

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

MS/MW 6-0
MGM abs
R-2023-1230

AGENDA ITEM SUMMARY

Meeting Date: September 12, 2023

Consent Regular
 Workshop Public Hearing

Submitted By: Department of Airports

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Change Order No. 5 to Amendment No. 4 of the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Airport Improvements for Palm Beach County Department of Airports (Department) extending the time for final acceptance by 168 Calendar Days for Work Order MC 15: Escalator Replacement at Palm Beach International Airport (PBI).

Summary: Amendment No. 4 (Work Order MC 15) in the amount \$8,145,981 and 907 Calendar Days was approved by the Board on September 15, 2020 (R-2020-1336) for the Escalator Replacement at PBI. Change Orders No. 1-4 to Amendment No. 4 in the amount of \$1,731,103.42 were approved under the delegated authorities detailed in PPM CW-F-050. Approval of Change Order No. 5 extending the time between substantial and final completion by 168 Calendar Days, and no cost is due to the quality of the glass panels that were replaced on the handrails of two of the stairs adjacent to the escalators. In the fall of 2022, the supplier of the handrail glass indicated an extended lead time for the glass required for two of the stairs. As a result, the stairs would not be available for public use during the holiday season when there is a significant increase in passenger traffic. The subcontractor agreed to purchase glass from a local supplier with a shorter lead time and was able to open the stairs before Thanksgiving. Unfortunately, upon final acceptance inspection, the glass did not meet the ASTM standards flat glass distortion. The supplier agreed to replace the defective glass and provided a sample for approval. The sample did not meet the ASTM standard, so the subcontractor subsequently procured replacement glass from the original supplier. Approval of Change Order No. 5 will provide the time for the procurement and replacement of the glass required for final acceptance. MGI has committed to a Disadvantaged Business Enterprise (DBE) goal of 12% for this contract. The anticipated DBE participation to date for this contract is 22%. **Countywide (AH)**

Background and Justification: The majority of the escalators throughout the terminal were manufactured and installed in 1987 as part of the original terminal construction. This project includes replacement of eleven escalators and eight handrails on the stairs adjacent to the escalators. The replacement was phased to minimize impacts to the public. The project was substantially complete on February 14, 2023; however, there was an issue with the quality of the glass panels on the handrails of the stairs that were replaced. In the fall of 2022, the supplier of the handrail glass indicated an extended lead time for the glass required for two of the stairs (B & E). As a result, the stairs would not be available for public use during the holiday season when there is a significant increase in passenger traffic. The subcontractor agreed to purchase glass from a local supplier with a shorter lead time and was able to open the stairs before Thanksgiving. Unfortunately, upon final acceptance inspection, the glass did not meet the ASTM standards flat glass distortion. The supplier agreed to replace the defective glass and provided a sample for approval. The sample still did not meet the ASTM standard, so the subcontractor subsequently procured replacement glass from the original supplier.

Attachments:

- 1. Change Order No. 5 to Amendment No. 4 of the CM at Risk Contract with MGI (w-Contract History) – (3 originals)

Recommended By: *Paula Burke* 8-16-23
Department Director Date

Approved By: *Abaker* 8/29/23
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
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 Budget? Yes X No _____
 Does this item include the use of federal funds? Yes _____ No X

Budget Account No: Fund 4111 Department 121 Unit A348-447 Object 6504
 Reporting Category _____

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

*There is no Fiscal Impact for this item.

C. Departmental Fiscal Review: [Signature] 8/15/23
 (26) 8/14

III. REVIEW COMMENTS

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

[Signature] 8/17/2023
 OFMB [Signature] 8/16
 ESW 8-17-2023

[Signature] 8/21/23
 Contract Dev. and Control
 [Signature] 8/21/23

B. Legal Sufficiency:

[Signature] 8/29/23
 Assistant County Attorney

C. Other Department Review:

 Department Director

REVISED 11/17

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

CHANGE ORDER

- | | | | |
|--------------------------|-------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | Owner Initiate | <input checked="" type="checkbox"/> | Quantity Overruns/Underruns |
| <input type="checkbox"/> | Differing Site Conditions | <input type="checkbox"/> | Request By Another Agency/Outside Party |
| <input type="checkbox"/> | Zoning/Code/Ordinance Changes | <input type="checkbox"/> | A. Reimbursable <input type="checkbox"/> B. Non-Reimbursable |
| <input type="checkbox"/> | Errors/Omissions/In Design | <input type="checkbox"/> | Other |

