

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 5, 2015

☒ Consent    ☐ Regular  
☐ Workshop    ☐ Public Hearing

Department:

Submitted By: Department of Airports

Submitted For:

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: Amendment No. 7 to the Construction Manager at Risk (CMAR) Contract with The Morganti Group, Inc. for Terminal Improvements at Palm Beach International Airport (PBIA), exercising the first one (1) year renewal option for the continuation of services.

**Summary:** The Contract with The Morganti Group, Inc. for CMAR services for Terminal Improvements at PBIA was approved by the Board on June 4, 2013 (R-2013-0663). The Contract is for 2 years with 3 one (1) year renewal options and is a task order based contract for CMAR services at PBIA. The Morganti Group, Inc. is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. The contract value to date is \$7,521,608. Approval of Amendment No. 7 will allow the County, at its sole discretion, to exercise the first one (1) year renewal option for the continuation of services provided under the CMAR Contract. The Morganti Group, Inc. has committed to 13% Disadvantaged Business Enterprise (DBE) participation for this contract.  
**Countywide (JCM)**

**Background and Justification:** In order to carry out the approved Capital Improvement Program for the County, the Department of Airports uses several methods of procurement including the CMAR Contract. By exercising the first one (1) year renewal option, this amendment allows for the continuation of CMAR services necessary to continue the Terminal Improvements at PBIA.

**Attachments:**

1. Amendment No. 7 to the Contract with The Morganti Group, Inc. – (3 originals)

Recommended By: JA [Signature]    4/23/15  
Department Director    Date

Approved By: [Signature]    4/24/15  
County Administrator    Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures					
Operating Costs					
External Revenues (Grants)					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	* see below				
# ADDITIONAL FTE POSITIONS (Cumulative)					

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

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

\*There is no Fiscal Impact for this item.

C. Departmental Fiscal Review: CM Simon

III. REVIEW COMMENTS

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

OFMB AM 4/8 4/9

Contract Dev. and Control 4-15-15 4/15/15

B. Legal Sufficiency:

Assistant County Attorney 4/16/15

C. Other Department Review:

Department Director

**AMENDMENT NO. 7 TO CONTRACT  
BETWEEN  
PALM BEACH COUNTY DEPARTMENT OF AIRPORTS AND  
THE MORGANTI GROUP, INC.  
FOR  
CONSTRUCTION MANAGEMENT SERVICES  
TERMINAL IMPROVEMENTS  
PROJECT NO. PB 12-14**

This Amendment No. 7 to the Contract is made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between Palm Beach County, Florida (COUNTY) and The Morganti Group, Inc, a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONSTRUCTION MANAGER, having its office and principal place of business at 1450 Centerpark Blvd, Suite 260, West Palm Beach, Florida 33401.

WITNESSETH

WHEREAS, on June 4, 2013, the County entered into a Contract (R-2013-0663) with the CONSTRUCTION MANAGER to provide CONSTRUCTION MANAGER at Risk Services for a period of two (2) years with up to three (3) one (1) year renewals at the County's Option and that this merely supplements said Contract; and

WHEREAS, on July 2, 2013, the County entered into Amendment #1 (R-2013-0829) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on July 16, 2013, the County entered into Amendment #2 (R-2013-0866) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on September 10, 2013, the County entered into Amendment #3 (R-2013-1150) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on November 19, 2013, the County entered into Amendment #4 (R-2013-1630) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on June 3, 2014, the County entered into Amendment #5 (R-2014-0768) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on September 9, 2014, the County entered into Amendment #6 (R-2014-1285) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, Article 1 defines the Terms of the Contract period of two (2) years, with three (3) one (1) year renewal options, the exercise of which are within the COUNTY'S sole control and discretion; and

WHEREAS it is the County's desire to exercise the first one (1) year renewal option for the continuation of services provided by the CONSTRUCTION MANAGER under this contract.

NOW THEREFORE, in consideration of the mutual covenants herein contained, and such other good and valuable consideration, the receipt of which the parties hereby acknowledge, the parties agree to the following terms and conditions:

1. The parties hereby agree to amend the Contract to include the first one (1) year renewal option for the continuation of services provided by the CONTRACTOR under this Contract.

2. Amend the Contract to include the following language:

**ARTICLE 13 - NONDISCRIMINATION:**

The CONTRACT MANAGER warrants and represents that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, gender identity and expression, or genetic information.

CONTRACT MANAGER has submitted to COUNTY a copy of its non-discrimination policy which is consistent with the above paragraph, as contained in Resolution R-2014-1421, as amended, or in the alternative, if the CONTRACT MANAGER does not have a written non-discrimination policy or one that conforms to the COUNTY's policy, it has acknowledged through a signed statement provided to COUNTY that CONTRACT MANAGER will conform to the COUNTY's non- discrimination policy as provided in R-2014-1421, as amended.

3. Except as specifically amended herein, all other terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida  
has made and executed this Amendment 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, FLORIDA  
Political Subdivision of the State of Florida  
BOARD OF COUNTY COMMISSIONERS

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

By: \_\_\_\_\_  
Shelley Vana, Mayor

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

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

By: \_\_\_\_\_  
Director, Department of Airports

WITNESS:  
FOR CONSTRUCTION MANAGER

CONSTRUCTION MANAGER:  
The Morganti Group, Inc.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (type or print)

\_\_\_\_\_  
Name (type or print)

\_\_\_\_\_  
Title

(Corporate Seal)