

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

Meeting Date: March 8, 2022

Consent

Regular

Workshop

Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: Change Order No. 3 to Amendment No. 20 (R2020-0441) to the continuing construction manager at risk contract with Robling Architecture Construction, Inc. for the Convention Center Sky-Room (Courtyard) project in the amount of \$39,249 with an increase to the project duration of eighty (80) calendar days.

Summary: On June 21, 2016, the Board of County Commissioners (Board) approved the continuing contract with Robling Architecture Construction, Inc (R2016-0762) for construction management services for various capital improvement projects, which may include new construction, additions, or renovations up to \$4,000,000 per project. On May 5, 2020, the Board approved Amendment No. 20 to the contract with Robling for the Palm Beach County Convention Center Courtyard project establishing a Guaranteed Maximum Price (GMP) for construction management services in the amount of \$1,217,418 for a period of 94 calendar days. Change Order No. 3 authorizes the installation of additional fire alarm gate hardware, relocation, replacement and addition of light fixtures, paver modifications, and the addition of 80 calendar days to the contract duration in order to complete the additional work. These changes, in the amount of \$39,249, are funded from the project contingency fund resulting in a zero dollar change to the contract price. In accordance with Policy and Procedure Manual (PPM) CW-F-050, when the time extensions to a project totals or exceeds 120 days of the original project completion date, an agenda item notifying the Board of the item that puts the cumulative value in the excess category must be presented as a receive and file. To date, the cumulative value of time extensions, including Change Order No. 3, totals 165 calendar days. This agenda item is being submitted to notify the Board that Change Order No. 3 puts the cumulative value of changes or additional work in excess of the 120 days threshold established by PPM CW-F-050. The Construction Manager (CM) was selected pursuant to the Small Business Enterprise (SBE) ordinance in place at the time. On February 20, 2019, the Goal Setting Committee established a minimum mandatory 20% SBE goal on the continuing CM contract. The original SBE participation on this project was 56.67%. The SBE participation for this change order is 92.63%. To date, the overall SBE participation on this project is 59.14%. The CM is a Palm Beach County Business. The funding source for this project is the 68M Public Imp Rev Bond 15A CP, Conv Ctr Garage & Airport Ct fund which debt service is funded by the Tourist Development Tax 1st Center fund. **(Capital Improvements Division) District 2 (MWJ)**

Background and 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 general contractor bidding the subcontracts for construction. To date, the cumulative number of days that the project duration was extended by is 165 calendar days, which exceeds the cumulative limits established in PPM CW-F-050, thus requiring a notification to the Board via a receive and file item.

Attachment:
Change Order No. 03

Recommended by:  2/3/22
Department Director Date

Approved by:  2/11/22
County Administrator Date

II. FISCAL IMPACT ANALYSIS

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures	\$*	\$			
Operating Costs		\$	\$	\$	\$
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	\$*	\$	\$	\$	\$
# 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 3076 Dept. 411 Unit B572 Object 6502

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

*There is no fiscal impact associated with this agenda item. Change Order No. 3 is funded using contingency funds that were already build into the Amendment under the Guaranteed Maximum Price. The funding source for this project is the 68M Public Imp Rev Bond 15A CP, Conv Ctr Garage & Airport Ct fund which debt service is funded by the Tourist Development Tax 1st Center fund.

C. Departmental Fiscal Review: *Kayn Sykes*

III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Development and Control Comments:

Lux M... 2/7/22
 OFMB QA 2-7-22 *LM*
2/7

J. J. Jacobson 2/10/22
 Contract Administrator
2-10-22 TW

B. Legal Sufficiency:
[Signature] 2/10/22
 Assistant County Attorney

C. Other Department Review:

 Department Director

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