Agenda Item: 3F12

## PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

## **AGENDA ITEM SUMMARY**

Meeting Date: July 12, 2022			===== sent kshop	======================================
Submitted By: Department of		TIVE BRIE	 F	
Motion and Title: Staff recor Construction Manager (CM) at F (Turner) for CM at Risk Serv Department of Airports (Departn the continuation of services.	mmends motion Risk Contract (Co vices for Airport	n to appro entract) with Improvem	— o <b>ve:</b> Am oTurner ( ents for	Construction Company Palm Beach County
Summary: The Contract with T the Department was approved Contract is for 2 years with 3 or contract for CM at Risk service New York; however, the work with Miami-Dade County. Turner was and construction supervision se option on July 13, 2021 (R-20 Approval of Amendment No. 4 second one (1) year renewal op at Risk Contract. The Disadva 12%. The current cumulative D be 12%. Countywide (AH)	by the Board one (1) year renewes for the Depart will be directly mas one of two firm ervices. The Cou 021-0889). The will allow the Contintaged Business	on August 2 val options ment. Turn anaged by as selected nty exercise contract ounty, at its nuation of se Enterprise	20, 2019 and is a ner is ba its south to provid ed the fire value to sole disc services   e (DBE)	(R-2019-1147). The task/work order based in New York City, neast regional office in the project management st one (1) year renewal date is \$12,584,947. Cretion, to exercise the provided under the CM goal for this contract is
Background and Justification Program for the County, the De the CM at Risk Contract. By amendment allows for the cont improvements for the Department	epartment uses sexercising the setimuation of CM a	several me second one at Risk serv	thods of e (1) year vices nec	procurement including ar renewal option, this cessary to continue the
Attachments:  1. Amendment No. 4 to CM a 2. DBE Goal Information	at Risk Contract	with Turne	· w/Contr	ract History– (3 originals)
Recommended By: ᠘ســــــــــــــــــــــــــــــــــــ	Department	But	bi	5 - <u>) 5 - 72</u> Date
Approved By:	County Admi	Ker		6/7/22

## **II. FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fisc	al Impact:				
Fiscal Years	20 <u>22</u>	20 <u>23</u>	20 <u>24</u>	20 <u>25</u>	20 <u>26</u>
Capital Expenditures Operating Costs External Revenues (Grants) Program Income (County) In-Kind Match (County) NET FISCAL IMPACT	*				
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Current Bud Does this item include the use		ds?	Yes No Yes No	X X	
Budget Account No: Fund Repor	Departn ting Category			Object	
B. Recommended Sources of	Funds/Summ	ary of Fisca	ıl Impact:		
*There is no Fiscal Impact for	r this item.				
C. Departmental Fiscal Review	· Nolone	Jimm	100		
	III. REVIE	EW COMME	<u>NTS</u>		
A. OFMB Fiscal and/or Contra	ıct Developme	ent and Con	trol Comment	s:	
OFMB OF 5.31.22	<u>,</u> 2	Contr	ract Dev. and		6/2/22
B. Legal Sufficiency:					
Assistant County Attorney	,12/22				
C. Other Department Review:					
Department Director	_				
REVISED 11/17					

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

**Turner** 

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

pnone: 212-229-618 fax: 212-229-6094

**CORPORATION CERTIFIED RESOLUTION** 

I, Claudia LaFleur, 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 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 Christian E. Jahrling, Vice President and General Manager 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 5th day of October, 2021.

