

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

Meeting Date: July 1, 2014

Consent
 Workshop

Regular
 Public Hearing

Department: Facilities Development and Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Contract with The Weitz Company, LLC in the amount of \$120,000 for pre-construction services for the Convention Center Parking Garage project.

Summary: This project consists of the construction of a new Convention Center Parking Garage with approximately 2,740 spaces. This contract only authorizes pre-construction services. Once the construction documents are completed, the construction manager will bid the work and provide a guaranteed maximum price (GMP) to the County. The garage project is proceeding at this time in order to coordinate with adjacent hotel construction and the loss of surface parking where the hotel will be constructed. Approval to proceed with the project as well as establishment of the design services budget (\$2,000,000) was approved by the Board at the November 19, 2013, meeting. The remainder of the project is estimated at \$58,400,000 and will be financed through a bond to be issued in early 2015 using bed taxes to pay the future debt service. The Small Business Enterprise (SBE) participation for this contract is 15%. The Weitz Company, LLC will provide 34.7% in this pre-construction phase. The Weitz Company, LLC is a Palm Beach County firm and is using Palm Beach County firms as subconsultants. **(Capital Improvements Division) District 7 (JM)**

Background and Justification: Construction Manager (CM) at Risk is a project delivery method in which the CM provides design phase assistance, evaluation of cost, schedule and implications of alternate designs, systems and materials, and serves as General Contractor issuing the subcontracts for construction. Final Selection for construction manager at risk services for the Convention Center Parking Garage project was completed on May 8, 2014.

Attachments:

1. Budget Availability Statement
2. Contract
3. Disclosure of Ownership Interests

Contract is more than 100 pages and may be viewed in minutes.

Recommended by: *Jan* *Annex Wolf* *6/2/14*
 Department Director Date

Approved by: *JC Baker* *6/11/14*
 County Administrator Date

**FACILITIES DEVELOPMENT & OPERATIONS
BUDGET AVAILABILITY STATEMENT**

REQUEST DATE: 05/30/14 REQUESTED BY: Mike McPherson PHONE: 233-0278
FAX: 233-0270

PROJECT TITLE: Convention Center Parking Garage

PROJECT NO.: 13217

ORIGINAL CONTRACT AMOUNT:

BCC RESOLUTION#:
DATE

REQUESTED AMOUNT: \$120,000

CSA or CHANGE ORDER NUMBER:

CONSULTANT/CONTRACTOR: The Weitz Company – CM@Risk Services

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

Pre-construction Services.

CONSTRUCTION	\$120,000
PROFESSIONAL SERVICES	_____
STAFF COSTS** (Design/Construction Phase)	_____
MISC. (permits, prints, advertising)	_____
TOTAL	\$120,000

** This is an estimate of staff charges. Actual(s) will be billed at the end of each fiscal year. If this BAS is for construction costs of \$250,000 or greater, staff charges will be billed as actual and reconciled at the end of the project.

BUDGET ACCOUNT NUMBER (IF KNOWN)

FUND: 3804 DEPT: 901 UNIT: B572 OBJ: 6502

FUNDING SOURCE (CHECK ALL THAT APPLY):

AD VALOREM OTHER

FEDERAL/DAVIS BACON

SUBJECT TO IG FEE? YES NO

BAS APPROVED BY: _____

DATE: 5-30-14

ENCUMBRANCE NUMBER: 053014-417

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 David S. Strutt, 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 Senior Vice President of The Weitz Company, LLC.

[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: 5901 Thornton Ave., Des Moines, Iowa 50321

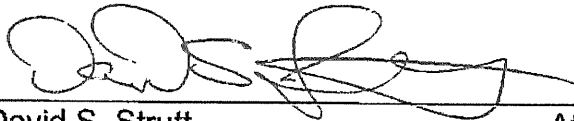
3. Attached hereto as Exhibit "A" is a complete listing of the names and addresses of every person or entity having a five percent (5%) or greater interest in the Affiant's corporation, partnership, or other principal. Disclosure does not apply to nonprofit corporations, government agencies, or to an 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.

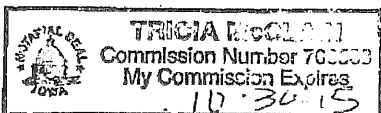
6. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct and complete.

FURTHER AFFIANT SAYETH NAUGHT.



David S. Strutt, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 22nd day of May, 2014, by David S. Strutt, who is personally known to me or who has produced _____ as identification and who did take an oath.



Tricia McClain
Notary Public
Tricia McClain
(Print Notary Name)
State of Florida Iowa at Large
My Commission Expires: 10-30-15

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
The Weitz Group, LLC (100%)	5901 Thornton Ave., Des Moines, IA 50321
(with a FL office at 1720 Centrepark Drive East, West Palm Beach, FL 33401)	
OCI Construction Holding Limited (100%)	Cyprus
OCI N.V. (100%)	Netherlands
OCI N.V. is publicly traded.	

In summary, The Weitz Company, LLC ("Weitz") will be entering into a contract to provide specified construction management services for Palm Beach County on the Convention Center Parking Garage (Project No. 13217). Weitz is registered with the Florida Secretary of State to conduct business in Florida. Weitz's business address for this project is 1720 Centrepark Drive East, West Palm Beach, FL 33401. Weitz's corporate office is located at 5901 Thornton Ave., Des Moines Iowa 50321. The sole corporate member of Weitz is The Weitz Group, LLC. The principal address of The Weitz Group, LLC, is 5901 Thornton Ave., Des Moines, Iowa 50321. The sole corporate member of The Weitz Group, LLC, is OCI Construction Holding Limited, a Cyprus entity. The sole corporate member of OCI Construction Holding Limited is OCI N.V., a Netherlands entity. OCI N.V. is a publicly traded entity.