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Agenda Item #:

3H-4

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

**Meeting Date:** May 2, 2023

**Consent**

**Regular**

**Ordinance**

**Public Hearing**

**Department:** Facilities Development & Operations

**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to approve:** Amendment No. 1 to the construction manager at risk services continuing contract (R2023-0139) with Lebolo Construction Management, Inc. (Construction Manager) establishing a Guaranteed Maximum Price (GMP) in the amount of \$546,499 for the Jupiter Health Center Renovations project for a period of 240 days from notice to proceed.

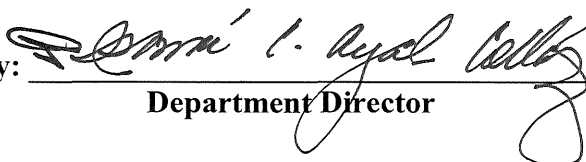
**Summary:** On February 7, 2023, the Board of County Commissioners (Board) approved the construction manager at risk services continuing contract (R2023-0139) with the Construction Manager for construction management services for various federally funded capital projects. Amendment No. 1 authorizes construction management services necessary to renovate the Jupiter Health Center public restrooms. Renovations are required in order to bring the men's and women's public restrooms into compliance with the Americans with Disabilities Act (ADA). Renovations will accommodate accessibility requirements to more efficiently serve the needs of the Jupiter Health Center. The Construction Manager will have 240 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$120 per day. The work was competitively solicited by the Construction Manager utilizing the federal requirements provided by the Department of Housing and Economic Development (DHED). Under the federal requirements, this project has an established Equal Employment Opportunity (EEO) minority participation goal of 22.4%, of which 6.9% is female participation. After good faith efforts, the Construction Manager anticipates an EEO utilization of 16.25% minority participation and 8.53% female participation for this amendment. Under the federal requirements the goals are not mandatory, provided the contractor exercised good faith efforts. **The funding sources for this work are the Infrastructure Sales Tax Fund and the Public Building Improvement Fund. (Capital Improvements Division) District 1 (MWJ)**

**Background & Justification:** Construction Management 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 the general contractor bidding the subcontracts for construction.

**Attachments:**

1. Location Map
2. Budget Availability Statement
3. GMP Amendment No. 1
4. CM @ Risk Contract History

**Recommended By:**



Department Director

4/5/23  
Date

**Approved By:**



County Administrator

4/24/23  
Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	\$546,499	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	\$546,499	_____	_____	_____	_____

**# ADDITIONAL FTE POSITIONS (Cumulative)**

**Is Item Included in Current Budget:** Yes     X     No \_\_\_\_\_  
**Does this item include the use of federal funds?** Yes     X     No \_\_\_\_\_

**Budget Account No:** Fund 3804 Dept 411 Unit B717 Object 4907 Amount \$ 129,769.94  
Fund 3950 Dept 411 Unit Q002-0004 Object 4907 Amount \$ 419,729.06

CONSTRUCTION	\$546,499.00
STAFF COSTS	\$ 0.00
CONTINGENCY	\$ 0.00
<b>TOTAL</b>	<b>\$546,499.00</b>

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

The funding sources for this work are the Infrastructure Sales Tax Fund and the Public Building Improvement Fund.

**C. Departmental Fiscal Review:**

**III. REVIEW COMMENTS**

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

4/15/23  
OFMB 9A 4110  
 4/17/23  
Contract Development and Control  
EDW 4-10-23  
 4/17/23

**B. Legal Sufficiency:**  
 4/18/23  
Assistant County Attorney

**C. Other Department Review:**  
\_\_\_\_\_  
Department Director