Agenda Item: 3F3

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

======================================	June 13, 2023	[X] []	Consent Workshop	[]Regular []Public Hearing
Submitted By:	Department of Airports			
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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 11 to the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Miscellaneous Airport Improvements for Palm Beach County Department of Airports (Department) exercising the final one (1) year renewal option for the continuation of services.

The Contract with MGI for CM at Risk Services for Miscellaneous Airport Summary: Improvements for the Department was approved by the Board on August 20, 2019 (R-2019-1221). The Contract is for 2 years with 3 one (1) year renewal options and is a task/work order based contract for CM at Risk services for the Department. MGI is a Danbury, Connecticut, based firm: however, the work will be directly managed by their southeast regional office in Palm Beach County. This solicitation for CM contractors was advertised on September 23, 2018 according to the Small Business Enterprise (SBE) Ordinance in place at the time, with a 15% SBE goal. MGI is on notice that all Guaranteed Maximum Price (GMP) issued pursuant to this contract will be subject to the requirements of the Equal Business Opportunity (EBO) Ordinance, including requesting Affirmative Procurement Initiatives (API's) be set prior to bidding the subcontracts. MGI along with their S/MBE teaming partner Cooper Construction Management and Consulting, Inc. (Cooper) were one of two firms selected to provide project management and construction supervision services. The Contract value to date is \$8,182,999.70. The County exercised the first one (1) year renewal option on August 17, 2021 (R-2021-1023). The County exercised the second one (1) year renewal option on July 12, 2022 (R-2022-0677). Approval of Amendment No. 11 will allow the County, at its sole discretion, to exercise the third, and final, one (1) year renewal option for the continuation of services provided under the CM at Risk Contract. The current cumulative S/M/WBE subcontractor participation for all work orders to-date under this contract is 44.5%. In addition, MGI's S/MBE teaming partner, Cooper, will provide 15% of the Construction Management Fees on projects assigned. Countywide (AH)

Background and Justification: In order to carry out the approved Capital Improvement Program for the County, the Department uses several methods of procurement including the CM at Risk Contract. By exercising the final one (1) year renewal option, this Amendment allows for the continuation of CM at Risk services necessary to continue the improvements for the Department at all four county owned airports.

Attachments:

1. Amendment No. 11 to CM at Risk Contract with MGI (w/Contract History) – (3 originals)

Recommended By	N Sama Berba	5/10/23
-	Department Director	' Date
Approved By:	1 apriler	5/17/23
	County Administrator	['] Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fisc	al Impact:										
Fiscal Years	20 <u>23</u>	20 <u>24</u>	20 <u>25</u>	20 <u>26</u>	20 <u>27</u>						
Capital Expenditures Operating Costs External Revenues (Grants) Program Income (County) In-Kind Match (County) NET FISCAL IMPACT	*										
# ADDITIONAL FTE POSITIONS (Cumulative)											
Is Item Included in Current Bud Does this item include the use	-	is?	Yes N	lo <u>X</u>							
Budget Account No: Fund Reporting	Departme g Category	ont	_ Unit	Object _							
B. Recommended Sources of	Funds/Summa	ry of Fisca	al Impact:								
*There is no Fiscal Impact		\	\								
C. Departmental Fiscal Revie	v: Wabbieu	Juma	uson								
•	III. REVIE	W COMME	ENTS								
A. OFMB Fiscal and/or Contract Development and Control Comments:											
ABDUL 5/12/2 OFMB QA 5111	3 En 3 (-12-73	Cont	vact Dev. and	Aaco Cun Control	5/16/2						
B. Legal Sufficiency:	_		į į		*						
Assistant County Attorney	<u>5/17</u> /23										
C. Other Department Review:											
Department Director	_										

REVISED 11/17

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

AMENDMENT NO. 11 TO THE CONTRACT BETWEEN

PALM BEACH COUNTY DEPARTMENT OF AIRPORTS AND THE MORGANTI GROUP, INC. FOR

CONSTRUCTION MANAGEMENT SERVICES MISCELLANEOUS AIRPORT IMPROVEMENTS PROJECT NO. DOA 18-13

This Amendment No. 11 to the Contract is made as of the 13th day of une, 2023, by and between Palm Beach County, Florida (COUNTY) and The Morganti Group, Inc., a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONSTRUCTION MANAGER, having its office and principal place of business at 1662 North U.S. Highway 1, Suite C, Jupiter, FL 33469.

