

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

**Meeting Date:** September 12, 2017

☒ **Consent**  
☐ **Workshop**

☐ **Regular**  
☐ **Public Hearing**

**Department:** Facilities Development & Operations

**I. EXECUTIVE BRIEF**

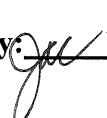
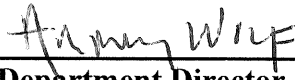
**Motion and Title:** Staff recommends motion to approve Change Order No. 6 to contract with Motorola Solutions Inc. (R2015-1673) for a 366-day time extension for the P25 Trunked Simulcast County wide Public Radio System Project.

**Summary:** Change Order No. 6 provides for modifications to the contract requirements for granting final system acceptance. This change is necessary, due to that certain extenuating circumstances beyond the control of the contractor prevented completion of all tasks for “Substantial Completion #3” as required by the contract. The incomplete tasks are that all system users are cutover from the existing system to the new and that all interoperability connections are established, tested, and demonstrated. These requirements were unachievable due to County not having its radio subscriber units purchased, installed and/or reprogrammed. The incomplete tasks as well as all remaining completion requirement tasks will be incorporated within a newly created contract requirement which included “Substantial Completion #4”, “conditional system acceptance”, a revised “final system acceptance” requirement, and a revised payment schedule. This change order extends the completion date to June 30, 2018 due to additional time being necessary, primarily for County user agency’s to prepare and cutover all remaining users, as well as time needed for the systematic shutdown and removal of the existing system equipment. There is no SBE participation requirements for this Contract and participation was not a requirement of the request for proposal due to a lack of available vendors which can perform this specialty work. **(Capital Improvements) CountyWide (LDC)**

**Background and Justification:** On November 3, 2015, the BCC approved a contract with Motorola Solution Inc. for the P25 Trunked Simulcast Countywide Public radio System at a contract price of \$20,173,096. Previous Change Orders 1 thru 5 provide for the P25 Radio System for the City of Delray Beach; Government Center radio room and tower upgrades; five (5) variant Licenses; a 21 day time extension; and miscellaneous scope. The project is funded from the 800MHz System Renewal/Replacement Fund, Palm Beach County Fire Rescue (PBCFR), and the City of Delray Beach. This change is necessary, due to County user agencies PBSO, PBCFR, and General Government radio system subscriber equipment had either not been purchased or not programed for cut-over. These two items prevented the contractor from completing substantial completion requirements. The incomplete tasks are that all system users are cutover from the existing system to the new and that all interoperability connections are established, tested, and demonstrated. This change order is at no additional cost.

**Attachments:**

Change Order No. 6

**Recommended by:**   8/15/17  
**Department Director** **Date**

**Approved by:**  8/31/17  
**County Administrator** **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
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				
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes No

Budget Account No: Fund 3801 Dept. 411 Unit B595 Object 4907  
Fund 1300 Dept. 440 Unit 4219 Object 6411

Reporting Category

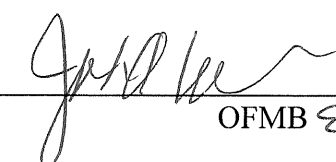
B. Recommended Sources of Funds/Summary of Fiscal Impact:

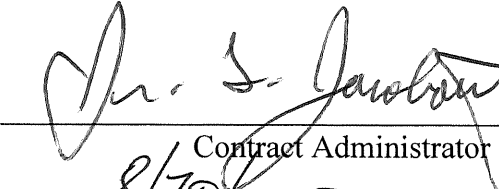
C. Departmental Fiscal Review:

III. REVIEW COMMENTS:


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

\* No fiscal impact.

 8/23/17  
OFMB ET 8/21 A 8/22

 8/30/17  
Contract Administrator 8/30/17

B. Legal Sufficiency:

 8/31/17  
Assistant County Attorney

C. Other Department Review:

Department Director

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

**CHANGE ORDER BRIEF**  
**APCO P25 TRUNKED SIMULCAST COUNTYWIDE PUBLIC SAFETY RADIO**  
**SYSTEM**  
**PROJECT NO. 14212**  
**DATE: 08/15/17**

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Prime Contractor ..... Motorola Solutions Inc.

