

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: May 2, 2023 [X] Consent [] Regular
[] Workshop [] Public Hearing

Submitted By: Department of Airports

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Change Order No. 1 to Amendment No. 3 to the Construction Manager (CM) at Risk Contract (Contract) with Lebolo Construction Management, Inc. (LCM) for CM at Risk Services for Miscellaneous Airport Improvements for Palm Beach County Department of Airports (Department) to extend the project time by 167 Calendar Days for Work Order SL 04: Federal Inspection Services (FIS) & Building 846 Storm Resiliency Modifications Package 2 at Palm Beach International Airport (PBI).

Summary: Amendment No. 3 was approved by the Board on May 3, 2022 in the amount of \$1,518,790.48 and 290 Calendar Days (R-2022-0457). The project includes the replacement of the two (2) roof mounted Heating Ventilating & Air Conditioning (HVAC) Chillers for the Department's Administration Building at PBI. Approval of Change Order No. 1 is required to provide additional time to account for delays in receiving the new HVAC equipment required to complete the project. There is no change in cost associated with this change order.
Countywide (AH)

Background and Justification: This project is implementing recommended improvements to the Department's Administration Building at PBI in order to meet 2017 Florida Building Codes. Storm Resiliency Modifications Package 2 project will provide protection to rooftop mounted equipment from impact of wind-borne debris and will replace existing HVAC equipment that is nearing its end of service life with new HVAC equipment as well as provide related structural supports for the new HVAC equipment. Multiple delays from the manufacturer of the HVAC equipment due to the continuing supply chain issues has affected the construction schedule. The HVAC equipment was originally scheduled to be on site by October 30, 2022; however, the current anticipated date the equipment will be on site is May 22, 2023. Approval of this change order will extend the time for completion by 167 calendar days.

Attachments:

- 1. Change Order No. 1 to Amendment No. 3 to CM at Risk Contract with LCM (w/Contract History) – (3 originals)

Recommended By: [Signature] 4/4/23
Department Director Date
Approved By: [Signature] 4/24/23
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 (Grants)	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>-0-</u>	_____	_____	_____	_____
 # 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 4111 Department 121 Unit A413 Object 6505
 Reporting Category _____

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

There is no Fiscal Impact for this item.

C. Departmental Fiscal Review: Debbie Demunson _____
(21) 4/4/23

III. REVIEW COMMENTS

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

<p><u>Lisa Matus</u> 4/6/2023 OFMB 415</p>	<p><u>SW</u> 4/5/2023</p>	<p><u>Dr. J. J. ...</u> 4/13/23 Contract Dev. and Control 4/12/23</p>
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B. Legal Sufficiency:

Anne Delgent 4/14/23
 Assistant County Attorney

C. Other Department Review:

 Department Director

REVISED 11/17

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

CHANGE ORDER

- | | | | |
|--------------------------|-------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | Owner Initiate | <input type="checkbox"/> | Quantity Overruns/Underruns |
| <input type="checkbox"/> | Differing Site Conditions | <input type="checkbox"/> | Request By Another Agency/Outside Party |
| <input type="checkbox"/> | Zoning/Code/Ordinance Changes | <input type="checkbox"/> | A. Reimbursable <input type="checkbox"/> B. Non-Reimbursable |
| <input type="checkbox"/> | Errors/Omissions/In Design | <input checked="" type="checkbox"/> | Other |

PROJECT: **Federal Inspection Services (FIS) & Building 846 Storm Resiliency Modifications Package 2**
Palm Beach International Airport

CHANGE ORDER NO: **One (1)**
COUNTY/FAA PROJECT NO: **DOA 18-13**
CONTRACT DATE: **August 20, 2019**
RESOLUTION NO. **R-2019-1222 Contract**
WO SL 04: **NTP 05/16/2022 R2022-0456**
DISTRICT # **Countywide**

TO: **Lebolo Construction Management, Inc.**
2100 Corporate Drive
Boynton Beach, FL 33426

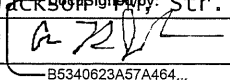
Description of Change:

As stated by the manufacturer and the mechanical subcontractor, the new HVAC Chillers for the Department of Airports Administrative Building 846 have had multiple delays due to continuing supply chain issues. The equipment was scheduled to be on site by October 30, 2022, however the current anticipated date the equipment will be on site is May 22, 2023. This Change Order includes an extension of one hundred sixty seven (167) calendar days to the construction phase of this Contract. This Change Order does not have any changes to the Contract price.