WHEREAS, the Owner and CONSTRUCTION MANAGER acknowledge and agree that the Contract between Owner and **THE MORGANTI GROUP, INC**. dated <u>August 20, 2019 (R-2019-1221)</u> is in full force and effect and that this merely supplements said Contract; and

WHEREAS, on June 2, 2020, the County entered into Amendment #1 (R-2020-0556) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on June 16, 2020, the County entered into Amendment #2 (R-2020-0634) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on November 17, 2020, the County entered into Amendment #3 (R-2020-1778) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on April 6, 2021, the County entered into Amendment #4 (R-2021-0463) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on April 6, 2021, the County entered into Amendment #5 (R-2021-0418) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on August 17, 2021, the County entered into Amendment #6 (R-2021-1023) with the CONSTRUCTION MANAGER exercising the first one (1) year renewal option and that this merely supplements said Contract; and

WHEREAS, on August 17, 2021, the County entered into Amendment #7 (R-2021-1161) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on December 21, 2021, the County entered into Amendment #8 (R-2021-1951) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on April 12, 2022, the County entered into Amendment #9 (R-2022-0373) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

WHEREAS, on July 11, 2022, the County entered into Amendment #10 (R-2022-0677) with the CONSTRUCTION MANAGER and that this merely supplements said Contract; and

DOA 18-13 Amendment No. 11

Page 1 of 3

WHEREAS, it is the County's desire to exercise the third and final one (1) year renewal option for the continuation of services provided by the CONSTRUCTION MANAGER under this contract.

NOW THEREFORE, in considerations of the mutual covenants herein contained, and such other good and valuable consideration, the receipt of which the parties hereby acknowledge, the parties agree to the following terms and conditions:

- (1) The parties hereby agree to amend the Contract to include the third and final one (1) year renewal option for the continuation of services provided by the CONSTRUCTION MANAGER under this Contract.
- (2) Except as specifically amended herein, all other terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the COUNTY and CONSTRUCTION MANAGER has hereunto set its hand the day and year above written.

ATTEST: JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT & COMPTROLLER	PALM BEACH COUNTY, FLORIDA A Political Subdivision of the State of Florida BOARD OF COUNTY COMMISSIONERS
By: Deputy Clerk	By: Gregg K. Weiss, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
By: Orne Odelgant County Attorney	By: Dura Busa Director of Airports
WITNESS:	
FOR CONSTRUCTION MANAGER SIGNATURE	CONSTRUCTION MANAGER:
Indera Jusel Signature	Signature
Fulvia Ssana Hisel Name (type or print)	Stephen Sines Name (type or print)
	Vice President of Operations Title
	(Corporate Seal)

DEPARTMENT OF AIRPORTS MISCELLANEOUS AIRPORT IMPROVEMENTS - CMAR (LOCAL OEBO PROGRAM) THE MORGANTI GROUP INC. PB NO: DOA 18-13

