

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

Meeting Date: March 14, 2023

Consent

Regular

Ordinance

Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Change Order No. 5 to Amendment No. 1 (R2021-1793) for the Construction Manager (CM) at Risk Services contract (R2019-1751) with Kast Construction Company LLC (Contractor) in the amount of \$1,604,232.88 with an increase to the project duration of 80 calendar days for the Supervisor of Elections (SOE) Production Facility project.

Summary: On November 19, 2019, the Board of County Commissioners (Board) approved the contract with Kast Construction Company LLC for construction management services for the SOE Production Facility project. On December 7, 2021, the Board approved Amendment No. 1 (R2021-1793) for the construction of approximately 156,000 square feet of office and warehouse space which will house the SOE administrative office and production facility operations; a multi-story parking garage of approximately 146,000 square feet and additional surface parking for both public and staff use; including all the associated site infrastructure improvements required to support both buildings. Change Order No. 5 to Amendment No. 1 authorizes the construction management services necessary for permit update changes as well as owner requested modifications (to meet statutory requirements for election facilities) to certain structural, architectural, electrical and mechanical components of the SOE Production Facility project. Change Order No. 5 to Amendment No. 1 will also authorize an increase in the project duration of 80 calendar days due to the long lead time associated with the walker duct system. The solicitation for a CM was advertised on July 21, 2019 according to the requirements of the Equal Business Opportunity (EBO) ordinance. On July 21, 2021, the Goal Setting Committee established an Affirmative Procurement Initiative (API) of 20% Small Business Enterprise (SBE) participation for the construction phase of the project, of which 8% must be African American or Hispanic American firms. SBE Participation for this Change Order is 28.56% SBE participation, of which 18.23% is African American or Hispanic American participation. The cumulative SBE participation for this contract is 22.89% SBE participation, of which 9.11% is African American or Hispanic American participation. The Contractor is a Palm Beach County Business. This project is funded by the 51.05M NAV Pub Imp Rev Bonds, 21A, CP, SOE Bldg. Fund. **(Capital Improvements Division) District 7 (MWJ)**

Background & Justification: 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.

Attachments:

1. Location Map
2. Budget Availability Statement
3. Change Order No. 5 to Amendment No. 1
4. Change Order History
5. OEBO Participation History

Recommended by:  **Department Director** 3/10/23 **Date**

Approved by:  **County Administrator** 3/13/23 **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	\$1,604,233	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>\$1,604,233</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

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

Budget Account No: Fund 3080 Dept 411 Unit B652 Object 6505

CONSTRUCTION	\$1,604,232.88
STAFF COSTS	\$ 0.00
CONTINGENCY	<u>\$ 0.00</u>
TOTAL	\$1,604,232.88

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

Funding for this project will be from the 51.05M NAV Pub Imp Rev Bonds, 21A, CP, SOE Bldg. Fund.

C. Departmental Fiscal Review: *Eric McCall*
HBBM

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 Lisa Muth 3/7/2023 *Ann J. Jarosch 3/10/23*
 OFMB *9A 97* *EJM* Contract Development and Control
3-7-23 *for 3/10/23*

B. Legal Sufficiency:

 [Signature] *3/10/23*
 Assistant County Attorney

C. Other Department Review:

 Department Director

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