Change Order No. .... 006

Change Order Amount .....\$0.00

Changed Contract Time ..... 366 calendar days

Description of CCP's:

CCP #007:                      Per County Direction, Motorola Solutions agrees to modifications of the requirements for the granting of final system acceptance in order to create a new Substantial Completion #4, new conditional system acceptance requirements, revised final system acceptance requirements, and a revised payment schedule. The project completion due date is extended by 366 additional days from June 29, 2017 to June 30, 2018. This will result in a Zero Dollar Change.....\$0.00

Description and Reason-for-Change Code:

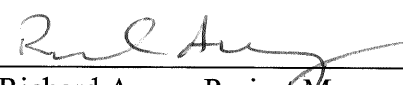
- 1.CCP#007: (O)              Due to conditions beyond the control of the contractor, specifically that County user agencies PBSO, PBCFR, and General Government radio system subscriber equipment had either not been purchased or not programed for cut-over. For these reasons, the requirements for granting substantial completion #3 were only partially completed. It is therefore necessary for the completion of the project to “punch list” the remaining un-completed items, and to create new project completion requirements as well as to extend the project duration.

Reason-for-change codes

D = Differing Site Conditions	R = Request by another Agency/Outside Party
E = Errors/Omissions in Design	X = Other (Specify:                      )
O = Owner-Initiated	Z = Zoning/Code/Ordinance Change
Q = Quantity Adjustments	

Estimated premium value of errors/omissions for this change order: \$0.00

SUBMITTED:

	<u>8/15/17</u>
Richard Avery, Project Manager	Date
Capital Improvements Division	



CHANGE ORDER HISTORY

APCO P25 TRUNKED SIMULCAST COUNTYWIDE PUBLIC SAFETY RADIO SYSTEM

PROJECT # 14212

CO #	Description	Date Approved	Amount Approved by Director	Amount Approved by CRC	Amount Approved by BCC	Days Approved by Director	Days Approved by CRC	Days Approved by BCC	\$ SBE
1	P25 Radio System for City of Delray Beach	12/18/2015	\$1,212,339.00						
2	CCP 003 - Govt. Center Radio Roo, & Tower upgrades	5/31/2016	\$24,077.00						
3	CCP 004 - Five (5) Varient QM Licenses	5/31/2016	\$0.00						
4	CCP 005 - Delay of 30 Day Burn-in by 21 days	4/20/2017	\$0.00			28			
5	CCP 006 - Misc. Scope	pending	\$0.00						
6	CCP 007 - Modification of project requirements	pending	\$0.00					366	
		Totals	\$1,236,416.00	\$0.00	\$0.00	28	0	366	\$0.00
			DIR + CRC DOLLARS TO DATE		DIR + CRC TOTAL DAYS TO DATE				
			\$1,236,416.00		28				

ORIGINAL CONTRACT PRICE

PREVIOUS CHANGE ORDERS ( 1 - 5 )

THIS CHANGE ORDER ( 006 )

ADJUSTED CONTRACT PRICE

\$16,897,869.00

\$1,236,416.00

\$0.00

\$18,134,285.00



August 2, 2017

Mr. Richard Avery  
Palm Beach County  
Facilities Development and Operations Department  
Capital Improvements Division  
2633 Vista Parkway  
West Palm Beach, Florida 33411

RE: 14212 – Public Safety Radio System - P25 Upgrade  
Motorola Solutions, Inc. Construction Change Proposal #007

Dear Mr. Avery:

Omnicom Consulting Group, Inc. (OCG) has reviewed the Construction Change Proposal (CCP) #007 dated June 20, 2017 submitted by Motorola Solutions, Inc. The referenced CCP meets the County's request to modify the requirements for the granting of final system acceptance, to revise the payment schedule and to extend the project substantial completion date to June 30, 2018. As indicated in CCP #007, the revision to the requirements for the granting of final system acceptance will create a new Substantial Completion #4, a Conditional System Acceptance Requirements, a new Final System Acceptance Requirements. OCG recommends the approval of the CCP and its execution.

If you have any questions, please feel free to call.

Respectfully,

A handwritten signature in black ink, appearing to read "Kenny Chen", with a stylized flourish at the end.

Kenny Chen  
Senior Consultant  
Omnicom Consulting Group, Inc.