							PB NO: DOA 18-1 CONTRACT HISTO	3 RY							
ORIGINAL CONTRACT RESOLUTION I DATE APPROV SBE Goal	√o ED	YEAR 1-2 R-2019-1221 8/20/2019 15,00%	1 st EXT YR 3 R-2021-1023 8/17/21	3	2 nd EXT YR 4 R-2022-0677 7/12/22		3 [™] EXT YR 5								
EXPIRATION		8/20/2021	8/20/2022		8/20/2023		8/20/2024			I		1.			
REF DOC	API-G3C	DESCRIPTION	TIME(Cal Days) for Substantial	NTP	Substantial Completion Date	Final Completion Date	AMOUNT	CHANGE ORDER OR ADJUSTMENT	CHANGE ORDER VALUE PLUS TIME	REVISED AMOUNT	LEAD DEPT APPROVAL	CRC APPROVAL	BCC APPROVAL	STATUS	TO/WO CLOSED
Amendment No 1 SMC-01	15% of which 4% MBE (AA and HA)	SMC 61 Terminal Condensation Phase 1	190	BfBiZQ	(2/14/20	171501	\$1,383,600.00						\$1,383,500.00	June 2, 2020 Board (R2020-0556)	
		CO NO 1	8		12/22/20			\$14,898.07	\$42,896.07		\$34,898,07			}	
		CO NO 2	0		12/22/20	1/21/21		\$72,529.17	\$72,529.17				\$72,629.17	1/12/21 Board Meeting 2021-0063	
		GMP Adjustments						-\$19,805,41		\$1,471,118.83				CRC 7/1/21	CRC 7/7/2021
Amendment No 2 SMC-02	20%	SMC 62 Wallis Road Improvements-Phase 1	100	7/14/20	10/21/20	11/20/20	\$434,700.00						\$414,700.00	June 10, 2020 Board R2029-0634	
						****	Cyntl GdP Carpt	his Fortmay: effected 199 days with letten of 12/22	***************************************						
		GMP Adjustments								\$392,239,33					GRG 7/7/2021
WO SMC 03		SMC 03 Domestic Water Valve Replacement-Field Investigation					\$15,712.00				\$15,712.00			Approved 9/1/2020	
		GMP Adjustments						\$0.00		\$16,712.00					DOA Clased
WO SMC 04	N/A under \$100k	SMC 94 Domestic Water Valve Replacement-Phase 1 Priority Valves	E 9	9/16/20	£1/14/20	12/14/20	\$93,976.00				\$93,976.00			Approved on 9/11/2020.	
		GMP Adjustments						(\$15,074.79)		\$78,901.21					DOA Clused on 6/17/21
Amend No 3 (SMC 05)	20% of which 5% is for MANGE	SMC 95 Terminal Condensation Phase 2	379	11/30/20	12/10/21	1/9/22	\$3,143,984.00						\$3,148,984.00	R2020-1778 Hovember 17, 2020 Board	
		CO Na 1	e					\$45,185,78	\$0.00		\$43,1H6,78			Approved on 10/14/21	
		GO Na 2	0					\$59,007.59	\$0.00			\$59,007.56		Approved by CRC 19/20/21	
		CO No 3	60					\$0.08	\$60,050.00			\$0.00		Approved by CRC 11/03/21	
		GO No. 4-time to final	30		2/8/72	4/9/22		\$0,08			\$0.00			7/12/22 Board	
		GO No. 5-time to final	60			6/8/22		\$0.02					\$0.99	Meeting (R-2022- 0680)	
:		GMP Adjustments								\$3,251,177.34					CRC closed out 11/18/22

DEPARTMENT OF AIRPORTS
MISCELLANEOUS AIRPORT CMAR (LOCAL DEBD PROGRAM)
THE MORRAMI GROUP NG.
PR NO. DOA 18-13
CONTRACT HISTORY

