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Agenda Item #: 3H-6

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	**February 7, 2023**	**[X] Consent**	**[ ] Regular**
		[ ] Ordinance	**[ ] Public Hearing**

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: continuing contracts for construction manager at risk services for various federal or state funded projects with the following firms on an as needed basis through February 6, 2026 with one (1) optional two (2) year renewal.

Contractors
A) Lebolo Construction Management, Inc.
B) State Contracting & Engineering Corporation
C) Waypoint Contracting Inc

Summary: These continuing contracts provide for construction management services throughout the design and construction phases of various capital projects throughout Palm Beach County (County), which may include new construction, additions, or renovation projects with an estimated construction cost of each project not to exceed $4,000,000. Construction services may include, but are not limited to, new construction, renovations, or remodeling to County facilities such as libraries, parks, general office buildings, community centers, housing (both single family and multi-family), and other facilities throughout the County. These continuing contracts will be for a period of three (3) years with one (1) two-year renewal option. The construction cost of projects assigned under these contracts will range from $20,000 to $4,000,000. No minimum value is guaranteed. Once a project is assigned to a construction manager (CM), a task order is issued to authorize preconstruction services. Once the design phase is complete, the CM publicly bids the trade contracts to establish a guaranteed maximum price (GMP) for the construction phase of the project. Individual GMPs will be authorized as amendments or work orders to these continuing contracts and will be presented to the appropriate approval authority. These continuing construction management contracts were selected through a competitive solicitation in accordance with the federal requirements. Projects under this Continuing Contract may be funded in whole or in part by federal or state grants. These continuing contracts are exempt from the County's Equal Business Opportunity Ordinance pursuant to section 2-80.22 thereof. Projects assigned under these continuing contracts may include a Disadvantaged Business Enterprise (DBE) goal depending on the requirements of the applicable federal grant, which will be included at the time of project assignment. **(Capital Improvements Division) Countywide (MWJ)**

Background and Justification: Construction Manager (CM) at Risk is a project delivery method in which the Construction Manager 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. Final selection for the continuing contracts for construction management at risk services for various federal or state funded projects was completed on March 24, 2022. On April 1, 2022, Randolph Construction Group protested the proposed award. The County's Purchasing Director denied the contractor's protest on October 19, 2022 as selection was conducted per PPM # CW-O-092- Selection of Construction Management (CM) Firms or Program Management Firms. Randolph Construction Group did not request a Special Master hearing as allowed under the Purchasing Code.

Attachment:
1. Disclosure of Ownership Interest - Lebolo Construction Management, Inc.
2. Disclosure of Ownership Interest - State Contracting & Engineering Corporation
3. Disclosure of Ownership Interest - Waypoint Contracting Inc
4. Contract - Lebolo Construction Management, Inc.
5. Contract - State Contracting & Engineering Corporation
6. Contract - Waypoint Contracting Inc

Recommended by: _____ 1/10/23
Department Director **Date**

Approved by: _____ 1/29/23
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	_____	_____	_____	_____	_____
In-Kind Match (County	_____	_____	_____	_____	_____
NET FISCAL IMPACT	*	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes X No _____
Does this items include use of federal funds? Yes X No _____

Budget Account No: Fund ____ Dept _____ Unit _____ Object ____ Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:
Projects under this continuing contract may be funded in whole or in part by federal or state grants.

There is no fiscal impact associated with this item. Task/Work Orders or Amendments requiring Board of County Commissioners approval will be brought to the Board of County Commissioners and the fiscal impact will be addressed at that time; otherwise, funding will come from projects previously approved by the Board of County Commissioners.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

1/12/2023
OFMB 1/12 EJW 1-12.23

1/25/23
Contract Development and Control
1/25/23

B. Legal Sufficiency:

1/27/23
Assistant County Attorney

C. Other Department Review:

_____
Department Director