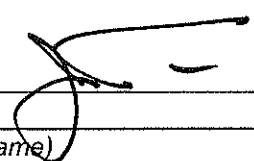
3. Attached hereto as Exhibit "A" is a complete listing of the names and addresses of every person or entity having a five percent (5%) or greater interest in the Affiant's corporation, partnership, or other principal. Disclosure does not apply to nonprofit corporations, government agencies, or to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County and the Board of County Commissioners. Affiant further acknowledges that he or she is authorized to execute this document on behalf of the entity identified in paragraph one, if any.

5. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.


6. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct and complete.

FURTHER AFFIANT SAYETH NAUGHT.



Jon E. Tori, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 7th day of June, 2012, by JON E. TORI, [X] who is personally known to me or [] who has produced _____ as identification and who did take an oath.



Notary Public



Marie L. Salt

(Print Notary Name)
State of Florida at Large
My Commission Expires: 11/4/2014

EXHIBIT "A"

DISCLOSURE OF OWNERSHIP INTERESTS IN AFFIANT'S ENTITY

Affiant must identify all entities and individuals owning five percent (5%) or more ownership interest in Affiant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant's principal is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to any nonprofit corporation, government agency, or to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

1. The Weitz Company, LLC is owned 5% or more by:

The Weitz Group, LLC 5901 Thornton Avenue, Des Moines, Iowa 50321

2. The Weitz Group, LLC is owned 5% or more by:

The Weitz Company I, Inc. 5901 Thornton Avenue, Des Moines, Iowa 50321

The Weitz Company II, Inc. 5901 Thornton Avenue, Des Moines, Iowa 50321

The Weitz Company III, Inc. 5901 Thornton Avenue, Des Moines, Iowa 50321

3. The Weitz Company I, Inc. is owned 5% or more by:

Leonard W. Martling, Jr. 13297 Doubletree Circle, Wellington, Florida 33414

David S. Strutt 301 41st Street, West Des Moines, Iowa 50321

Michael A. Tousley 421 South 49th Street, West Des Moines, Iowa 50265

Radd C. Way 15605 Kessler, Overland Park, Kansas 66221

4. The Weitz Company II, Inc. is owned 5% or more by:

Michael D. Bontrager 6401 South 37th Street, Phoenix, Arizona 85042

Craig P. Damos 1623 Plum Thicket Lane, West Des Moines, IA 50266

Gary D. Meggison 11284 West Asbury Avenue, Lakewood, CO 80227

Roy H. Patten 255 Rockrose Lane, Sanoma, California 95476

5. The Weitz Company III, Inc. is owned 5% or more by:

William R. Hornaday III 1998 Oak Creek Drive, Greenwood Village, CO
80121

Gary D. Meggison 11284 West Asbury Avenue, Lakewood, CO 80227

Jeffrey Pruet 450 Sunnyslope road, Petaluma, California 94952

Walter Schwartz 1417 11th Lane, Fox Island, Washington 98333

Dennis N. Watts 27 Makaweli Street, Honolulu, Hawaii 96825