ORIGINAL CONTRACT RESOLUTION NO DATE APPROVED SBE GOM		YEAR 1-2 R-2018-1221 B(20/2018 15.00%	t" EXT YR 3 R-2021-1023 8/17/21		2 ²⁴ EXT YR 4 R-2022-0677 7/12/22		3" EXTYR 5								
EXPIRATION		6/20/2021	6/20/2022		8/20/2023		8720/2024								
REFDOC	API-GSC	DESCRIPTION	TIME(Cal Days) for Substantial	MTP	Substantial Completion Date	Final Completion Date	AMOUNT	CHANGE ORDER OR ADJUSTMENT	CHANGE ORDER VALUE PLUS TIME	REVISED AMOUNT	LEAD DEPT APPROVAL	GRG APPROVAL	BGG APPROVAL.	STATUS	Town closed
Task Order SMC 66	WA under \$100k	SMC 08 Secutity Phase 2 -Confinum Upgrade		11,9,20			\$97,530,00					\$97,510.00		Approved by CRC on 11/04/2020	
		GMP Adjustments								\$97,520,00					
		SMC 07 Security Phase 3 - Replace 26 cameras	69	11:9/20	10/21	2/6/21	\$59,100.00			_	\$43,100.00			Approved by the Dept on 19/26/2920	
		Change Order No I	19		3/6/21	4/4/2/1		06'0\$	\$0.00			\$6.00			

		OMP Adjustments						(\$12,779.29)		\$48,320.71				Class-out by Lead Dept on 1/25/23	
Amendment No 4 (SMC 08)	SBE Price Preference	SMC 08 Building B46 VP5 Upgrade	345	4/12/21	313/21	10,021	\$438,131,00						\$438,131.00	4/8/21 Board R2021- 0453	
		CO No 1 Time suspended as of 8/23/21. Resumed 1/23/22	8		472/2022	6/27/22									
		GO No 2 Time Extension	22		7/1/2022	711417							65.00	\$/07/22 Board R2022 0547	
		OMP Acquatments								\$438,131.00					CRG Claseoul 11/23/22
Amendment No 5 (SMC 10)	SBE Price Preference	SMC 10 LTG 3 Structural repair	101	4/52/24	12121	8/20/21	\$221,117.00						\$221,117.00	4/6/21 Board R2021- 0418	
		GO Na 1	28		9/18/24	12714		\$6.00			arot .			Approved on 8/31/21	
		CO Mo 2	82		+1/48/21	12/18/21		00.0\$				\$0.00		Approved by CRC on \$9/20/24	
		GMP Adjustments						(\$38,704,15)		\$181,412,85				Approved by GRG 4/13/22	
Amend No S	10% SBE	First year time extension												8/17/2021 Board Meeting R- 2021-1023	
Amend No 7 (SMC 93)	%91 38S	SMO 09 Fire Pump Replacement	214	9/25/21	3/26/22	4125172	00'306'508\$						\$607,805.00	8/17/21 Board Meeting R2021- 116!	
		CO No 1 Material Delay	145		8/18/22	9/17/22		\$0.0\$					60.0\$	53:2022 Board Meeting R-2022. 0402	
		GO No 2 Permitting revision	8		11/16/22	12/16/22		\$0.04	\$80,000,08\$			\$6,00		Approved at CRC 11/18/2021	
		GO Ne 3	52	10.3	2/17/23 8/16/23 Cyribia Pertupy Edwel Substantia (considellen by 83 days to 3/17/23,	8/16/23 8 days to 2/17/23,		\$0.00					\$0.00	3/14/23 Board	
		GMP Adjustments		- 1	rad Completion extension 249 d	rs to 4/16/72				\$605,008,00	:				

DEPARTMENT OF AIRPORTS MISCELLANEOUS AIRPORT IMPROVEMENTS - CMAR (LOCAL OEBO PROGRAM) THE MORGANTI GROUP INC. PR NO: 100.4 16-14

