Agenda Item: 3F3

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: July 13, 2021	[]	Consent Workshop	[]Regular []Public Hearing			
Submitted By: Department of A	irports					
	I. EXECUTIVE	BRIEF				
Construction Manager (CM) at Ri (Turner) for Airport Improveme	Motion and Title: Staff recommends motion to approve: Amendment No. 1 to the Construction Manager (CM) at Risk Contract (Contract) with Turner Construction Company (Turner) for Airport Improvements for Palm Beach County Department of Airports (Department), exercising the first one (1) year renewal option for the continuation of services.					
Summary: The Contract with Turner for CM at Risk Services for Airport Improvements for the Department was approved by the Board on August 20, 2019 (R-2019-1147). The Contract is for 2 years with 3 one (1) year renewal options and is a task/work order based contract for CM at Risk services for the Department. Turner is based in New York City, New York; however, the work will be directly managed by its southeast regional office in Miami-Dade County. Turner was one of two firms selected to provide project management and construction supervision services. The contract value to date is \$0, primarily due to the financial impact of the pandemic delaying the Federal/State funding of projects to be assigned to Turner under this contract. Approval of Amendment No. 1 will allow the County, at its sole discretion, to exercise the first one (1) year renewal option for the continuation of services provided under the CM at Risk Contract. The Disadvantaged Business Enterprise (DBE) goal for this contract is 12%. Countywide (AH)						
Background and Justification: In order to carry out the approved Capital Improvement Program for the County, the Department uses several methods of procurement including the CM at Risk Contract. By exercising the first one (1) year renewal option, this amendment allows for the continuation of CM at Risk services necessary to continue the improvements for the Department at all four county owned airports.						
Attachments: 1. Amendment No. 1 to CM at Risk Contract with Turner – (3 originals) 2. DBE Goal Information						
Recommended By:	ana B	eeke	5-25-21			
	Department Dir	ector	Date			
Approved By:	Weaker		6/21/2/			
	County Adminis	trator	Date			

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fisc	cal Impact:			
Fiscal Years	20 <u>21</u> 20 <u>22</u>	20 <u>23</u>	20 <u>24</u>	20 <u>25</u>
Capital Expenditures Operating Costs External Revenues (Grants) Program Income (County) In-Kind Match (County) NET FISCAL IMPACT	<u>*</u>			
# ADDITIONAL FTE POSITIONS (Cumulative)				
Is Item Included in Current Bu Does this item include the use	•	Yes N Yes N	o X o X	
Budget Account No: Fund _	Department	Unit	Object	
Reporting Ca	ategory			(g)
B. Recommended Sources of	f Funds/Summary of Fi	scal Impact:		
* There is no Fiscal Impac	t for this item.			
C. Departmental Fiscal Revie	w: Whohew hu	Renow		
	III. REVIEW COM	MENTS		
A. OFMB Fiscal and/or Contro	act Development and C	Control Comment	ts:	
OFMB WOLL CHIA	2/3/11 C	ontract Dev. and	Control Two	5/2/
B. Legal Sufficiency:			•	
Assistant County Attorney	<u>-17</u> -21			
C. Other Department Reviews	:			
Department Director				
REVISED 11/17				

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)



Palm Beach County Compliance Summary Report

Vendor Number	Vendor Name	AM Best Rating	lnsurance Carrier	Policy #	Eff. Date	Exp. Date	Coverage	Contract Number	Contract Name
DX00000809	Turner Construction Company	Modified	Compliant					DOA 18-3	CM at Risk Contract for Airport Improvements
		Ap , XV	Liberty Mutual Fire Insurance Company	AS2626092815010	11/1/2020	11/1/2021	Auto Liability		
		A++g , XV	ACE Property & Casualty Insurance Company	G28175851005	11/1/2020	11/1/2021	Excess Liability		
		Ar , XV	Liberty Insurance Corporation	EW562n092815060	11/1/2020	11/1/2021	Workers Comp		
		Ar , XV	Liberty Insurance Corporation	wc7625092815180	11/1/2020	11/1/2021	Workers Comp		
		Ar , XV	Liberty Insurance Corporation	WG5625092815030	11/1/2020	11/1/2021	Workers Comp		