## PALM BEACH COUNTY

## CHANGE ORDER

ISSUED TO: Motorola Solutions Inc.

CHANGE ORDER NO.: 006

PROJECT: APCO P25 TRUNKED SIMULCAST  
COUNTYWIDE PUBLIC SAFETY RADIO SYSTEM

REFERENCE CCP NO.: 007

RESOLUTION NO.: R2015-1673

PROJECT NO.14212

DISTRICT NO.: County Wide

The completion date, contract price, and all terms, covenants, and conditions of the above referenced contract, except as duly modified by this and previous Change Orders, if any, shall remain in full force and effect.

## DESCRIPTION OF CHANGE:

Modify contract requirements for the granting of final system acceptance in order to create a new Substantial Completion #4, conditional system acceptance requirements, a revised final system acceptance, and a revised payment schedule per below. The final completion date (final system acceptance) is extended by 366 additional days.

**Substantial Completion #4**

The County will grant Substantial Completion #4 after Substantial Completion #1, #2 and #3 are obtained and the radio communications system is fully tested and performance verified as listed below per the requirements of the Scope of Work, the results and related documentation have been provided by the County and accepted as complete and in compliance with the specifications.

(Continued on next sheet)

## CONTRACT PRICE

Original Contract Price:	\$16,897,869.00
Previous CO # 01 through 05 :	\$1,236,416.00
This Change Order No. 06 :	\$0.00
ADJUSTED Contract Price:	\$18,134,285.00

## COMPLETION DATE

Contract Completion Date will be increased by 366 calendar days.Contract Notice to Proceed Date: 11/18/2015Contract Substantial Completion Date: 6/29/2017ADJUSTED Substantial Completion Date: 6/30/2018

## CONTRACTOR

Execution of this change order acknowledges final settlement of, and releases, all claims for costs and time associated, directly or indirectly, with the above stated modification(s), including all claims for cumulative delays or disruptions resulting from, caused by, or incident to such modifications(s), and including any claim that the above stated modification(s) constitutes, in whole or part, a cardinal change to the contract. The above changes are accepted:

Contractor

By: Matt BrennemanTitle: Regional Svcs Mgr Date: 8/10/17

## DESIGN PROFESSIONAL

The above changes are recommended for approval by the Owner:

Design Professional

By: Renny ChenTitle: Sr. Consultant Date: 08/10/17

## PALM BEACH COUNTY

Recommended By:

By: Rich ArgyTitle: Project Manager Date: 8/15/17By: John CheskaTitle: Director - CID Date: 8/16/17By: Army WayTitle: Director, FD&O Date: 8/16/17By: Legal Sufficiency CAO Date: 8/31

Approved By:

By: Paulette BurdickTitle: Mayor, BCC Date:

1. All control station, test equipment, encryption encoders and related equipment to be provided in accordance with the Scope of Work have been received by the County.
2. All required training performed per the Scope of Work.
3. All functional and performance tests are complete and the results provided to the County and accepted as complete and in accordance with the Scope of Work.

**Conditional System Acceptance Requirements (All requirements must be completed by February 1, 2018)**

The County will grant Conditional System Acceptance when all Substantial Completions requirements are obtained and Motorola completes, provides or obtains the following:

1. Antenna replacements and the legacy microwave west spur realignment is completed;
2. Remaining County direct users are migrated to the P25 system;
3. ISSI demonstration has been completed;
4. All punch list items are corrected;
5. All as-built drawings, service manuals, operator manuals and related documentation required in the terms and conditions and the Scope of Work provided to the County and accepted as complete and in compliance with the requirements;
6. Certification of as-built (record) drawings from Engineer of Record;
7. Permits, certificates of inspection and other approvals and releases by governing authorities, required for the Owner's occupancy and use of the project;
8. Proof of payment on fees, taxes or similar obligations;
9. Settles liens and other claims;
10. Settles Liquidated Damages due to Owner, if any;
11. Transfers operational, access, security and similar provisions to Owner; removed temporary facilities, tools and similar items; and
12. Consent of Surety for final payment.

**Final System Acceptance Requirements**

The County will grant Final System Acceptance when all Substantial Completion and Conditional System Acceptance Requirements are obtained, all legacy equipment has been shut down and removed, and final cleaning of the Work is completed.

