

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

**Blue Sheet No. 20051473**

**1. ACTION REQUESTED/PURPOSE:** Approve Addendum to the Construction Manager Agreement, for RFQ-05-08 **Justice Center Annex 9<sup>th</sup> Floor Remodeling Phase II**, with Target Builders, Inc., to include the Guaranteed Maximum Price (GMP) in the amount of \$1,211,352.00 (which includes the CM Fee of 6.4% or \$78,001.00), with a project completion time of seven (7) months. Also request Board approve waiving of any formal process (if needed) and authorize the use of the Direct Material Purchase Orders as provided for in the CM agreement with Lee County, which allows the County to purchase directly from suppliers of equipment and/or materials as a cost/time saving measure. This project was in the CIP and funds are available within the budget. Further authorize Chairman to execute the Addendum upon receipt.

**2. WHAT ACTION ACCOMPLISHES:** The project includes all labor and material for selective remodeling at the **Justice Center Annex 9<sup>th</sup> Floor Remodeling Phase II**.

**3. MANAGEMENT RECOMMENDATION:** Staff recommends approval

<b>4. Departmental Category:</b> 2. <span style="font-size: 1.5em; margin-left: 20px;">CAC</span>		<b>5. Meeting Date:</b> <span style="font-size: 1.2em;">10-25-2005</span>
<b>6. Agenda:</b> <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	<b>7. Requirement/Purpose:</b> (specify) <input type="checkbox"/> Statute <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Admin. Code <span style="margin-left: 20px;">AC-4-4</span> <input type="checkbox"/> Other	<b>8. Request Initiated:</b> Commissioner _____ Department <span style="margin-left: 20px;">Construction &amp; Design</span> Division _____ By: <span style="margin-left: 20px;">Jim Lavender, Director</span>

**9. Background:**

On October 25, 2005, the Board will approve entering into a Construction Manager Agreement with Target Builders Inc. under RFQ-05-08, Construction Management for Justice Center Renovations and Annex Remodel project.

At this time the Department of Construction & Design is requesting Board approve **Justice Center Annex 9<sup>th</sup> Floor Remodeling Phase II** with Target Builders, Inc., to include the Guaranteed Maximum Price (GMP) in the amount of \$1,211,352.00 (which includes the CM Fee of 6.4% or \$78,001.00). Also request Board approve waiving of any formal process (if needed) and authorize the use of the Direct Material Purchase Orders as provided for in the CM agreement with Lee County, which allows the County to purchase directly from suppliers of equipment and/or materials as a cost/time saving measure.

Funds are available in account: 20864631407.506540.814

Attachments: (1) Letter from Target Builders Inc. dated October 5, 2005

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk/	Grants	Mgr.	
<i>Jander</i> 10-10-05	<i>Jander</i> 10/13	N/A	<i>BAO</i> 10/11	<i>[Signature]</i> 10/12/05	<i>[Signature]</i> 10/12/05	<i>[Signature]</i> 10/12/05	<i>[Signature]</i> 10/12/05	<i>[Signature]</i> 10/13/05	<i>Jander</i> 10-10-05

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN:
10-12-05
LLO
COUNTY ADMIN FORWARDED TO:
10-12-05
2.15 T.D.

Rec. by CoAtty
Date: 10/12/05
Time: 11:00AM
Forwarded To: C. M. M. 10/12/05



**General Contractors . Construction Managers**

October 5, 2005

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 Annex 9<sup>th</sup> Floor Remodeling Phase II

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 Annex 9<sup>th</sup> Floor Remodeling Phase II.**

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", is written over the typed name.

Steven D. Adkins  
President

SDA/pr

Enclosure



**General Contractors . Construction Managers**

PROJECT NAME: LEE COUNTY JUSTICE CENTER ANNEX 9<sup>TH</sup> FLOOR REMODELING PHASE II

CONSTRUCTION MANAGER: TARGET BUILDERS, INC.

The Guaranteed Maximum Price (GMP) for the project shall be \$1,211,352.00 (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 \$78,001.00 or 6.4% 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 \$78,001.00 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 six (6) months to substantial completion and seven (7) 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 \$11,143.00 per calendar month, or \$371.43 per calendar day, beyond such seven (7) 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 Owner: Lee County Board of County Commissioners  
P.O. Box 398  
Fort Myers, FL 33902-0398

With Copy to: Rick Dalziel  
Lee County Division of Construction & Design