Risk Profile:

Standard - General Services-AOA

Required Additional Insured: Palm Beach County Board of County Commissioners

Ownership Entity:



Turner Construction Company 375 Hudson Street New York, NY 10014 phone: 212-229-6163

fax: 212-229-6094

CORPORATION CERTIFIED RESOLUTION

I, Claudia LaFleur-Thrash, Assistant Corporate Secretary of Turner Construction Company, a corporation organized and existing under the laws of the State of New York (the "Company"), do hereby certify that the following is a true and correct copy of a resolution duly adopted at a meeting of the Board of Directors of the Company duly held and convened on January 29, 2019, at which meeting a duly constituted quorum of the Board of Directors was present and acting throughout, and that such resolution has not been modified, rescinded or revoked, and is at present in full force and effect:

RESOLVED: That Jaime S. Saavedra, Vice President, of Turner Construction Company is empowered and authorized, on behalf of the Company, to execute and deliver contracts and amendments thereto, and all documents required with such contracts and amendments.

IN WITNESS WHEREOF, the undersigned has affixed his signature and the corporate seal of the Company this _____ day of _____

Claudia LaFleur-Thrash

It's Assistant Corporate Secretary

(Corporate Seal)

AMENDMENT NO. 1 TO THE CONTRACT BETWEEN PALM BEACH COUNTY DEPARTMENT OF AIPORTS AND TURNER CONSTRUCTION COMPANY FOR CONSTRUCTION MANAGEMENT SERVICES AIRPORT IMPROVEMENTS PROJECT NO. DOA 18-3

This Amendment No. 1 to the Contract is made as of the _____ day of ______, 2021, by and between Palm Beach County, Florida (COUNTY) and TURNER CONSTRUCTION COMPANY, a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONSTRUCTION MANAGER, having its office and principal place of business for this Contract at 7235 Corporate Center Drive, Suite G Miami, Florida 33126.

WHEREAS, the Owner and Construction Manager acknowledge and agree that the Contract between Owner and **TURNER CONSTRUCTION COMPANY** dated <u>August 20, 2019 (R-2019-1147)</u> is in full force and effect and that this merely supplements said Contract; and

WHEREAS, Article 1 defines the Terms of the Contract period of two (2) years, with three (3) one (1) year renewal options, the exercise of which are within the COUNTY'S sole control and discretion; and

WHEREAS it is the County's desire to exercise the first one (1) year renewal option for the continuation of services provided by the CONSTRUCTION MANAGER under this contract.

NOW THEREFORE, in consideration of the mutual covenants herein contained, and such other good and valuable consideration, the receipt of which the parties hereby acknowledge, the parties agree to the following terms and conditions:

1. The parties hereby agree to amend the Contract to include the first one (1) year renewal option for the continuation of services provided by the CONTRACTOR under this Contract

Except as specifically amended herein, all other terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the COUNTY and CONSTRUCTION MANAGER has hereunto set its hand the day and year above written.

ATTEST: JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT & COMPTROLLER	PALM BEACH COUNTY, FLORIDA A Political Subdivision of the State of Florida BOARD OF COUNTY COMMISSIONERS
By: Deputy Clerk	By: Dave Kerner, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
By: Ame Odelant County Attorney	By: Director of Airports
WITNESS:	
FOR CONSTRUCTION MANAGER	CONSTRUCTION MANAGER:
SIGNATURE DocuSigned by:	DocuSigned by:
Bob Hennessey	Jaime S. Saavedra
1337789F355D453 Signature	Signature
Bob P. Hennessey	
Name (type or print)	Jaime Saavedra
	Vice President and General Manager Struction Seal Page 1902
DOA 18-3 Amendment No. 1	Page 2 of 2

Attachment No. 2

Construction Management at Risk RFP #DOA 18-3 Date: April 12, 2018 Marketplace: BC, PBC, MDC DBE Project Goal: 12%