PROJECT: **Airport Improvements for
The Department of Airports
MC-15 Escalator Replacement
Palm Beach International Airport (PBI)**

CHANGE ORDER NO: **Five (5)**
COUNTY/FAA PROJECT NO: **DOA 18-3**
CONTRACT DATE: **January 15, 2019**
RESOLUTION NO. **R-2019-0042,(Contract)**
WO SMC-01: **R2020-1336;NTP 9/15/2020**
DISTRICT # **Countywide**

TO: **The Morganti Group, Inc.
1662 North US Highway 1, Suite C
Jupiter, Florida 33469**

R2023 1230

SEP 12 2023

Description of Change:

This Change Order includes compensation for one (1) Proposed Change Order (PCO) as submitted by the Morganti Group, Inc. This modification is referenced in the attached Exhibit 1 Summary by PCO number along with a description of the individual cost, category of change, time extension and a brief explanation. There is no change in cost in this change order.

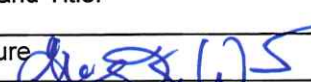
Total Change in Contract Amount **\$00.00**

EXECUTION OF THIS CHANGE ORDER ACKNOWLEDGES FINAL SETTLEMENT OF, AND RELEASES ALL CLAIMS FOR, COSTS AND TIME ASSOCIATED, DIRECTLY OR INDIRECTLY, WITH THE ABOVE STATED MODIFICATION(S), INCLUDING ALL CLAIMS FOR CUMULATIVE DELAYS OR DISRUPTIONS RESULTING FROM, CAUSED BY, OR INCIDENT TO, SUCH MODIFICATION(S), AND INCLUDING ANY CLAIM THAT THE ABOVE-STATED MODIFICATION(S) CONSTITUTES, IN WHOLE OR PART, A CARDINAL CHANGE TO THE CONTRACT.

The Original Guaranteed Maximum Price (GMP) was	\$8,145,981.00
Net change by previous Change Orders.....	\$1,731,103.42
The GMP prior to this Change Order	\$9,877,084.42
The GMP will be increased/decreased by this Change Order	\$00.00
The new GMP including Change Order will be	\$9,877,084.42
The Time to complete this Work will be <u>increased</u> by	168 Calendar days.
The Date of Substantial Completion of this Change Order therefore is	February 14, 2023
The Date of Final Completion of this Change Order therefore is.....	August 31, 2023


RS & H
Engineer/Architect
3125 W Commercial Blvd, Suite 130
Fort Lauderdale FL 33609
Name and Title: <small>DocuSigned by:</small> Aaron Jackson, Aviation Structural Engineer
Signature 
Date: 8/3/2023


The Morganti Group, Inc
Contractor
1662 North US Highway 1, Ste C
Jupiter, Florida 33469
Name and Title: Stephen Sines, VP Operations
Signature 
Date: 8/3/2023

PBC Bd Of County Commissioners
Owners
PO Box 21229
West Palm Beach, Fl 33416-1229
Name and Title:
Signature 
Date: 9/12/23

PALM BEACH COUNTY DEPARTMENT OF AIRPORTS

Attest: Joseph Abruzzo
Clerk of the Circuit Court
& Comptroller

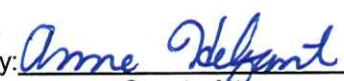
By: 
Deputy Clerk



Approved As To Terms
Terms and Conditions

By: 
Director of Airports

Approved as to Form and Legal
Sufficiency

By: 
County Attorney

PROJECT INFORMATION

AIRPORT: PALM BEACH INTERNATIONAL AIRPORT (PBI)
 PROJECT: DOA 18-3AIRPORT IMPROVEMENTS - WO MC 15 Escalator Replacement
 CONTRACTOR: THE MORGANTI GROUP INC.
 CONTRACT: RESOLUTION NO: R-2019-0042(Contract):WO MC-15:
 R2020-1336:NTP 9/21/2020

