

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA**

AUGUST 27, 2024

**TUESDAY
9:30 A.M.**

COMMISSION CHAMBERS

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance

2. AGENDA APPROVAL

- A. Additions, Deletions, Substitutions
- B. Adoption

3. CONSENT AGENDA (Page 2 - 4)

4. SPECIAL PRESENTATION – Congresswoman Cherfilus-McCormick Workforce Affordable Housing Development Check Presentation

5. REGULAR AGENDA (Page 5)

6. WORKSHOP SESSION 9:30 A.M.

- A.** FEMA FIRM Map Updates (PZB / WATER)
- B.** Palm Tran paratransit RFP (PALM TRAN)
- C.** Emergency Medical Services Secondary Certificate of Public Convenience and Necessity (COPCN) Update (PUBLIC SAFETY)

7. BCC COMMENTS

8. ADJOURNMENT

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3. CONSENT AGENDA

A. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

- A) **receive and file** a zero-dollar (\$0) value Change Order No. 5 documenting an increase in the amount of \$83,494.83 to the project contingency fund of Amendment No. 3 (R2021-0345) to the Construction Manager (CM) at Risk Services contract (R2020-0249.1) with Kast Construction Company LLC (Kast) for the Palm Beach Sheriff's Office (PBSO) Headquarters Renovations-Exterior and Interior project (Project);
- B) **receive and file** a zero-dollar (\$0) value Change Order No. 7 documenting a decrease in the amount of \$1,205,551.68 to the project contingency fund of Amendment No. 3 (R2021-0345) to the CM at Risk Services contract (R2020-0249.1) with Kast for the Project;
- C) **receive and file** a zero-dollar (\$0) value Change Order No. 9 documenting a decrease in the amount of \$267,930.66 to the project contingency fund of Amendment No. 3 (R2021-0345) to the CM at Risk Services contract (R2020-0249.1) with Kast for the Project;
- D) **approve** Change Order No. 10 to Amendment No. 3 (R2021-0345) to the CM at Risk Services contract (R2020-0249.1) with Kast for the Project in the amount of \$789,932, increasing the project duration by 116 calendar days; and
- E) **approve** Change Order No. 11 to Amendment No. 3 (R2021-0345) to the CM at Risk Services contract (R2020-0249.1) with Kast for the Project in the amount of (\$419,947.32).

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3. CONSENT AGENDA

A. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

1. **SUMMARY:** On March 9, 2021, the Board of County Commissioners (BCC) approved Amendment No. 3 (R2021-0345) to the contract with Kast in the amount of \$33,653,792 establishing a Guaranteed Maximum Price (GMP) for interior and exterior renovations for the Project. The Project entails interior and exterior work including, but not limited to, hardening the existing exterior wall and window systems including new wall cladding to be installed for hurricane protection; adding new reinforced concrete walls; replacement of the existing roofing system; replacement and upgrades to the Heating, Ventilation and Air Conditioning (HVAC) systems; renovation of the fire suppression and lighting systems; and renovations and modifications to the interior of all three levels of the facility to accommodate additional offices, workstations and conference spaces. Change Order No. 5 to Amendment No. 3 (Change Order No. 5) authorized an increase to the project contingency fund for additions and deletions to the scope of work for the Project resulting from field conditions, as allowed by the contract provisions. Change Order No. 7 to Amendment No. 3 (Change Order No. 7) authorized the use of project contingency funds for unforeseen field conditions and scope gap items requiring additional material and services for the Project, as allowed by the contract provisions. Change Order No. 9 to Amendment No. 3 (Change Order No. 9) authorized the use of project contingency funds for allowance reconciliation, unforeseen field conditions and scope gap items requiring additional material and services for the Project, as allowed by the contract provisions. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, Lead Departments are authorized to approve \$0 Change Orders associated with a Contingency Use Directive (CUD), then an agenda item notifying the BCC of such \$0 Change Orders must be presented as a receive and file. Change Orders No. 5, No. 7 and No. 9 are \$0 CUD Change Orders and being submitted to the BCC as receive and file items pursuant to PPM CW-F-050. Change Order No. 10 to Amendment No. 3 (Change Order No. 10) authorizes the labor and materials necessary for additional work and modifications to the low voltage, electrical, plumbing and mechanical systems as well as additional general contracting work for the Project that were unforeseen and unknown at the scope development phase and that were requested by PBSO during the construction phase. Change Order No. 10 also increases the project duration by 116 calendar days as a result of the time required to procure, coordinate and complete the work. Change Order No. 11 to Amendment No. 3 (Change Order No. 11) authorizes the final reconciliation of project funds for the Project.

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3. CONSENT AGENDA

A. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

- 1. SUMMARY (cont'd.):** The CM at Risk Services contract with Kast was awarded pursuant to the Small Business Enterprise (SBE) ordinance however Amendment No. 3, having been initiated after January 1, 2019, is subject to the requirements of the Equal Business Opportunity (EBO) Ordinance. Kast is not an SBE, but has partnered with All-Site Construction, Inc., an SBE CM. In September 2020, prior to subcontractor advertisement and bidding, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) to the construction subcontracts of 25% SBE participation, of which 5% must be a Minority Business Enterprise (MBE) African American or Hispanic American. The SBE participation on Change Order No. 10 is 11.37%, of which 0.17% is MBE participation. There is no SBE participation on Change Order No. 11. To date, the overall SBE participation on this project is 39.19%, of which 6.55% is MBE participation. Kast is a Palm Beach County business. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) District 3 (MWJ)

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5. REGULAR AGENDA

A. CLERK AND COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller’s Office.

2. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide

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