Misc. Funding			Estimated Percentage	Available	Total	
Project Description	NAICS Title	NAICS Code	of Work	DBE	Available	Weighted Availability
Landscaping (Material Cost)	Turf Farming	111421	0.00%	0	0	0.00%
Construction Management		236220	12.75%	239	816	3.73%
Drainage System (Labor Cost)	Drainage System Construction	237110	1.18%	20	138	0.17%
Subgrade Stabilization	Hwy, Street & Bridge Construction	237310	2.60%	52	126	1.07%
Miscellaneous Concrete (Material Cost)	Concrete pumping	238110	3.06%	11	226	0.15%
Structural Steel and Precast Concrete	Contracts partipling	238120	0.38%	16	51	0.12%
Contractors		250120	0.50%			-//-
Masonry Contractors		238140	2.75%	6	216	0.08%
Roofing Contractors		238160	1.63%	29	369	0.13%
Electrical Work (Labor Cost)	Electrical Contractors	238210	8.21%	79	1619	0.40%
Plumbing - Mechanical	Electrical Contractors	238220	2.94%	49	2057	0.07%
Drywall and Insulation		238220	2.03%	26	355	0.15%
		238310	1.55%	55	783	0.13%
Paintings & Wall Coverings					371	0.31%
Tile & Terrazzo	Cit. D	238340	9.50%	12 43	3/1	
Pavement Removal	Site Preparation	238910	2.85%			0.40%
Site Demolition	Site Preparation	238911	0.00%	n/a	n/a	0.00%
Temporary Stormwater Pollution Prevention,			1			0.00%
Erosion and Siltation Control	Temporary Erosion Control	238990	0.00%	117	674	
Other Building Equipment Contractors		239290	7.25%	n/a	0	0.00%
Pavement Markings (Material Cost)	Paint and Coating Manufacturing	325510	0.00%	0	15	0.00%
All Other Rubber Product Manufacturing		326299	0.88%	n/a	0	0.00%
(Membrane roof)						
Ready Mix Concrete Manufacturing		327320	1.38%	0	46	0.00%
Drainage System (Material Cost)	Culvert pipe, concrete, manufacturing	327332	0.00%	0	4	0.00%
Conveyor and Conveying Equipment		333922	4.63%	0	2	0.00%
Manufacturing						
Switchgear and Switchboard Apparatus		335313	4.38%	1	4	1.09%
Manufacturing						
Brick, Stone, and Related Construction Material		423320	6.65%	5	109	0.31%
Merchant Wholesalers			1	-		
Trial Criaire Tripicasarars	Fencing (except wood) merchant					0.00%
Chain link Fence (Materials Cost)	wholesalers	423390	0.00%	2	119	
Criatii iiiik i erice (iviateriais cost)	Electrical Apparatus/Equip, Wiring Supplies,	423330	0.00%	15	619	0.10%
Electrical Work (Material Cost)	Related Equip Merchant	423610	4,21%	13	515	0.1070
Roadway Signage (Material Cost)	Signs (except electrical) Wholesalers	423990	0.00%	9	771	0.00%
	Petroleum Bulk Stations and Terminals	424710	0.00%	1	48	0.00%
Fuel Farm Systems	Petroleum Bulk Stations and Terminals	444190	1.56%	10	648	0.00%
Building Materials/Supplies		444190	0.45%	0	123	0.02%
Nursery, Garden Center & Farm Supply (Sod) Trucking	Trucking	484220	0.45%	17	174	0.06%
Maintenance of Traffic	Maintenance of Traffic	488190	0.88%	6	318	0.05%
Insurance	Insurance	524126	1.00%	0	191	0.00%
Survey and Project Record Documents	Land Survey and Mapping	541370	0.21%	74	142	0.04%
Testing Services		541380	0.38%	13	92	0.05%
Mobilization	Mobilization	561499	0.00%	3	204	0.00%
Landscaping (Labor Cost)	Turf Installation	561730	0.25%	39	1938	0.01%
Prefabricated Metal Building and Component		332311	1.88%	0	4	0.00%
Manufacturing						
Mobilization/Overhead (Prime)		n/a	7.00%	n/a	n/a	0.00%
Contingency		n/a	5.00%	n/a	n/a	0.00%
			100%			8.58%

CMAR Contracts	
R2013-0663	16%
R2013-0664	14%
Median	15%
DBE Goal	12%