

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

Meeting Date: November 19, 2019

Consent

Regular

Workshop

Public Hearing

Department: Facilities Development and Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) Approve Construction Manager at Risk (CM) contract with Kast Construction Company LLC for the Supervisor of Elections Production Facility project located at the Cherry Road complex; and


B) Authorize the County Administrator or designee to execute Task Order No. 1 with Kast Construction Company LLC for pre-construction services in an amount not to exceed \$200,000.

Summary: The solicitation for a CM was advertised on July 21, 2019 according to the requirements of the Equal Business Opportunity (EBO) ordinance. On June 5, 2019, the Goal Setting Committee established an Affirmative Procurement Initiative (API) awarding up to 15 evaluation points for a Small Business Enterprise (SBE) plan and a CM/SBE partnering incentive. The CM is not a certified Small/Minority/Women-owned Business Enterprise (S/M/WBE). **The CM has subcontracted with All-Site Construction Inc., an MBE CM for services in an amount no less than 15% of the CM fee and overhead/profit earned by the CM.** The CM is on notice that all GMP's issued pursuant to this contract will be subject to the requirements of the EBO ordinance including requesting Affirmative Procurement Initiative (API) be set prior to bidding the subcontracts. In 2009, the County entered into a sublease for a 76,602 square foot space in Riviera Beach for the Supervisor of Elections Production Facility. The existing production facility cannot accommodate 1) a significant increase in the number of absentee ballots; 2) support facilities for the volume of persons assigned to the facility (parking, restrooms, support spaces); and 3) the need for dedicated spaces and technology for media and observers. As the program needs and site location require evaluation, the professional consulting team will complete a Comparative Study of the program needs and site options. The Construction Manager (CM) will work alongside the consultant team to provide constructability reviews and cost estimating services as part of the Comparative Study and project development phase. Task Order No. 1 authorizes pre-construction services, which includes an analysis of the comparative study, procurement services, and the development of a Guaranteed Maximum Price (GMP) for the Supervisor of Elections Production Facility. Once the construction documents are completed, the CM will bid the work and provide a guaranteed maximum price (GMP). The construction work will be authorized through an amendment submitted to the board to commence construction management services. Maintaining the schedule for design and construction is critical to the County as the timeline coincides with the election cycle and expiration of the lease agreement currently in place for the production facility. In order to maintain this timeline, staff is requesting authorization for the County Administrator or designee to execute Task Order No. 1 to complete the Comparative Study. Funding for this project is from the Public Building Improvement Fund. **(Capital Improvements Division) Countywide/ District 7** (LDC)(Background and Justification: Continued on page 3)

Attachments:

1. Location Map
2. Contract - Kast Construction Company LLC
3. Disclosure of Ownership Interest

Recommended by:  11/13/19
Department Director Date

Approved by:  11/14/19
County Administrator Date

This agenda item is more than 100 pages and may be viewed in Minutes.

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget:		Yes	<u>X</u>	No	_____
Does this item include use of federal funds?		Yes	_____	No	<u>X</u>

Budget Account No: Fund _____ Dept _____ Unit _____ Object _____

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

There is no fiscal impact associated with this item. Task Order # 1 will be funded from the Public Building Improvement Fund.

C. Departmental Fiscal Review: 

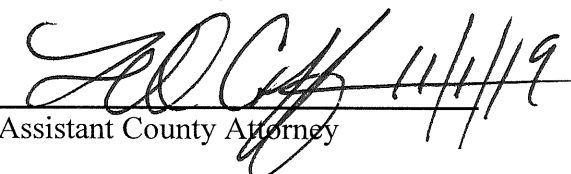
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 10/29/19
OFMB  10/29

 for Lewis Jacobowitz
Contract Development and Control
11/1/19 TW

B. Legal Sufficiency:

 11/1/19
Assistant County Attorney

C. Other Department Review:

Department Director

Background and Justification: In 2009, the County entered into a sublease for a 76,602 sf warehouse and office space for the current Supervisor of Elections Production Facility. Aside for the immediate need for a production facility, the most critical factors at the time were preserving flexibility for growth, new and/or changing technology, and specifically leasing a large open space that could be reconfigured to meet immediate and future needs.

The placement of the shelving, tabulation equipment and all other election equipment needs to be deliberate and building infrastructure (walls, partitions, electric and data) need to be planned and installed in such a manner that modifications can be quickly and easily accomplished when the needs change from election day to recount or just as equipment needs change over time. This customization and flexibility is difficult to accomplish in a leased facility, where modifications are most costly to an existing building.

The Supervisor of Elections Production Facility is to be an approximately 76,000 square foot facility for election day ballot processing, production and storage of voting equipment and materials to support the operations of the Supervisor of Elections (SOE). This facility is anticipated to be located at the County's Cherry Road Complex (Cherry Road just East of Military Trail at the intersection of Cherry and Country Club Road in West Palm Beach) and will replace a privately owned leased facility in Riviera Beach. The new facility as envisioned in the County's 5 Year Capital Improvements Plan reflects a total project cost of \$19,100,000. Alternatively, it is the opinion of the Supervisor of Elections staff that significant program improvements and efficiencies would be realized if the two facilities (Main Office on Gun Club) and the Production Facility (in Riviera Beach) were co-located at Cherry Road. The construction cost of the project may change depending on the outcome of the Comparative Study and solution approved by the Board of County Commissioners. The County will evaluate the Comparative Study in order to determine the most appropriate solution to be used and the ultimate scope of the project to be designed.

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 contractors issuing the subcontracts for construction. Final selection for construction manager at risk services for Supervisor of Elections Production Facility project was completed on October 10, 2019.