Total increase to the Contract..... \$00.00

EXECUTION OF THIS CHANGE ORDER ACKNOWLEDGES FINAL SETTLEMENT OF, AND RELEASES ALL CLAIMS FOR, COSTS AND TIME ASSOCIATED, DIRECTLY OR INDIRECTLY, WITH THE ABOVE STATED MODIFICATION(S), INCLUDING ALL CLAIMS FOR CUMULATIVE DELAYS OR DISRUPTIONS RESULTING FROM, CAUSED BY, OR INCIDENT TO, SUCH MODIFICATION(S), AND INCLUDING ANY CLAIM THAT THE ABOVE-STATED MODIFICATION(S) CONSTITUTES, IN WHOLE OR PART, A CARDINAL CHANGE TO THE CONTRACT.

The Original Guaranteed Maximum Price (GMP) was **\$1,518,790.48**
 Net change by previous Change Orders **\$00.00**
 The GMP prior to this Change Order..... **\$1,518,790.48**
 The GMP will be increased/decreased by this Change Order **\$00.00**
 The new GMP including Change Order will be..... **\$1,518,790.48**
 The Time to complete this Work will be **increased**/decreased by..... **167 Calendar days**
 The Date of Substantial Completion of this Change Order therefore is..... **July 17, 2023**
 The Date of Final Completion of this Change Order therefore is **August 16, 2023**

RS&H
Engineer
10748 Deerwood Park Blvd. South
Jacksonville, FL 32256
Name and Title:
Aaron Jackson, Sr. Engineer
Signature 
Date: 3/15/2023

Lebolo Construction Management, Inc.
Contractor
2100 Corporate Drive
Boynton Beach, FL 33426
Name and Title:
Maria Manjon, Project Executive
Signature 
Date: 3/15/2023

PBC Bd Of County Commissioners
Owners
PO Box 21229
West Palm Beach, FL 33416-1229
Name and Title:
Signature
Date:

PALM BEACH COUNTY DEPARTMENT OF AIRPORTS

Attest: Joseph Abruzzo
Clerk of the Circuit Court
& Comptroller

Approved As To Terms
and Conditions

Approved as to Form and Legal
Sufficiency

By: _____
Deputy Clerk

By: 
Director of Airports

By: 
County Attorney

PALM BEACH COUNTY

CONSTRUCTION CHANGE PROPOSAL (CCP)

TO: Palm Beach County Department of Airports
846 Palm Beach International Airport
West Palm Beach, FL 33406-1470

CCP NUMBER: 001
DATE: 03/09/2023
PROJECT NAME: FIS & Building 846 Storm Resiliency Modifications
Package 2 at Palm Beach International Airport

ATTENTION: George Santos/Cynthia Portnoy

PROJECT NUMBER: DOA 18-13 (R-2019-1222)
CONTRACT NUMBER: Work Order No. SL 04

REFERENCE: Non-Compensatory Time Extension

Request for Change Order #1: Non-Compensatory Time Extension

Non compensatory time extension being requested due to the long lead time of the chillers; current market conditions and shortage of materials are delaying the fabrication of Chillers.

Quantum Mechanical notified Lebolo on May 24th, 2022 about the Chillers Lead Time 32-34 weeks after submittal approval and order placed; Submittals was approved on July 12th, 2022 and order was placed to Trane; Quantum Mechanical confirmed to Lebolo on August 19th, 2022 that estimated ship date for chillers is on March 2nd, 2023 to the coating applicator and then to the project site.

Lebolo requested Quantum Mechanical to submit a letter from Trane – letter was sent to Lebolo on December 2022 (attached)

Another notification was received from Quantum about second delay on the chillers, per email dated on 03.09.2023 Quantum informed Lebolo that new ship date to the coating applicator in South Florida is schedule to be on 04/13/2023 so the chillers are schedule to be delivered to the crane yard on 05/05/2023.

