

**Lee County Board Of County Commissioners  
Agenda Item Summary**

Blue Sheet No. 20041639

**1. REQUESTED MOTION:**

**ACTION REQUESTED:**

Award the Construction Management Agreement under RFQ-01-04 COUNTY-WIDE CONTINUING CONTRACT FOR CONSTRUCTION MANAGEMENT, for the project known as Lee County Justice Center Expansion Project – Temporary Office Facilities, to Target Builders Inc., with a Guaranteed Maximum Price of \$540,000.00 (includes CM fee of \$40,000.00 or 7.4%). At this time it is being requested that the Board approve waiving of the formal process (if needed) and authorize the use of the Direct material Purchase Orders based on CM's competitive process, which allows the County to purchase directly from suppliers of equipment and/or materials as a cost/time saving measure.

**WHY ACTION IS NECESSARY:** Board approval is required.

**WHAT ACTION ACCOMPLISHES:** Provides the County with a Construction Manager to relocate departments in the Justice Center, Heitman Building and Justice Center Annex on a temporary basis to facilitate the new construction and renovation.

**2. DEPARTMENTAL CATEGORY:**

02. Construction & Design  
COMMISSION DISTRICT #:

*C2A*

**3. MEETING DATE:**

*01-11-2005*

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**

- STATUTE
- ORDINANCE
- ADMIN. CODE *AC-4-4*
- OTHER

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
- B. DEPARTMENT *Construction & Design*
- C. DIVISION
- BY: *Jim Lavender, Director, Public Works*

**7. BACKGROUND:**

On April 3, 2001, the Board of County Commissioners approved the award of RFQ-01-04 COUNTY-WIDE CONTINUING CONTRACT FOR CONSTRUCTION MANAGEMENT with a total of ten (10) firms: Bundschu Kraft Inc.; Casey Construction, Karr Group Inc.; Cardinal Contractors; Chris-Tel Company of SW Florida Inc.; Compass Construction Inc.; Gary Wilkes Inc.; J.L. Wallace Inc.; Lodge Construction Inc.; Target Builders Inc.; and Westco Builders of FL Inc. As approved under that blue sheet each projects Guaranteed Maximum Price (GMP) will be brought back for Board approval.

Therefore, it is being recommended that the Board approve the Construction Manager Agreement under RFQ-01-04 COUNTY-WIDE CONTINUING CONTRACT FOR CONSTRUCTION MANAGEMENT, for the project known as Lee County Justice Center Expansion Project – Temporary Office Facilities, to Target Builders Inc., with a Guaranteed Maximum Price of \$540,000.00 (includes CM fee of \$40,000.00 or 7.4%).

Because of the large amount and variety of construction projects expected to be needed during the year, staff worked to develop a procedure that will decrease the time required to bid out projects individually and provide a variety on Construction Management firms the ability to work on County projects with a dollar amount of \$50,000.00 to \$1,000,000.00 on an as-needed-basis.

(CONTINUED ON PAGE 2)

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services	G County Manager
<i>12/22/04</i>	<i>12/22/04</i>	N/A	<i>12/22/04</i>	<i>12/22/04</i>	<i>12/22/04</i>	<i>12/22/04</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: *12/22/04*  
Time: *10:15*  
Forwarded to:  
*Co-Admin*  
*12/22/04*

RECEIVED BY  
COUNTY ADMIN: *12/22/04*  
*1:10 pm 04*  
COUNTY ADMIN  
FORWARDED TO: *12/22/04*  
*9:30 AM*

**Page 2**  
**Bluesheet 20041639**

In order for the County to take advantage of saving the sales tax and as a time saving measure we are requesting authorization to purchase materials from various vendors selected by the construction manager and the County.

Funds are available in account: 20864631407.506540

Attachments: (1) Letter from Target Builders dated November 28, 2004.



General Contractors . Construction Managers

LEE COUNTY, FL  
ADDP/YES

04 DEC -1 AM 8:25

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
FOURTH FLOOR

November 28, 2004

Cindy Logan  
Lee County Public Works Administration  
Contracts Management  
1500 Monroe Street, 4<sup>th</sup> Floor  
Fort Myers, FL 33901

RE: Lee County Justice Center Expansion Project - Temporary Office Facilities

Dear Cindy:

Please see attached sheets for the details to be incorporated into the Construction Manager Agreement Between Lee County Board of County Commissioners and Target Builders, Inc. for the Project Known as **Lee County Justice Center Expansion Project - Temporary Office Facilities**.

Please give me a call if you have any questions.

Sincerely,  
TARGET BUILDERS, INC.

A handwritten signature in black ink, appearing to read "S. D. Adkins".

Steven D. Adkins  
President

SDA/pr

Enclosure



**General Contractors . Construction Managers**

PROJECT NAME: LEE COUNTY JUSTICE CENTER EXPANSION PROJECT - TEMPORARY OFFICE FACILITIES

CONSTRUCTION MANAGER: TARGET BUILDERS, INC.

The Guaranteed Maximum Price (GMP) for the project shall be \$540,000.00 (Includes CM Fee).

CM's Compensation. The Owner agrees to pay to the CM as compensation for all of its services and work provided for hereunder, including preconstruction and construction services and work, the sum of a CM fee of \$40,000.00 or 7.4% of the total GMP, plus Reimbursable Project Costs as provided for in Exhibit B. Provided that additional CM fee is not due CM, the amount of \$40,000.00 shall represent the entire fee due CM, irrespective of the actual cost of the Project as reflected by the Guaranteed Maximum Price (GMP) established by CM.

Period of Construction; Additional Fee. Owner, AE and CM expect and believe that the period of construction or construction phase for the Project shall be eleven (11) months to substantial completion and twelve (12) months to final completion.

In the event that the construction schedule is extended by agreement of Owner and CM due to changes in the Project requested by Owner, CM shall be entitled to additional CM fee of \$3,333 per calendar month, or \$107 per calendar day, beyond such twelve (12) month period less any fee increase.



**General Contractors . Construction Managers**

**Notices.** All notices, demands, requests for approvals or other communications which may be or are required to be given by either party to the other in writing shall be deemed given and delivered on the date received by the person listed below or the Authorized Representative, or, if notice is by mail, on the date mailed to the address below or, if by hand delivery, on the date delivered to the address below:

- To the CM:** Target Builders, Inc.  
2240 W. First Street, Suite 100  
Ft. Myers, FL 33901
- With a Copy to:** Steve Adkins
- To the Consultant:** Barany Schmitt Summers Weaver  
1520 Royal Palm Square Boulevard, Suite 300  
Fort Myers, FL 33919
- With a Copy to:** Kevin Williams
- To the Owner:** Lee County Board of County Commissioners  
P.O. Box 398  
Fort Myers, FL 33902-0398
- With a Copy to:** Rick Dalziel  
Division of Construction & Design, Capital Projects  
Construction Manager