EXHIBIT 1 CHANGE ORDER NO 5 SUMMARY

ITEM #	Ref Doc	DESCRIPTION	AMOUNT	DAYS	CODE	SUMMARY EXPLANATION
Contract Time Adjustments - Summary						
		Time Extension to Final Completion	\$0.00	169	Unforeseen	This project was substantially complete on February 14, 2023 however there was an issue with the quality of the glass panels on the handrails of the stairs adjacent to the escalators that were replaced. In the fall of 2022, the supplier of the handrail glass indicated an extended lead time for the glass required for stairs B and E. As a result, the stairs would not be available for public use during the holiday season when there is a significant increase in passenger traffic. The subcontractor agreed to purchase glass from a local supplier with a shorter lead time and was able to open the stairs before Thanksgiving. Unfortunately, upon final acceptance inspection, the glass did not meet the ASTM standards flat glass distortion. The supplier agreed to replace the defective glass and provided a sample for approval. The sample did not meet the ASTM standard, so the subcontractor subsequently procured replacement glass from the original supplier. This change order includes extending the time between substantial completion and final completion by 169 Calendar Days for the procurement of replacement of glass at stairs B and E, installation, architect/owner punch inspection and resolution of architect punch list of items associated with the glass replacement.
Total Change Order No. 5			\$0.00	169		

LEGEND	
\$0.00	Error
\$0.00	Omission/recommended and/or required in project.
\$0.00	Other Agency
\$0.00	Department of Airports
\$0.00	Conditions not normally anticipated or encountered in construction.
\$0.00	Quantity Underruns, contract adjustments.
Total Change Order #5	

Signatory Authorization

CERTIFICATE
(Corporation)

The undersigned hereby certifies that the following are true and correct statements:

1. That Nabil Takla is the President of The Morganti Group, Inc., a corporation organized and existing in good standing under the laws of the State of Connecticut, hereinafter referred to as the Corporation, and that the following Resolutions are true and correct copies of certain Resolutions adopted by the Board of Directors of the Corporation as of the 9th day of November, 2018, in accordance with the laws of the State of Connecticut, the Articles of Incorporation and the By-laws of the Corporation.

RESOLVED that the corporation shall enter into that certain Contract, Palm Beach County DOA18-3 CM at Risk Services for Airport Improvements for the Department of Airports Agreement between Palm Beach County, a political subdivision of the State of Florida and the Corporation (the Agreement), a copy of which is attached hereto: and be it

FURTHER RESOLVED, that Stephen Sines, the Vice President of Operations of the Corporation, is hereby authorized and instructed to execute such Agreement and such other instruments as may be necessary and appropriate for the Corporation to fulfill its obligations under the Agreement,

2. That the foregoing resolutions have not been modified, amended, rescinded, revoked or otherwise changed and remain in full force and effects as of the date hereof.
3. That the Corporation is in good standing under the laws of the State of Florida, and had qualified, if legally required, to do business in the State of Florida and has full power and authority to enter into such Agreement.

IN WITNESS WHEREOF, the undersigned has set his hand and affixed the Corporate Seal of the Corporation on the 3rd day of January, 2019.



Nabil Takla

(Signature)

Maria Wood

(Witness)

Subscribed and sworn before me by Nabil Takla this 3rd day of January, 2019.

Judith E. Annunziata

Notary Public

JUDITH E. ANNUNZIATA
NOTARY PUBLIC
MY COMMISSION EXPIRES OCT. 31, 2021



Insurance Compliance Document



**Palm Beach County
Compliance Summary Report**

Vendor Number	Vendor Name	AM Best Rating	Insurance Carrier	Policy #	Eff. Date	Exp. Date	Coverage	Contract Number	Contract Name
DX00000795	The Morganti Group, Inc.	Modified	Compliant					DOA 18-3	CM at Risk Contract for Airport Improvements
		Ag , XV	The Continental Insurance Company	7036105471	12/31/2022	12/31/2023	Auto Liability		
		A+g , XV	American Guarantee and Liability Insurance Company	0368479805	12/31/2022	12/31/2023	Excess Liability		
		A , XV	Starr Indemnity & Liability Company	10000584535221	12/31/2022	12/31/2023	Excess Liability		
		Ag , XV	National Fire Insurance Company of Hartford	7036105454	12/31/2022	12/31/2023	General Liability		
		Ag , XV	The Continental Insurance Company	7036105499	12/31/2022	12/31/2023	Workers Comp		