DESCRIPTION:

- 1. BOND & Insurances: \$ 0
- 2. General Requirements due to the Schedule Impact: \$ 0
- 3. Staffing - due to Schedule Impact: \$ 0
- 4. Contractor Fee: \$ 0

Schedule Impact:

Material/Equipment Lead Time: Per Supplier Email, new lead time is 32-45 weeks with a current ship date of 04/13/2023, with an anticipated 3 weeks to coat & deliver. New Substantial Completion Date of July 17, 2023 (07/17/2023). New Final Completion Date of August 10th, 2023 (08/10/2023)

Schedule Impact: 167 calendar days

PROPOSED CONTRACT PRICE CHANGE (increases) \$ 0
(decrease)
(unchanged)

PROPOSED CONTRACT TIME CHANGE (increases) 167 days
(unchanged)

PROPOSED NEW SUBSTANTIAL COMPLETION July 17th, 2023 date

DISTRIBUTION:

FROM: Lebolo Construction Management
CONTRACTOR

SIGNED: 

DATE: 03.09.2023



Lebolo Construction Management, Inc.
2100 Corporate Dr
Boynton Beach, Florida 33426
Phone: 561 742 7644
Fax: (561) 742-7636

Project: 2020-0024/DOA 18-13 SL-04 - PBIA Federal Inspection Services
(FIS) & Building 846 Storm Resiliency Modification Package 2
846 Palm Beach International Airport
West Palm Beach, Florida 33406

PCO #002

Prime Contract Potential Change Order #002: CE #004 - Non-Compensatory Time Extension

TO:	Palm Beach County Department of Airports 846 Palm Beach International Airport West Palm Beach, Florida 33406-1470	FROM:	Lebolo Construction Management, Inc. 2100 Corporate Dr Boynton Beach, Florida 33426
PCO NUMBER/REVISION:	002 / 0	CONTRACT:	DOA 18-13 (R-2019-1222) AMENDMENT 3 WO #SL 04 - Federal Inspection Services (FIS) & Building 846 Storm Resiliency Modification Package 2
REQUEST RECEIVED FROM:	Accounting Quantum Mechanical (Quantum Mechanical)	CREATED BY:	Maria Elena Manjon (Lebolo Construction Management, Inc.)
STATUS:	Pending - In Review	CREATED DATE:	1/10/2023
REFERENCE:		PRIME CONTRACT CHANGE ORDER:	None
FIELD CHANGE:	No	ACCOUNTING METHOD:	Amount Based
LOCATION:		PAID IN FULL:	No
SCHEDULE IMPACT:	167 days	SIGNED CHANGE ORDER RECEIVED DATE:	
EXECUTED:	No	TOTAL AMOUNT:	\$0.00

POTENTIAL CHANGE ORDER TITLE: CE #004 - Non-Compensatory Time Extension

CHANGE REASON: No Change Reason

POTENTIAL CHANGE ORDER DESCRIPTION: *(The Contract Is Changed As Follows)*

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2. General Requirements due to the Schedule Impact: \$ 0
3. Staffing - due to Schedule Impact: \$ 0
4. Contractor Fee: \$ 0

Schedule Impact:



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Schedule Impact: 167 calendar days

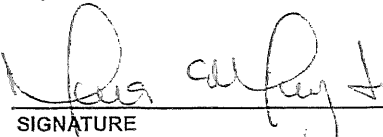
ATTACHMENTS:

#	Budget Code	Description	Amount
1	90-91-120.OVR Contractor Fee.Overhead	Non-Compensatory Time Extension	\$0.00
Grand Total:			\$0.00

Palm Beach County Department of
Airports
846 Palm Beach International Airport
West Palm Beach, Florida 33406-1470

Lebolo Construction Management, Inc.
2100 Corporate Dr
Boynton Beach, Florida 33426

SIGNATURE DATE



SIGNATURE DATE

DEPARTMENT OF AIRPORTS
 MISCELLANEOUS AIRPORT IMPROVEMENTS - CMAR (LOCAL O&B PROGRAM)
 LEBOLO CONSTRUCTION MANAGEMENT INC.
 PB NO: DOA 18-13
 CONTRACT HISTORY

