Agenda Item #: 3H-4

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

Meeting Date:	July 14, 2020	[X] Consent [] Ordinance	[] Regular [] Public Hearing
Department:	Facilities Development & Operat	ions	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 1 to the Construction Manager (CM) contract with Lebolo Construction Management, Inc.(R2018-1161) extending the contract term for two (2) years to provide construction management services on a continuing contract basis for federally funded projects for the period of August 13, 2020 through August 13, 2022 with a cumulative limit of \$9,000,000.

Summary: The contract provides for CM services associated with the construction of various federally funded capital projects, which may include new construction, additions, or renovations where the value of the individual project does not exceed \$2,000,000 (after July 1, up to \$4,000,000 due to changes in the Florida Statutes). The original contract provided for an initial term of two (2) years with one (1), two (2) year renewal option. During the first two (2) years, the county has awarded \$3,195,082 in task authorizations. Amendment No. 1 will extend the contract through August 13, 2022 with a cumulative limit of \$9,000,000. Lebolo Construction Management, Inc. is a State of Florida recognized Disadvantaged Business Enterprise. (Capital Improvements) Countywide (LDC)

Background & Justification: The Board approved the continuing contract on August 14, 2018. Selection of the CM for the federally funded projects was based on criteria that combines qualification, experience and price. 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 the general contractor bidding the subcontracts for construction. Work is authorized through individual task assignments when required during the term of this contract. The work assigned under the continuing contract may be funded in whole or in part by grants from the United States (US) Department of Transportation, Federal Transit Administration, grants from the Housing and Urban Development (HUD) Community Development Block Grant Program or grants or reimbursements from Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA). The Amendment will renew the contract for the final two (2) years of the contract. It is the consensus of Facilities Development & Operations that the firm has successfully provided the services required for this continuing contract. It is in good standing and wishes to continue to provide services.

Attachments: Amendment No. 1

Recommended By:	Annen Wir	6/13/2020
Mil	Department Director	Date
Approved By:	1 Baker	7/7/2020
	County Administrator	Date /

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures Operating Costs					
External Revenues In-Kind Match (County					
NET FISCAL IMPACT	*				
# ADDITIONAL FTE POSITIONS (Cumulative)					. <u></u>
Is Item Included in Current Bud Does this items include use of fee	0		<u>k</u> No X No		
Budget Account No: Fund	Dept	Unit	Object	Program	

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

* There is no fiscal impact associated with this agenda item. 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.

С. **Departmental Fiscal Review**

III. <u>REVIEW COMMENTS</u>

A. OFMB Fiscal and/or Contract Development Comments:

0202020 1 we 0 20 Contract Development ontrol

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

AMENDMENT #1 LEBOLO CONSTRUCTION MANAGEMENT, INC. TO CONTRACT FOR CONSTRUCTION MANAGEMENT AT RISK SERVICES (CM@Risk) ON A CONTINUING CONTRACT BASIS FOR FEDERALLY FUNDED PROJECTS PROJECT NO.: 18208

This Amendment is made as of ______ by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as Owner, and Lebolo Construction Management, Inc., hereinafter referred to as "Construction Manager".

WHEREAS, on August 14, 2018, the parties hereto entered into the Continuing Contract (R2018-1161) (hereinafter the "Contract") under which the Construction Manager provides awarded work to the County for various projects as authorized from time to time under the Contract; and

WHEREAS, the County and the Construction Manager desire to amend certain contract conditions of the Contract.

NOW THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the Parties agree as follows:

1. <u>Contract Extension/Renewal.</u> The parties hereby extend the term of the original Contract through August 13, 2022.

2. <u>Construction Manager Representation</u>. The Construction Manager certifies that it is still in compliance with the requirements pertaining to scrutinized companies under Florida Statutes Section 287.135.

3. <u>Contract Terms Affirmed.</u> Except as set forth below, the terms and conditions of the Contract including the Federal Requirements shall remain in full force and effect and are hereby ratified and affirmed by the parties hereto.

<u>Contract Modifications and Additions.</u> The following provisions of the Contract are modified as follows: *<none>*

 $\label{eq:Page1} \begin{array}{c} \mbox{Page 1 of 2} \\ \mbox{Form Revised 04/22/20 Federal Continuing CM Renewal Amendment} \end{array}$

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to the Contract to be executed as of the day and year first above written.

ATTEST:

SHARON R. BOCK CLERK & COMPTROLLER

By:

Deputy Clerk

PALM BEACH COUNTY, a political subdivision of the State of Florida

By:

CONDITIONS

Dave Kerner, Mayor

APPROVED AS TO TERMS AND

APPROVED AS TO LEGAL SUFFICIENCY

By: Assistant County Attorney

Construction Manager: Lebolo Construction Management, Inc. By: Signature

Audrey Wolf, Director FDO

andall Lebols Name:

(SEAL) Title:

Witness Signature

SEBASTAN f DEFERA Print Witness Name

Page 2 of 2 Form Revised 04/22/20 Federal Continuing CM Renewal Amendment

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	(Mandatory in NH)						E.L. DISEASE - EA EMPLOYEE		
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	Attached				CANCELLATION				
					SHOULD ANY OF	THE ABOVE I	DESCRIBED POLICIES BE CA IEREOF, NOTICE WILL E CY PROVISIONS.		
	Palm Beach County c/o Ca 2633 Vista Parkway	-		provements División					
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AGENCY CUSTOMER ID: LEBCO1

LOC #:

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