PB NO: DOA 18-13 CONTRACT HISTORY ORIGINAL CONTRACT RESOLUTION NO DATE APPROVED SBE Goal EXPIRATION 1" EXT YR YEAR 1-2 R-2019-1221 8/20/2019 15,00% 8/20/2021 3 R-2021-1023 B/17/21 2nd EXT YR 4 3rd EXT YR 5 R-2022-0677 7/12/22 8/20/2022 8/20/2023 8/20/2024 CHANGE CHANGE ORDER VALUE PLUS TIME TIME(Cal Days) for Substantial Substantial Completion Date nai Completio Date LEAD DEPT APPROVAL TO/WO CLOSED REF DOC API-GSC DESCRIPTION NTP AMOUNT REVISED AMOUNT CRC APPROVAL BCC APPROVAL STATUS 12/21/21 Board (R2021-1951) AmendNo, B (SMC 11) SMC 1t Generator Controllers 135 1/3/22 5/17/22 6/16/22 \$717,900.00 \$717,900,00 10/4/22 Board R2022 1107 137 10/31/22 10/1/22 CO No 1 CO No 2 GMP Adjustments \$717,990.00 Amend No 8 (SMC12) 04/12/22 Board (R2022-0373) SMC 12 West People Tube Repairs 145 4/18/22 9/9/22 10/9/22 \$889,840,00 \$989,840.00 \$10,000,00 \$10,000,00 Executed 6/23/22 Executed 11/28/2022 CO No 2 14 9/23/22 10/23/22 \$14,000.00 \$0.00 GMP Adjustments (\$61,282.57) \$848,557.43 Closed out on 11/30/33 30 9/19/22 10/18/22 10/18/22 987,624,0 187,534.00 SMC 13 CUPPS Expansion Approved by CRC on 1/4/23 90 1/16/23 2/15/23 \$0.00 CO No 1 GMP Adjustments SMC 15 SMC 15 F45 Building Repairs - investigation services \$38,093.00 \$38,693,00 Approved 1/27/22

\$28,620,00

GMP Adjustments

DEPARTMENT OF AIRPORTS MISCELLANEOUS AIRPORT IMPROVEMENTS - CMAR (LOCAL OEBO PROGRAM) THE MORGANTI GROUP INC. PB NO: DOA 18-13 CONTRACT HISTORY

ORIGINAL CONTRACT RESOLUTION NO DATE APPROVED SBE Goal) D	YEAR 1-2 R-2019-1221 8/20/2019 15.00%	1 st EXT YR 3 R-2021-102: 8/17/21	3	2 nd EXT YR 4 R-2022-0677 7/12/22		3 rd EXT YR 5								
EXPIRATION		8/20/2021	8/20/2022		8/20/2023		8/20/2024								
REFDOC	API-GSC	DESCRIPTION	TIME(Cal Days) for Substantial	NTP	Substantial Completion Date	Final Completion Date	AMOUNT	CHANGE ORDER OR ABJUSTMENT	'CHANGE ORDER VALUE PLUS TIME	REVISED AMOUNT	LEAD DEPT APPROVAL	CRC APPROVAL	BCC APPROVAL	STATUS	TO/WO CLOSED
Amend 10		Second One (1) Year renewal												7/12/2022 Board R2022-9677	
WO SMC 18		SMC 19 Tile Replacement	130	7/25/22	12/1/22	12/31/22	\$160,200,00					\$160,200.00			
		GMP Adjustments						(\$6,070.34)		\$154,129.66					2/15/23 CRC
Amend 11		Third and Final (1) year renewal													
Motes: Clesed-out projects Items in Bare are draft		Total SMWBE Breakdown Total SMWBE					\$8,232,023.00	\$38,510,70		\$8,482,999,70	\$382,496,85	\$158,537.58	\$7,912,607.17		
Approval Authority for Document Task Order Task Order Amendment	Task Authorizations	CRC	loss than \$100, \$100,000 <\$200 > \$200,000				Cumulatiya Yajua - Bayisa	st us of 6/24/09		Authority Lead Dept CRC BCC Board and does not count!			Authority Load Dept CRC BCC	nel an acenda item	
		1 When the cumstable value of changes or additional work approved by the Lead or CRC cacceds the greater of \$250,00 or 6% of the original contract an agenda deen notifying the board but this item past at live bearsest category must be prepared and formented as a Review of Miller Board or Section and File deen													