ORIGINAL CONTRACT		YEAR 1-2		1 st EXT YR 3		2 nd EXT YR 4		3 rd EXT YR 5										
RESOLUTION NO		R-2018-1222		R2021-0888		R2022-0676		R2022-0676										
DATE APPROVED		8/20/2019		7/13/21		7/12/22		7/12/22										
SBE Goal		15.00%		8/20/2021		8/20/2022		8/20/2024										
EXPIRATION		8/20/2021		8/20/2022		8/20/2023		8/20/2024										
API-GSC	REF DOC	SBE/MWBE PARTICIPATION		DESCRIPTION	TIME(Cal Days) for Substantial	NTP	Substantial Completion Date	Final Completion Date	AMOUNT	CHANGE ORDER OR ADJUSTMENT	1 CHANGE ORDER VALUE PLUS TIME	REVISED AMOUNT	LEAD DEPT APPROVAL	CRC APPROVAL	BCC APPROVAL	STATUS	TO/WO CLOSED	
		Total SBE/MWBE (%)	% SBE															
N/A Under \$100k	Task Order SL-01		0%	Precon for New Noise Monitoring Station at PBI	30	1/28/16			\$1,600.00			\$1,600.00				Approved 1/28/16		
N/A Under \$100k	Work Order SL-02		0%	Noise Monitor - GMP	60	3/10/20	5/8/20	6/7/20	\$16,160.00			\$16,160.00					Approved by O&B on 5/19/2020	
				GMP Adjustments					(\$1,061.00)			\$16,279.04					Approved by CRC on 8/10/2020	
Waiver - 0%	Work Order SL-03		Waiver	Storm Resiliency Package 1	90	9/10/20	9/7/20	10/7/20	\$168,325.00							Approved by CRC on 8/10/2020		
				CO No 1	46		10/23/20	11/23/20	\$0.00				0.00			Approved by CRC on 8/10/2020		
				GMP Adjustments					(\$8,377.02)			\$150,947.98				Approved by CRC on 2/24/2021		
	Amendment 1 Time Extension														7/13/21 Board Meeting	Approved R2021-0888		
N/A Under \$100k	Task Order SL-08		15%	Preconstruction Services for Terminal Building 4th Level Exterior Wall Repairs					\$14,844.92			\$14,844.92	\$14,844.92			Approved 9/21/21		
20% SBE Goal	Amendment 2: SL 07	\$248,287.60	32%	Construction Services for Terminal Building 4th Level Exterior Wall Repairs	211	2/14/22	9/12/22	10/12/22	\$777,548.69						\$777,548.69	Approved 2/8/22 R-2022-0135		
				CO No 1	0				\$33,898.89			\$33,898.89				Approved 4/8/22		
				CO No 2	46		10/28/22	11/27/22	\$277,037.22	\$323,037.22		\$310,736.11		\$277,037.22	R2022-0891 Board Meeting 7/12/2022			
				CO No 3	178		4/24/23	5/24/23	\$167,270.47	\$345,270.47				\$0.00	2/7/23 Board			
				GMP Adjustments								\$1,265,553.27						
20% w 6% AAHA	Amendment 3: SL 04	\$921,435.00	60%	PreCon & Construction Services for Storm Resiliency Package 2	280	5/10/22	1/30/23	3/1/23	\$1,518,790.48						\$1,518,790.48	Approved 6/3/2022 R-2022-0457		
					167		7/17/23							\$0.00	May 2, 2023 Board			
	Amendment 4 Time Extension - second one year renewal														7/12/22 Board Meeting	Board Meeting 7/12/2022 R2022-0076		
Total									\$2,408,887.00	\$467,746.70		\$1,758,859.42	\$68,003.81	\$0.00	\$2,573,374.39			

Notes:
 Closed-out projects
 Items in Blue are draft
 Approval Authority for Task Authorizations (CM @ Risk) - No cumulative tracking Document
 Task Order
 Task Order
 Amendment

Authority
 Lead Dept
 CRC
 BCC

less than \$100,000
 \$100,000 - \$200,000
 > \$200,000

Approval Authority
 CO Value
 \$0-50,000
 \$50,001-100,000
 >\$100,001

Cumm CO Value
 See Note 1
 See Note 1
 See Note 1

Authority
 Lead Dept
 CRC
 BCC

Days
 0-30 days
 31-90
 120

Authority
 Lead Dept
 CRC
 BCC

Cumulative Days up to 30
 Individual Days up to 90
 See note 2

Time Extensions in excess of 90 Days must be approved by the Board and does not count towards the

- When the cumulative value of changes or additional work approved by the Lead or CRC exceeds the greater of \$250,000 or 5% of the original contract an agenda item notifying the board that the item puts it in the excess category must be prepared and forwarded as a Receive and File item
- When the cumulative time extensions approved by a combination of the Lead Dept and the CRC exceeds 120 Cal Days then an agenda item notifying the board that the item puts it in the excess category must be prepared and forwarded as a Receive and File item

*Time must also be evaluated based on value of LD's for projects over \$1,000,000. The value of the time extension is not included when calculating the cumulative value