

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

Meeting Date: February 7, 2023

Consent

Regular

Workshop

Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

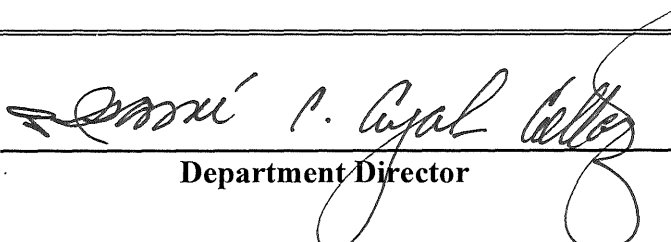
Motion and Title: Staff recommends motion to receive and file: zero-dollar value Change Order No. 2 documenting a decrease (in the amount of \$391,202.37) to the contingency fund of Amendment No. 3 (R2021-0345) for the construction management (CM) contract with Kast Construction Company LLC (R2020-0249.1) for the Palm Beach Sheriff's Office (PBSO) Headquarters Renovation project.

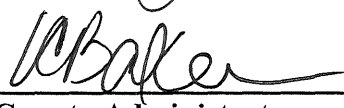
Summary: On March 10, 2020, the Board of County Commissioners (Board) approved Amendment No. 1 (R2020-0249) to the contract with Kast Construction Company LLC in the amount of \$10,830,487 authorizing exterior hardening services; however, this amendment was terminated for convenience shortly thereafter. On July 7, 2020, the Board approved Amendment No. 2 (R2020-0776) to the contract with Kast Construction Company LLC in the amount of \$585,772.55 authorizing communication and low voltage services. On March 9, 2021, the Board approved Amendment No. 3 (R2021-0345) to the contract with Kast Construction Company LLC in the amount of \$33,653,792 establishing a Guaranteed Maximum Price (GMP) for interior and exterior renovations for the PBSO Headquarters Renovation project. Change Order No. 2 to Amendment No. 3 (Change Order No. 2) authorizes the construction changes relating to the interior and exterior work for the PBSO Headquarters Renovation project. Change Order No. 2 is being submitted to the Board via a receive and file item for transparency and for informational purposes. The CM contract with Kast Construction Company LLC was awarded pursuant to the Small Business Enterprise (SBE) ordinance; however, the GMP was subject to the requirements of the Equal Business Opportunity (EBO) ordinance since it was established after January 1, 2019. On September 20, 2020, 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 5% must be a Minority Business Enterprise (MBE) African American or Hispanic American. The SBE participation for this change order is 34.27%. To date, the cumulative SBE participation on this contract is 17.04% with 7.53% MBE participation. Kast Construction Company LLC is not an SBE certified company, but has partnered with All-Site Construction, Inc., an S/MBE certified company. Kast Construction Company LLC is a Palm Beach County business. The funding source for this project is the **Infrastructure Sales Tax (IST) Fund. (Capital Improvements Division) District 3 (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.

Attachment:

Change Order No. 2

Recommended by:  1/13/23
Department Director Date

Approved by:  1/25/23
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u><u>*</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>
# ADDITIONAL FTE	_____	_____	_____	_____	_____
POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget:		Yes	<u>X</u>	No	_____
Does this item include use of federal funds?		Yes	_____	No	<u>X</u>

Budget Account No: Fund 3950 Dept 411 Unit B545 Object 4907

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

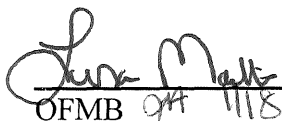
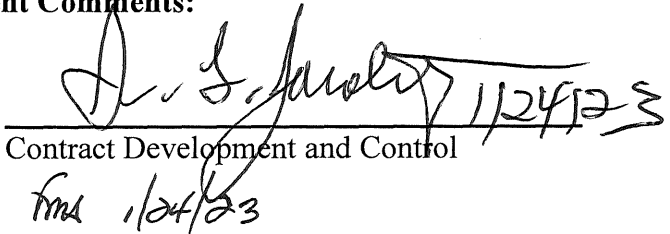
* There is no fiscal impact associated with this item. Funding for this project is from the **Infrastructure Sales Tax (IST) Fund**.

C. Departmental Fiscal Review:



III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 1/18/2023
 1/24/23
 ESW 1-18-23 fma 1/24/23

B. Legal Sufficiency:

 1/25/23
 Assistant County Attorney

C. Other Department Review:

 Department Director

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