The Contractual payment schedule for remaining payments shall be modified as follows:

Substantial Completion #4 shall be payable in the amount of \$760,404.11

Conditional System Acceptance shall be payable in the amount of \$84,489.35

Final System acceptance has no dollar value associated with it.

Neither final acceptance of the Work, nor payment therefore, nor any provision of the Contract Documents shall relieve the Contractor of responsibility for defective or deficient materials or work.

PALM BEACH COUNTY	
CONSTRUCTION CHANGE PROPOSAL (CCP)	
TO: Palm Beach County Facilities Development and Operations 2633 Vista Parkway West palm beach, Fl. 33411	CCP NUMBER: <u>007</u>  DATE: <u>June 20, 2017</u> PROJECT NAME: <u>Palm Beach County P25 Radio System</u>
ATTENTION: Richard Avery, Project Manager	PROJECT NUMBER: <u>14212</u>
REFERENCE: County Direction per email June 20, 2017	CONTRACT NUMBER: <u>R2015-1673</u>
<p>The following MODIFICATIONS are per the County's email dated June 20, 2017 and as described herein.</p> <p>DESCRIPTION:</p> <p>The requirements for a new Substantial Completion #4, a new conditional system acceptance, a revised final system acceptance, and a revised payment schedule.</p> <p>Requirements for substantial completion #3 were unable to be fully completed due to County delays, uncompleted items are identified as "punch list" items, which were beyond the control of Motorola Solutions. The original requirements and conditions included that: 1. All system users would be cutover from the existing system to the new system, which can no longer be completed as scheduled due to County user resources not being available or ready for cutover; 2. All interoperability connections could not be established, tested and demonstrated as provided in the scope of work, and the County was not operationally ready for demonstration of the ISSI connection with the City of West Palm Beach. The project completion requirements shall be revised as follows:</p> <p><b>Substantial Completion #4</b> The County will grant Substantial Completion #4 after Substantial Completion #1, #2 and #3 are obtained and the radio communications system is fully tested and performance verified as listed below per the requirements of the Scope of Work, the results and related documentation have been provided by the County and accepted as complete and in compliance with the specifications.</p> <ol style="list-style-type: none"><li>1. All control station, test equipment, encryption encoders and related equipment to be provided in accordance with the Scope of Work have been received by the County.</li><li>2. All required training performed per the Scope of Work.</li><li>3. All functional and performance tests are complete and the results provided to the County and accepted as complete and in accordance with the Scope of Work.</li></ol> <p><b>Conditional System Acceptance Requirements</b> (All requirements must be completed by February 1, 2018) The County will grant Conditional System Acceptance when all Substantial Completions requirements are obtained and Motorola completes, provides or obtains the following:</p> <ol style="list-style-type: none"><li>1. Antenna replacements and the legacy microwave west spur realignment is completed;</li><li>2. Remaining County direct users are migrated to the P25 system;</li><li>3. ISSI demonstration has been completed;</li><li>4. All punch list items are corrected;</li><li>5. All as-built drawings, service manuals, operator manuals and related documentation required in the terms and conditions and the Scope of Work provided to the County and accepted as complete and in compliance with the requirements;</li><li>6. Certification of as-built (record) drawings from Engineer of Record;</li><li>7. Permits, certificates of inspection and other approvals and releases by governing authorities, required for the Owner's occupancy and use of the project;</li></ol>	



