

This agenda item is more than 50 pages and may be reviewed in Administration.

Agenda Item #: **3H-6**

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

Meeting Date: December 8, 2020

Consent

Regular

Ordinance

Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF


Motion and Title: Staff recommends motion to approve: Amendment No. 1 to the construction management contract with Kaufman Lynn Construction, Inc. (R2019-0849) in the amount of \$10,793,121.02 for the Canyon District Park project – Phase 1 establishing a Guaranteed Maximum Price (GMP) for Construction Management Services for a period of 365 days from notice to proceed or until project is complete.


Summary: On June 18, 2019, the Board of County Commissioners approved the construction management contract with Kaufman Lynn Construction, Inc. for construction management services for the Canyon District Park project located at 8802 Boynton Beach Boulevard, Boynton Beach. The surge of ongoing residential developments in the western Boynton Beach area prompted the need for additional recreational facilities. Amendment No. 1 includes, but is not limited to, three (3) soccer/multipurpose fields, a restroom/concessions facility, two (2) retention/recreational lakes, a twelve (12) station fitness trail, and parking spaces. As part of Amendment No. 1 the construction manager (CM) will also clear, grub, level and seed the remainder of the property in order to complete and ensure effectiveness of the drainage for Phase 1 and the entire property. The solicitation for the CM was advertised on January 28, 2018 according to the Small Business Enterprise (SBE) Ordinance in place at the time, but this GMP, having been initiated after January 1, 2019, is subject to the requirements of the Equal Business Opportunity (EBO) Ordinance. The CM is not a certified Small/Minority/Women Owned Business (S/M/WBE), but has partnered with M.C.O. Construction and Services, Inc., an MBE CM. On October 16, 2019, prior to subcontractor advertisement and bidding, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) to the construction subcontracts of 25% SBE participation, of which 3% must be a Minority Business Enterprise (MBE), African American or Hispanic. SBE participation for Amendment No. 1 is 26.45% of which 3.04% is MBE (2.05% African American and 0.99% Hispanic) participation. To date, the Construction Manager has achieved 21.90% SBE subcontracting participation overall. The CM is a Palm Beach County Business. Phase 1 of **this project will be fully funded from the Infrastructure Sales Tax Fund.** Phase 2 recreational features of this project, which include additional soccer/multipurpose fields, baseball/softball fields, running track, restrooms, playground, picnic pavilions, a maintenance facility, asphalt parking and access roads, will be dependent on additional funding being allocated. **(Capital Improvements Division) Countywide/District 5 (LDC)**

Background & Justification: Construction Management 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. Planning for this park commenced in 2005, however, funding for the design and construction of the park did not become available until voters approved the Infrastructure Sales Tax in 2016. Park services for the western Boynton Beach area will improve significantly once both phases of the project are completed.

Attachments:

1. Location Map
2. GMP Amendment No. 1
3. Budget Availability Statement
4. Kaufman Lynn Construction Inc. CM @ Risk Contract History

Recommended By:  **Department Director** 11/30/20
Date

Approved By:  **County Administrator** 12/1/2020
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures	\$11,265,007	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	\$11,265,007	_____	_____	_____	_____

ADDITIONAL FTE POSITIONS (Cumulative)

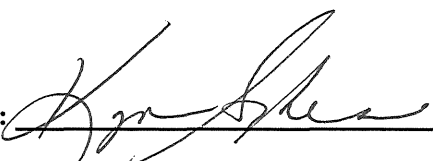
Is Item Included in Current Budget: Yes x No _____
 Does this item include the use of federal funds? Yes _____ No x

Budget Account No: Fund 3950 Dept 581 Unit T122 Object 6504 Amount \$ 11,116,914.65
 Fund 3950 Dept 581 Unit T122 Object 6505 Amount \$148,092.00

Construction \$10,793,121.02
 Staff Cost \$ 148,092.00
 Contingency \$ 323,793.63
 Total \$11,265,006.65

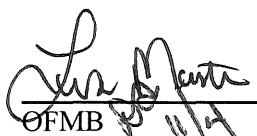
B. Recommended Sources of Funds/Summary of Fiscal Impact:

The funding source for this work is from Infrastructure Sales Tax Fund.

C. Departmental Fiscal Review: 

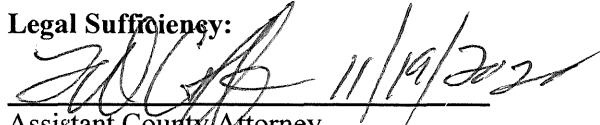
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 11/11/2022
 OFMB 11/14 BR 11/14

 11/18/2022
 Contract Development and Control
 11-18-2022

B. Legal Sufficiency:

 11/19/2022
 Assistant County Attorney

C. Other Department Review:

 Department Director

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