



Legislation Details (With Text)

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Title: Approve Fifth Amendment to Construction Manager at Risk Contract No. 2023-17.001 for Repair Services Contract Phase II with Wharton-Smith, Inc., in the Amount of \$521,159.00, for Repair Services of the Public Works Fleet and Administrative Campus and Site.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Contract Amendment No. 5, 2. Contract, 3. Florida Division of Corporations Document, 4. Human Trafficking Affidavit Contract #2023-17.001 5th Amendment, 5. Affidavit of Compliance Regarding Foreign Entity of Concern Laws

Date	Ver.	Action By	Action	Result
11/26/2024	1	City Commission Regular Meeting	approved on consent	

TO: Honorable Mayor & Members of the North Port Commission

FROM: A. Jerome Fletcher II, ICMA-CM, MPA, City Manager

TITLE: Approve Fifth Amendment to Construction Manager at Risk Contract No. 2023-17.001 for Repair Services Contract Phase II with Wharton-Smith, Inc., in the Amount of \$521,159.00, for Repair Services of the Public Works Fleet and Administrative Campus and Site.

Recommended Action

Approve Fifth Amendment to Construction Manager at Risk Contract No. 2023-17.001 for Repair Services Contract Phase II with Wharton-Smith, Inc., in the Amount of \$521,159.00, for Repair Services of the Public Works Fleet and Administrative Campus and Site.

Background Information

Due to Hurricane Ian, the Public Works Fleet and Administrative Campus and Site was damaged and requires repairs. Staff continue to work with representatives from the Federal Emergency Management Agency (FEMA), Rostan Solutions, Inc., and the insurance provider, Halliwell, to identify funding availability for reimbursement of this project.

Upon evaluation of the project, the use of the Construction Manager at Risk (CMaR) Continuing Services Contract has been identified as the most expedient path to complete this project. The CMaR Contracting process includes the following two phases:

- **Phase One:** The Contractor is selected and issued a Work Assignment for the pre-construction phase. During this portion of the project, the contractor evaluates the work required, obtains quotes from applicable contractors, and develops the Guaranteed Maximum Price (GMP).

- Phase Two: The Fifth Amendment to the CMaR Contract No. 2023-17.001 is for the construction phase of the process.

The Department of Public Works provided a direct selection of Wharton-Smith, Inc., as the preferred CMaR to perform the repair services of the Public Works Fleet and Administrative Campus and Site. Accordingly, staff requests City Commission approval of the Fifth Amendment to CMaR Contract No. 2023-17.001 for Construction Services Contract Phase II with Wharton-Smith, Inc., in the amount of \$521,159.00, for repair services of the Public Works Fleet and Administrative Campus and Site.

Work Scope Cost by Facility and Site:

Facility Site	Amount
Public Works Annex Fleet Maintenance Facility Garage and Offices	\$94,664.00
Public Works Annex Property in the Open (PITO)	\$194,310.00
Public Works Annex Trailer 1	\$52,287.00
Public Works Annex Trailer 2	\$27,409.00
Public Works Annex Storage Shed 1/Canopies & Shed 2	\$152,489.00
Subtotal	\$521,159.00

The Fifth Amendment to Construction Manager at Risk Contract No. 2023-17.001 has been reviewed by the City Attorney and is legally correct as to form.

Strategic Plan

Infrastructure & Facilities Integrity
Safe Community

Financial Impact

Funding in the amount of \$331,261.00 is budgeted in the Facility Maintenance Budget 2024 budget in account number 107-5000-541.46-04, R&M Buildings, Project No. IAN22.

Funding in the amount of \$10,000.00 is budgeted in the Facility Maintenance Budget 2024 budget in account number 520-3035-519.46-04, R&M Buildings, Project No. IAN22.

Funding in the amount of \$27,409.00 is budgeted in the Facility Maintenance Budget 2024 budget in account number 001-0760-519.46-04, R&M Buildings, Project No. IAN22.

Funding in the amount of \$152,489.00 is budgeted in the Facility Maintenance Budget 2024 budget in account number 120-3032-534.46-04, R&M Buildings, Project No. IAN22.

Procurement

Phase II - Repair Services of the Senior Center Construction Manager at Risk Contract No. 2023-17.001 was procured pursuant Chapter 2 Administration, Article VIII Procurement, Section 2-406 Professional services selection under Consultants' Competitive Negotiation Act (CCNA), F.S. § 287.055 of the Code of the City of North Port, Florida.

Attachments:

1. Contract Amendment No. 5
2. Contract

3. Affidavit of Compliance Regarding Foreign Entity of Concern Laws
4. Human Trafficking Affidavit Contract #2023-17.001 5th Amendment
5. Florida Division of Corporations Document

Prepared by: Garrett Woods, Senior Business Manager

Department Director: Chuck Speake, Public Works Director