Claydia/LaFleur

Assistant Corporate Secretary

Building the Future

(Corporate Sear)

Print Date 5/17/2022 7:59:01 AM Page 1 of 1



# Palm Beach County Compliance Summary Report

Vendor Number	Vendor Name	AM Best Rating	Insurance 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	AS2626092815011	11/1/2021	11/1/2022	Auto Liability		
		A++g , XV	ACE Property & Casualty Insurance Company	G28175851006	11/1/2021	11/1/2022	Excess Liability		
		Ap , XV	Liberty Mutual Fire Insurance Company	TB2625092815041	11/1/2021	11/1/2022	General Liability		
		Ar , XV	Liberty Insurance Corporation	WG5625092815031	11/1/2021	11/1/2022	Workers Comp		

Risk Profile: Standard - General Services-AOA

Required Additional Insured: Palm Beach County Board of County Commissioners

Ownership Entity:

# AMENDMENT NO. 4 TO THE CONTRACT BETWEEN PALM BEACH COUNTY DEPARTMENT OF AIRPORTS AND TURNER CONSTRUCTION COMPANY FOR

# CONSTRUCTION MANAGEMENT SERVICES AIRPORT IMPROVEMENTS PROJECT NO. DOA 18-3

This Amendment No. 4 to the Contract is made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2022, 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, on July 13, 2021 the County entered into Amendment #1 (R-2021-0889) with the CONSTRUCTION MANAGER exercising the first one (1) year renewal option and that this merely supplements said Contract; and

WHEREAS, on November 2, 2021 the County entered into Amendment #2 (R-2021-1683) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on December 7, 2021 the County entered into Amendment #3 (R-2021-1881) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, it is the County's desire to exercise the second 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 the Contract to include the second one (1) year renewal option for the continuation of services provided by the CONTRACTOR under this Contract
- (2) 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:Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
By: One Odebart County Attorney	By: Jana Belbe Director of Airports
WITNESS:	
FOR CONSTRUCTION MANAGER SIGNATURE   Ammilianista  Signature  Signature	CONSTRUCTION MANAGER:  Signature
Name (type or print)	Vice President significant Agrager  (Corporate Seal 1902
	(Corporate Seal 1902

### DEPARTMENT OF AIRPORTS AIRPORT IMPROVEMENTS - CMAR FEDERAL CONTINUING CONTRACT TURNER CONSTRUCTION COMPANY

PB NO: DOA 18-3 CONTRACT HISTORY

ORIGINAL CONTRACT RESOLUTION NO YEAR 1-2 R-2019-1147 1\*1 EXT YR 3 R2021-0889 2<sup>nd</sup> EXT YR 4 3<sup>rd</sup> EXT YR 5 DATE APPROVED 8/20/2019 7/13/2021 EXPIRATION 8/20/2021 8/20/2022 TIME(Cal Days) for Substantial CHANGE ORDER OR CHANGE ORDER VALUE REVISED AMOUNT Task Order/Work Order or DESCRIPTION AMOUNT CRC APPROVAL BCC APPROVAL STATUS TO/WO CLOSED PARTICIPATION ompletion Date Date ADJUSTMENT PLUS TIME 7/13/2021 Board Approved R2021-0889 Amendment 1 Time Extension Meeting 11/02/2021 Board Approved R2021-1683 650 11/3/21 8/14/23 9/13/23 \$5,514,105.00 TC 01 (Amendment 2) FDOT Chiller 4 and 5 Replacement 12.00% Meeting (\$1,068,020.00) CO No 1 DPO - Deduction (\$1,068,020.0) Approved 3/18/22 Approved 4/21/22 (\$54,649.00 CO No 2 DPO - Deduction CO No 3 - Credit for General Conditions (\$116,383.30) \$4,275,052.70 Switchgear Replacement - Final project 12/07/2021 Board Meeting Approved on 12/7/21 R2021-1881 \$12,578,174.00 TC 02 (Amendment 3) FDOT 12.00% 829 12/13/21 3/20/24 4/19/24 (\$4,100,000.00) (\$4,100,000.00) CO No 1 DPO - Deduction CO No 2 - Credit for General (\$168,279.70 (\$168,279.70) Conditions \$8,309,894.30 \$18,092,279.00 -\$5,507,332.00 \$12,584,947,00 -\$5,336,299.70 Notes: Hems in Blue are draft Approval Authority for Task Authorizations (CM @ Risk) - No cummulative tracking Approval Authority CO Value \$0-50,000 \$50,001-100,000 Cumulative Days 0-30 days 31-90 Document Task Order Task Order Authority Lead Dept CRC BCC Authority Lead Dept CRC BCC Authority Lead Dept CRC \*Time less than \$100,000 \$100,000 <\$200,000 \$200,000 >\$100,001 BCC 127
Time Extensions in excess of 90 Days must be approved by the Board and does not count towards the Cumulative Limit Time Commissive Value - Roysted as of 672400.

