

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

Meeting Date: December 19, 2023

Consent **Regular**
 Workshop **Public Hearing**

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

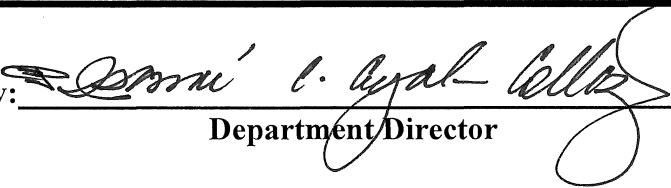
Motion and Title: Staff recommends motion to approve: Amendment No. 4 to the continuing Construction Manager (CM) at Risk Services contract (R2020-1689) with D. Stephenson Construction, Inc. (CM), establishing a Guaranteed Maximum Price (GMP) in the amount of \$1,158,508 for the Vista Government Center-Covered Canopy and Lobby project for a period of 330 calendar days from notice to proceed.

Summary: On November 17, 2020, the Board of County Commissioners (Board) approved the continuing CM at Risk Services contract (R2020-1689) with the CM for construction management services for various capital projects. Amendment No. 4 establishes a GMP in the amount of \$1,158,508 for construction management services necessary for the Vista Government Center-Covered Canopy and Lobby project. The Vista Government Center-Covered Canopy and Lobby project includes, but is not limited to, the construction and renewal/replacement of interior walls, doors, flooring and wall finishes, access control, electrical additions and replacements, security enhancements and the replacement of the rotating vestibule doors with automatic doors. The CM will have 330 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 \$210 per day. This continuing CM at Risk Services contract was solicited pursuant to the requirements of the Equal Business Opportunity Ordinance (EBO). This continuing CM at Risk Services contract was presented to the Goal Setting Committee (GSC) on December 4, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a small business enterprise (SBE) evaluation preference up to 10 points for the SBE Participation Plan and a mandatory 20% SBE subcontracting goal on the contract. SBE participation on the construction trade contracts for this GMP is 33.80%. 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 18.35%. The CM is a local business. Funding for this project is from the Building Capital Projects Fund. **(Capital Improvements Division) District 7 (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 general contractors bidding the subcontracts for construction. Amendment No. 4 authorizes the construction management services for the Vista Government Center-Covered Canopy and Lobby project.

Attachments:

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

Recommended by:  11/20/23
Department Director Date

Approved by:  12/13/23
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures	\$1,158,508	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>\$1,158,508</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget:	Yes	<u> X </u>	No	_____
Is this item using Federal Funds?	Yes	_____	No	<u> X </u>
Is this item using State Funds?	Yes	_____	No	<u> X </u>

Budget Account Nos.:

<u>Fund</u> 3904 <u>Dept</u> 601 <u>Unit</u> Z016 <u>Object</u> 4610	
CONSTRUCTION	\$1,158,508.00
STAFF COSTS	\$ 0.00
CONTINGENCY	<u>\$ 0.00</u>
TOTAL	\$1,158,508.00

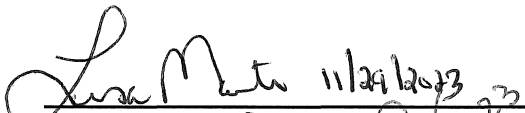
B. Recommended Sources of Funds/Summary of Fiscal Impact:

Funding for this project is from the Building Capital Projects Fund.

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:


 OFMB 11/28 11/28 11/28 11/28 11/28


 Contract Development and Control 12/5/23

B. Legal Sufficiency:


 Assistant County Attorney

C. Other Department Review:

 Department Director

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