

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

Meeting Date: July 1, 2014 Consent Regular
 Ordinance Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 4 to the contract with The Weitz Company, LLC (R2012-1001) for construction management services for various capital projects.

Summary: The Weitz Company, LLC was selected to provide construction management services associated with various capital projects which may include new construction, additions, or renovations up to \$10,000,000. Work is authorized through individual work orders when required during the term of this contract. The Board approved a continuing contract on July 10, 2012, and the original contract provided for an initial two (2) year term with one (1) – two (2) year renewal option. This Amendment would provide for services during the first and only renewal period. The Weitz Company, LLC has a Small Business Enterprise (SBE) participation goal of 15%. During the first two years of the contract, The Weitz Company, LLC has achieved 21% participation. The Weitz Company, LLC is a Palm Beach County company and are using local subcontractors for the work. **(Capital Improvements Division)**
Countywide (JM)

Background and Justification: The Weitz Company, LLC was one of three firms selected to perform professional construction management services on a continuing contract basis. Work is authorized through individual work orders when required during the term of this contract. The contract term is for two years and the original Board action allowed for one additional two year renewal. This Amendment would provide services during the first and only renewal period. It is the consensus of Facilities Development and Operations that The Weitz Company, LLC 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 two years of the contract, The Weitz Company, LLC was awarded \$5,311,396 in work orders.

Attachments:
Amendment No. 4

Recommended by: *[Signature]* Department Director 5/24/14 Date

Approved by: *[Signature]* County Administrator 6/16/14 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Year	2014	2015	2016	2017	2018
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	<input checked="" type="checkbox"/> 0	0	0	0	0
# Additional FTE Positions (Cumulative)	0	0	0	0	0

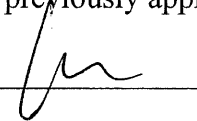
Is Item Included in Current Budget? Yes No

Budget Account No: _____

Reporting Category _____

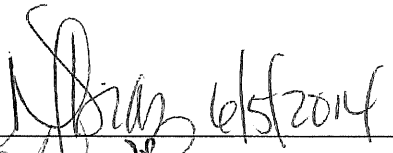
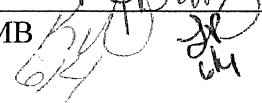
B. Recommended Sources of Funds/Summary of Fiscal Impact:

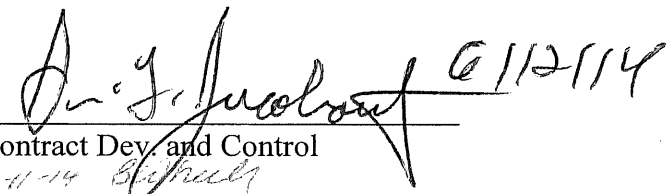
Fiscal impact cannot be determined at this time. Individual Work Orders requiring BCC approval will be brought to the Board and fiscal impact will be addressed at that time; otherwise, funding will come from previously approved BCC projects.

C. Departmental Fiscal Review:  52714

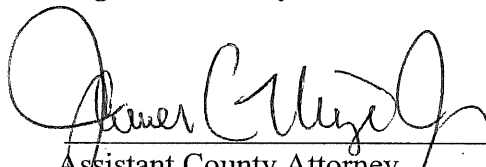
III. REVIEW COMMENTS

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


 OFMB 
 6/4

 6/12/14
 Contract Dev. and Control
 6-11-14 B. S. S.

B. Legal Sufficiency:


 Assistant County Attorney

C. Other Department Review:

 Department Director

**AMENDMENT TO CONTRACT FOR
ANNUAL CONSTRUCTION MANAGEMENT SERVICES
CONTINUING CONTRACT BASIS**

This Amendment No. 4 dated _____, to the Contract (R-2012-1001) dated July 10, 2012, 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 **The Weitz Company, LLC**, a limited liability company authorized to do business in the State of Florida, hereinafter referred to as the CONSTRUCTION MANAGER.

W I T N E S S E T H

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 two (2) 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 two (2) additional years to July 9, 2016.
2. Add the following as new paragraph at the end of GC 9:

“Except as specifically and expressly provided for herein, no provision of this Contract is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Contract.”
3. 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 CONSTRUCTION MANAGER has hereunto set its hand the day and year above written.

ATTEST:
SHARON R. BOCK, CLERK & COMPTROLLER

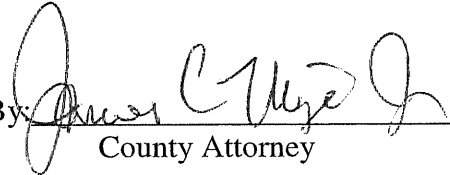
PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

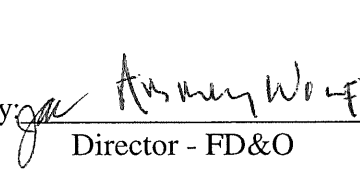
By: _____
Deputy Clerk

By: _____
Priscilla A. Taylor, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

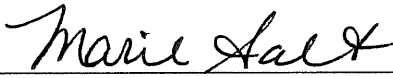
APPROVED AS TO TERMS AND CONDITIONS

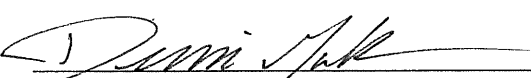
By:  _____
County Attorney

By:  _____
Director - FD&O

WITNESS: FOR CONSTRUCTION MANAGER SIGNATURE

CONSTRUCTION MANAGER: THE WEITZ COMPANY, LLC

 _____
Signature

 _____
Signature

MARIE SALT _____
Name (type or print)

Dennis Gallagher _____
Name (type or print)

Exec. Vice President _____
Title

(Corporate Seal)