PALM BEACH COUNTY

8. Proof of payment on fees, taxes or similar obligations;
9. Settles liens and other claims;
10. Settles Liquidated Damages due to Owner, if any;
11. Transfers operational, access, security and similar provisions to Owner; removed temporary facilities, tools and similar items; and
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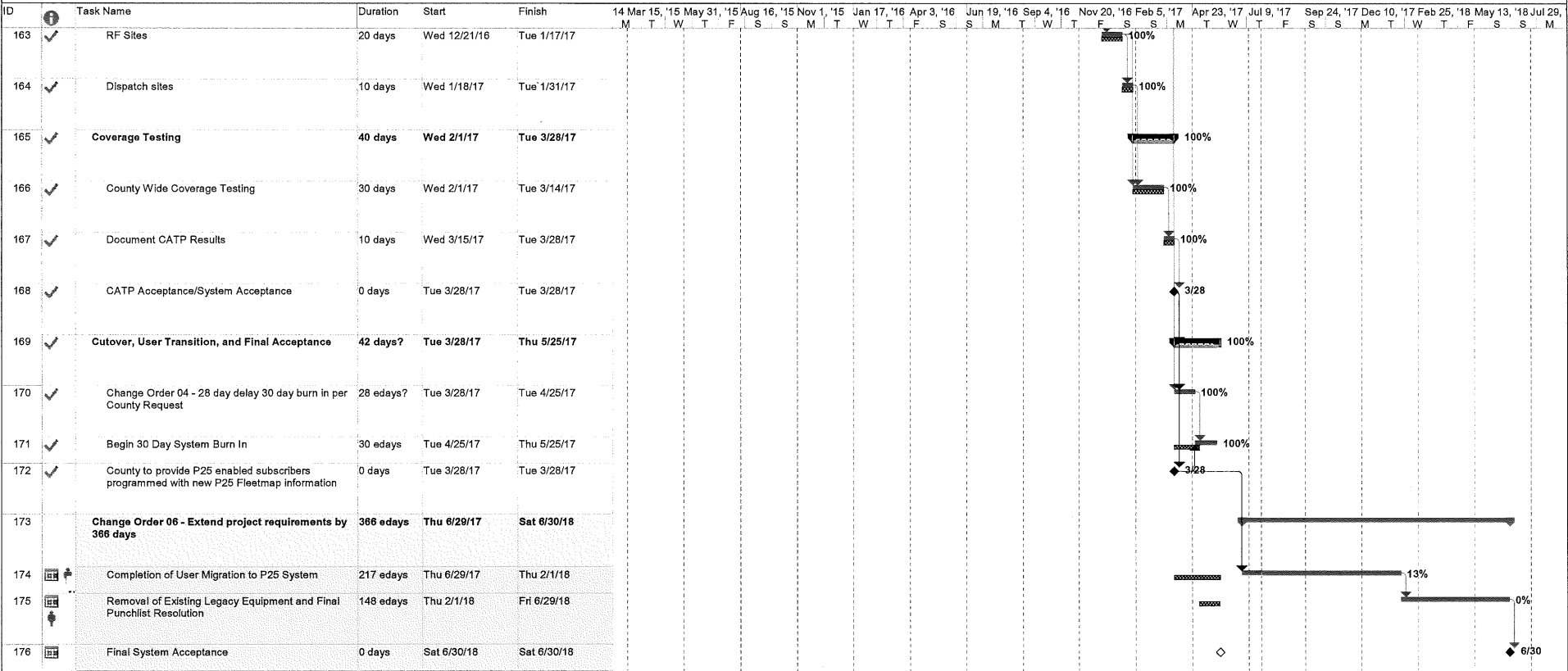
PROPOSED CONTRACT PRICE CHANGE (unchanged) \$0.00  
PROPOSED CONTRACT TIME CHANGE (increases) 366 days  
PROPOSED NEW SUBSTANTIAL COMPLETION June 30, 2018

Except as modified above, the original contract and all prior amendments shall remain in full force and effect.

FROM: Matt Brenneman  
CONTRACTOR – Motorola Solutions, Inc.

SIGNED:   
DATE: 8/10/17

14212 - P25 Radio System Replacement



Project: Palm Beach County Schedule	Critical	<div></div>	Late	<div></div>	Summary	<div></div>	Manual Task	<div></div>	External Tasks	<div></div>
	Critical Split	<div></div>	Baseline	<div></div>	Project Summary	<div></div>	Duration-only	<div></div>	External Milestone	<div></div>
	Critical Progress	<div></div>	Baseline Split	<div></div>	External Tasks	<div></div>	Manual Summary Rollup	<div></div>	Deadline	<div></div>
	Task	<div></div>	Baseline Milestone	<div></div>	External Milestone	<div></div>	Manual Summary	<div></div>	Baseline Summary	<div></div>
	Split	<div></div>	Milestone	<div></div>	Inactive Milestone	<div></div>	Start-only	<div></div>		
	Task Progress	<div></div>	Summary Progress	<div></div>	Inactive Summary	<div></div>	Finish-only	<div></div>		