Risk Profile : Standard - General Services-AOA
Required Additional Insured : Palm Beach County Board of County Commissioners
Ownership Entity :

DEPARTMENT OF AIRPORTS
 AIRPORT IMPROVEMENTS - CMAR FEDERAL CONTINUING CONTRACT
 THE MORGANTI GROUP INC.
 PB NO: DOA 18-3
 CONTRACT HISTORY

ORIGINAL CONTRACT RESOLUTION NO DATE APPROVED EXPIRATION DBE Goal		YEAR 1-2 R-2019-0042 1/15/2019 1/15/2021 12%	1 ST EXT YR 3 R-2020-1808 12/8/20 1/15/2022	2 ND EXT YR 4 R2021-1784 12/7/21 1/15/2023	3 RD EXT YR 5 R2022-1569 12/20/2022 1/15/2024											
REF DOC	FUNDING SOURCE	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	DBE Participation	LEAD DEPT APPROVAL	CRC APPROVAL	BCC APPROVAL	STATUS	TO/WO CLOSED
Task Order MC03	AIP ELIGIBLE - EXHIBIT A APPLIES	CO C Furniture Replacement Preconstruction Services	90	4/19/19			\$27,086.00			\$27,086.00	\$3,250.32	\$27,086.00				
Amendment No 1 Work Order MC-06	AIP ELIGIBLE - EXHIBIT A APPLIES	Third Level Interior Improvements Phase 1B	180	6/24/19	12/20/19	1/19/20	\$874,931.00				\$123,962.00			\$874,931.00	June 18, 2019 Board Meeting (R-2019-0338)	
		opening: This time extension is for final completion														
		CO No 1	0				\$47,132.34	\$47,132.34			\$0.00	\$47,132.34			Approved 7/30/19	
		CO No 2	30		12/20/19	2/19/20	\$41,600.51	\$49,100.51			\$13,187.00	\$41,600.51			Approved 1/10/2020	
		GMP Adjustments					(\$48,540.30)			\$895,123.55	(\$3,705.00)					CRC 9/23/20
Amendment No 2 Work Order MC03	AIP ELIGIBLE - EXHIBIT A APPLIES	CO C Furniture Replacement Construction Services	210	6/24/19	1/19/20	2/18/20	\$4,221,574.00				\$891,036.00			\$4,221,574.00	June 18, 2019 Board Meeting (R-2019-0333)	
		CO No 1 RUN DPO					(\$334,165.00)	(\$334,165.00)			\$0.00	(\$334,165.00)			Approved 9/27/19	
		CO No 2 ARCONAS _JCW DPO					(\$1,047,261.38)	(\$1,047,261.38)			\$0.00	(\$1,047,261.38)			Approved on 10/24/19	
		GMP Adjustments					(\$141,702.33)			\$2,698,445.29	\$253,383.69					CRC 12/16/2020
Amendment No 3 Work Order MC07	AIP ELIGIBLE - EXHIBIT A APPLIES	SARAs	150	1/29/20	6/26/20	7/26/20	\$570,239.00				\$73,155.00			\$570,239.00	1/07/19 Board Meeting (R-2020-0014)	
		CO No 1 MAMAVA	15				\$13,609.63	\$28,609.63			\$6,019.50				Approved on 3/30/2020	
		CO No 2 Covid-19 Assessment Centers	55		7/22/20	8/21/20	\$28,974.85	\$83,974.85			\$4,785.66				Approved by CRC on 7/15/2020	
		GMP Adjustments					(\$42,850.30)	(\$42,850.30)		\$569,973.18	\$29,767.31					CRC 7/7/2021
Task Order MC08	AIP ELIGIBLE - EXHIBIT A APPLIES	Escalator Replacement - Additional Precon Services - Investigations and Documentation of Existing Conditions					\$34,792.00			\$34,792.00	\$0.00	\$34,792.00			Approved 9/27/19	
Work Order MC 09	AIP ELIGIBLE - EXHIBIT A APPLIES	Security Improvements at PBI	60	12/9/19	2/6/20	3/7/20	\$198,013.00				\$24,060.55		\$198,013.00		Approved 12/4/2019	
		CO no 1	30		3/7/20	4/6/20	\$17,809.80	\$47,809.80				\$17,809.80			Approved 3/30/2020	
		GMP Adjustments					(\$2,929.60)			\$212,893.30	\$848.45					CRC 7/15/2020
Task Order MC-10	AIP ELIGIBLE - EXHIBIT A APPLIES	Escalator Replacement - Precon Services					\$41,250.00			\$41,250.00	\$4,950.00	\$41,250.00			Approved 2/11/2020	
Work Order MC-12																
Work Order MC-14	Federal Care Act	Checkpoint C Modifications														