Unmulative Value - Roysted as of 672400.

Then the cumulative value of changes or additional work approved by the Lead or CRC exceeds the greater of \$260,000 or 5% of the original contract an agenda item notifying the board that the item puts it in the success category must be prepared and forwarded as a Roccioe and File item.

# 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

Misc. Funding	New York Control of the Control of t		Estimated Percentage	Available	Total	
Project Description	NAICS Title	NAICS Code	of Work	DBE	Available	Weighted Availability
Landscaping (Material Cost)	Turf Farming	111421	0.00%	О	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	The state of the s	238120	0.38%	16	51	0.12%
Contractors		230120	0.50%	10	31	0.22.7
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		238220	2.94%	49	2057	0.07%
Drywall and Insulation		238310	2.03%	26	355	0.15%
Paintings & Wall Coverings		238320	1.55%	55	783	0.11%
Tile & Terrazzo		238340	9.50%	12	371	0.31%
Pavement Removal	Site Preparation	238910	2.85%	43	303	0.40%
Site Demolition	Site Preparation	238911	0.00%	n/a	n/a	0.00%
Temporary Stormwater Pollution Prevention,	Site ( reparation	230311	0.00%	11/4	11/4	0.00%
Erosion and Siltation Control	Temporary Erosion Control	238990	0.00%	117	674	0.50%
Other Building Equipment Contractors	Temporary Erosion Control	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	Faint and Coating Mandiacturing	326299	0.88%	n/a	0	0.00%
(Membrane roof)		320299	0.88%	11/4	U	0.00%
<u> </u>		327320	1.38%	0	46	0.00%
Ready Mix Concrete Manufacturing						0.00%
Drainage System (Material Cost)	Culvert pipe, concrete, manufacturing	327332	0.00%	0	2	0.00%
Conveyor and Conveying Equipment		333922	4.63%	١	2	0.00%
Manufacturing Switchgear and Switchboard Apparatus		207245	1 200/			
		335313	4.38%	1	4	1.09%
Manufacturing	<del> </del>	400000				
Brick, Stone, and Related Construction Material		423320	6.65%	5	109	0.31%
Merchant Wholesalers	Fi/					<del></del>
St. in Pala Service (Managerial Cont.)	Fencing (except wood) merchant			_		0.00%
Chain link Fence (Materials Cost)	wholesalers	423390	0.00%	2	119	-
	Electrical Apparatus/Equip, Wiring Supplies,		1	15	619	0.10%
Electrical Work (Material Cost)	Related Equip Merchant	423610	4.21%			<u> </u>
Roadway Signage (Material Cost)	Signs (except electrical) Wholesalers	423990	0.00%	9	771	0.00%
Fuel Farm Systems	Petroleum Bulk Stations and Terminals	424710	0.00%	1	48	0.00%
Building Materials/Supplies		444190	1.56%	10	648	0.02%
Nursery, Garden Center & Farm Supply (Sod) Trucking	Trucking	444220 484220	0.45% 0.63%	0	123	0.00%
Maintenance of Traffic	Maintenance of Traffic	488190	0.88%	17 6	174 318	0.06%
Insurance	Insurance	524126	1.00%	0	191	0.00%
Survey and Project Record Documents	Land Survey and Mapping	541370	0.21%	24	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%