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

Agenda Item #: 3H-/2

Meeting Date: December 5, 2023	[X] Consent [] Workshop	[] Regular [] Public Hearing
Department: Facilities Development & Opera)	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

- A) A Budget Transfer in the amount of \$753,000 from Reserves within the Fire Rescue Improvement Fund for Fire Station No. 49 Agricultural Reserve Central Capital project; and
- B) Amendment No. 1 to the Construction Manager (CM) at Risk Services contract (R2022-1364) with Core Construction Services of Florida, LLC (CM), establishing a Guaranteed Maximum Price (GMP) in the amount of \$14,951,543 for the Fire Station No. 49 project for a period of 529 calendar days from notice to proceed.

Summary: On November 15, 2022, the Board of County Commissioners (Board) approved the CM at Risk Services contract (R2021-0750) with the CM for Fire Stations No. 24, No. 49 and No. 92. The Fire Stations No. 24, No. 49 and No. 92 project includes the construction of three new fire stations at various locations throughout the County. On November 15, 2022 the Board also approved Task Order No. 1 (R2022-1365) in the amount of \$214,400. Task Order No. 1 authorized preconstruction services for Fire Stations No. 24, No. 49 and No. 92 which included validating constructability, cost estimating, procurement services and the development of the GMP. Amendment No. 1 establishes a GMP in the amount of \$14,951,543 for construction management services necessary for the construction of Fire Station No. 49. Fire Station No. 49 will be an approximately 17,987 square foot facility located at 12555 Lyons Rd, Boynton Beach. The Fire Station No. 49 project includes, but is not limited to, the construction of Fire Station No. 49 with all associated site work, utilities, paving, drainage, site lighting, signalization infrastructure, landscape and irrigation. The Construction Manager will have 529 calendar days from notice to proceed to substantially complete the construction phase of the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$475 per day. The solicitation for the CM was advertised on March 6, 2022 according to the Equal Business Opportunity (EBO) Ordinance, with final selection taking place on July 13, 2022. On March 1, 2023, the Goal Setting Committee (GSC) established for the GMP an Affirmative Procurement Initiative (API) of a Small Business Enterprise (SBE) subcontracting goal of 20% participation, of which 6% must be African American and/or Hispanic American. SBE participation on the construction trade contracts for this GMP is 44.30%, of which 14,11% is African American and/or Hispanic American. In accordance with Attachment 3 of Policy and Procedures Memorandum (PPM) CW-O-043, the GSC applies the APIs applicable to the construction phase of the contract (i.e. the subcontracts) before subcontractor bidding so that the SBE participation for the GMP is based on the subcontracting trades associated with the GMP and does not include the CM's fees. SBE participation on the contract to date is 44.49%. Continued on Page 3

Background and Justification: Continued on Page 3

Attachments:

- 1. Location Map
- 2. Budget Transfer
- Budget Availability Statement 3.
- 4. Amendment No. 1
- 5. CM at Risk Services History Sheet

Recommended by:	comme " light Calles	11/13/23
	Department Director	Date
Approved by:	Bater	11/29/23
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

Five Year Summary of Fiscal Impact: A.

Fiscal Y	Years			2	024	2025	20)26	2027		2028
Operat Extern Progra	l Expen ting Cos al Reve im Inco d Matcl	ts nues me (Co		\$ 	<u>16.752.443</u>						
NET FISCAL IMPACT # ADDITIONAL FTE POSITIONS (Cumulative)		1 -		<u> </u>	<u>-0-</u>		<u>-0-</u>		<u>-0-</u>		
Is Item Included in Current Budget:YesXNoIs this item using Federal Funds?YesNoXIs this item using State Funds?YesNoX											
Budget Account Nos:											
<u>Fund</u> Fund	<u>3700</u> <u>3704</u>	<u>Dept</u> Dept	<u>441</u> 441	<u>Ünit</u> <u>Unit</u>	<u>F130</u> F130	<u>Obiect</u> <u>Obiect</u>	<u>6502</u> <u>6502</u>	\$14,652, \$ 2,100,			
CONSTRUCTION \$14,951,543 STAFF COSTS \$ 288,400 CONTINGENCY \$ 1,512,500					288,400.0	00					

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

Funding for this project is from the Fire Rescue Improvement Fund and Fire Rescue Impact Fees Fund.

\$16,752,443.00

С. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments: ∇ 3 Contract Development and Control ÓFMB -16-23 F1111.Z.V

B. Legal Sufficiency:

TOTAL

Assistant County Attorney 401

C. Other Department Review:

Department Director

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

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Summary: The CM is not a certified Small/Minority/Women-Owned (S/M/WBE) Business Enterprise, but has partnered with four (4) S/MBE firms: Randolph Construction Group, Inc., Hatcher Construction & Development, Total Solution Contractors, Inc. and Anatom Construction Company, for services in the amount not less than 5% of its preconstruction CM fees and 22.5% of the firm's construction phase staffing cost. The Construction Manager has an office located in Palm Beach County. Funding for this project is from the Fire Rescue Improvement Fund and Fire Rescue Impact Fees Fund. (Capital Improvements Division) District 5 (MWJ)

Background and Justification: CM at Risk is a project delivery method in which the CM 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. Amendment No. 1 authorizes the construction management services necessary for the construction of Fire Station No. 49.