

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

**Meeting Date:**      **August 14, 2018**      ☒ **Consent**      ☐ **Regular**  
    ☐ **Ordinance**      ☐ **Public Hearing**

**Department: Facilities Development & Operations**

## I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** Continuing services contract for Construction Management Services for various capital improvement projects with Asset Builders, LLC DBA Messam Construction.


**Summary:** This contract provides for Construction Management Services associated with the design and construction of various capital projects located in the “Glades” geographical area, to be determined later, which may include new construction, additions, or renovation projects where the value of the individual project does not exceed \$2,000,000. There is no cumulative cap on Guaranteed Maximum Price (GMP) issued, the total amount of work issued against this contract is only limited by the funding available in the 5-year capital improvement program. Once a project is assigned, a task authorization for preconstruction services will be authorized. Once the architect completes the design phase, a 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 the annual contract and will be presented to the appropriate approval authority. The Contract is for a period of (3) years, with one (1), two year renewal option. The firm is a Palm Beach County business. The Small Business Enterprise (SBE) goal established by the SBE ordinance is 15%. Asset Builders, LLC DBA Messam Construction has an office in South Bay Florida and is an SBE firm. **(Capital Improvements Division) District 6 (LDC)**


**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. Selection of the construction manager is based on criteria that combines qualifications and experience. The contracts call 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. Although this a 3 year contract, the contract can be cancelled at any time and a new request for proposal issued.

**Attachments:**

1. Asset Builders, LLC DBA Messam Construction Contract
2. Disclosure of Ownership Interests

**Contracts are more than 100 pages and may be viewed in Minutes.**

Recommended By:  Army Wolf Department Director Date \_\_\_\_\_

Approved By:  Aure Johnson County Administrator Date 8/2/18

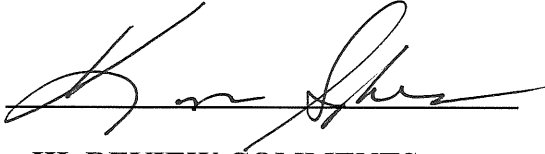
II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

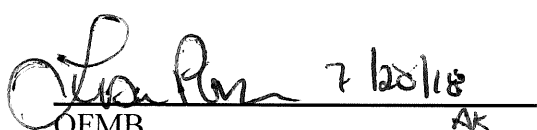
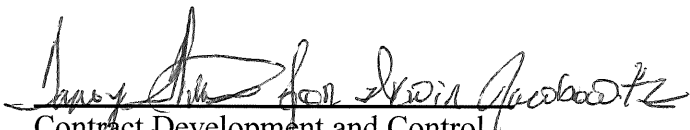
Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures					
Operating Costs					
External Revenues					
In-Kind Match (County					
NET FISCAL IMPACT	*				
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Current Budget:	Yes	x	No		
Does this items include use of federal funds?	Yes		No	x	
Budget Account No:	Fund	Dept	Unit	Object	Program


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:   
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 7/20/18  
OFMB AK 7/20  
  
Contract Development and Control 8/1/18

B. Legal Sufficiency:   
Assistant County Attorney 8/2/18

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 Wayne M. Messam, 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 mgm PARTNER of Asset Builders, LLC dba Messam Construction  
[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: 18961 SW 30th St, Miramar, FL 33029

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.

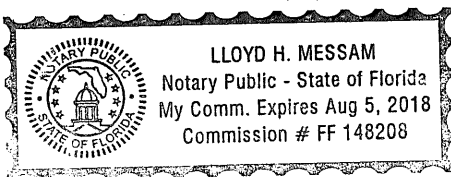
5. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

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.

Wayne M. Messam  
(Print Affiant Name), Affiant

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of July, 2018, by Wayne M. Messam, ☐ who is personally known to me or ☒ who has produced DL id as identification and who did take an oath.



Lloyd H. Messam  
Notary Public  
Lloyd H. Messam  
(Print Notary Name)  
State of Florida at Large  
My Commission Expires: 8/5/2018

Attachment 2

## EXHIBIT "A"

## DISCLOSURE OF OWNERSHIP INTERESTS IN AFFILIANT

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.

[illegible]