DEPARTMENT OF AIRPORTS
 AIRPORT IMPROVEMENTS - CMAR FEDERAL CONTINUING CONTRACT
 THE MORGANTI GROUP INC.
 PB NO: DOA 18-3
 CONTRACT HISTORY

ORIGINAL CONTRACT		YEAR 1-2	1 st EXT YR 3	2 nd EXT YR 4	3 rd EXT YR 5											
RESOLUTION NO		R-2019-0042	R-2020-1808	R2021-1784	R2022-1569											
DATE APPROVED		1/15/2019	12/8/20	12/7/21	12/20/2022											
EXPIRATION		1/15/2021	1/15/2022	1/15/2023	1/15/2024											
DBE Goal		12%														
REF DOC	FUNDING SOURCE	DESCRIPTION	TIME(Cal Days) for Substantial	HTP	Substantial Completion Date	Final Completion Date	AMOUNT	CHANGE ORDER OR ADJUSTMENT	CHANGE ORDER VALUE PLUS TIME	REVISED AMOUNT	DBE Participation	LEAD DEPT APPROVAL	CRC APPROVAL	BCC APPROVAL	STATUS	TO/VO CLOSED
Amendment No 4 Work Order MC-15	AP ELIGIBLE - EXHIBIT A APPLIES	Escalator Replacement - Construction	877	9/21/20	2/14/23	3/16/23	\$8,145,981.00				\$2,407,295.00			\$8,145,981.00	Approved 9/15/2020 R2020-1336	
		CO No 1	0					\$975,516.00	\$975,516.00		\$468,585.00			\$975,516.00	5/18/21 Board R2021 0725	
		CO No 2	0					\$343,870.39	\$343,870.39		\$110,455.72			\$343,870.39	Approved 2/01/2022 (R-2022-0090)	
		CO No 3	0					\$109,422.06	\$109,422.06		\$4,152.62			\$109,422.06	Approved on 3/22/22 R-2022-0236	
		CO No 4	0					\$302,294.97	\$302,294.97		\$93,727.74			\$302,294.97		
		CO No 5	168			6/16/00		\$0.00	\$0.00		\$0.00			\$0.00	8/23/23 BCC	
		GMP Adjustments														
		Final Amount								\$9,877,084.42				\$0.00	8/23/23 BCC	
Amendment No 5		First one year renewal option												\$0.00	Approved 12/8/20 R2020-1808	
Amendment No 6 Work Order MC-11	FDOT	ARFF Roof Repairs	95	5/8/21	8/9/21	9/9/21	\$490,813.00				\$77,217.00			\$490,813.00	Approved 8/4/21 R2021-0605	
		CO No 1	22		8/31/21	9/30/21		\$0.00								
		GMP Adjustments						(\$71,850.29)		\$418,962.75	\$0.00					CRC 12/8/21
Amendment No 7		Second one year option												\$0.00	12/7/21 Board (R2021-1784)	
Task Order MC-17	FDOT	New ARFF Facility-Precon					\$84,000.00				\$10,000.00	\$84,000.00			Approved 1/4/22	
										\$84,000.00						
MC 17 WO ARFF		New ARFF Construction														

