



Broward County

Legislation Details (With Text)

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On agenda: 11/10/2020 **Final action:** 11/10/2020

Title: MOTION TO APPROVE transfer of \$6,070,343 from GMP No. 2 to GMP No. 1 of the Master Development Agreement Between Broward County and Matthews Holdings Southwest, Inc., (MSW) for the Convention Center Expansion and Headquarters Hotel Project (RFP No. N1337414R3), to pay for costs incurred for accelerated work that was to be included in and will be deducted from GMP No. 2, for the construction of various project elements necessary to reopen the existing Convention Center facility.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - CPEAM Cost Explanation, 2. Additional Material - Information

| Date | Ver. | Action By | Action | Result |
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Broward County Commission Regular Meeting

Director's Name: Bertha Henry

Department: County Administration

Information

Requested Action

MOTION TO APPROVE transfer of \$6,070,343 from GMP No. 2 to GMP No. 1 of the Master Development Agreement Between Broward County and Matthews Holdings Southwest, Inc., (MSW) for the Convention Center Expansion and Headquarters Hotel Project (RFP No. N1337414R3), to pay for costs incurred for accelerated work that was to be included in and will be deducted from GMP No. 2, for the construction of various project elements necessary to reopen the existing Convention Center facility.

Why Action is Necessary

In accordance with the Broward County Procurement Code, Section 21.94.a, amendments to agreements exceeding the award authority of the Director of Purchasing must be approved by the Board.

What Action Accomplishes

Approves funding for items necessary for the completion of the West Expansion phase of the Convention Center Expansion and Headquarters Hotel project.

Is this Action Goal Related

Yes

Previous Action Taken

April 26, 2016 Regular Meeting (Item No. 35), May 10, 2016 Regular Meeting (Item No. 35), August 16, 2016 Regular Meeting (Item No. 95), November 1, 2016 Regular Meeting (Item No. 34), April 4, 2017 Regular Meeting (Item No. 43), October 3, 2017 Regular Meeting (Item No. 32), February 27, 2018 Regular Meeting (Item No. 61), August 14, 2018 Regular Meeting (Item No. 102), January 8, 2019 Regular Meeting (Item No. 56), April 16, 2019 Regular Meeting (Item No. 36), June 11, 2019 Regular Meeting (Item No. 78), August 27, 2019 Regular Meeting (Item No. 44), November 5, 2019 Regular Meeting (Item No. 77), June 16, 2020 Regular Meeting (Item No. 80), October 20, 2020 (Item No. 58)

Summary Explanation/Background

This agenda item supports the Board's goal of increased economic strength and impact of revenue generating County enterprises balancing economic, environmental, and community needs.

The work authorized in the Master Development Agreement (Agreement) with Matthews Southwest (MSW) for the Convention Center Expansion and Headquarters Hotel project (Project) is phased with different project components, each with its own Guaranteed Maximum Price (GMP). The Board gave final approval for GMP No. 1 at the August 27, 2019 Regular Meeting (Item No. 44), and for GMP No. 2 at the November 5, 2019 Regular Meeting (Item No. 77).

While each GMP is for a defined phase of the Project, there are interrelationships between phases. To maintain the overall Project schedule and allow for the most appropriate subcontractor to perform a specific component of the work earlier or later than originally planned, it is sometimes necessary to re-allocate costs between GMP's during the course of construction. This was done by a Contract Price Element Adjustment Memorandum (CPEAM) as provided for in Section 9.4 of the Agreement.

It was staff's belief that the CPEAM clause in the Agreement (Section 9.4) allowed for these types of budget transfers. After consultation with the County Attorney's Office, it was determined that the process used needs to be addressed by a future amendment to the Agreement.

The transfer approval is for work that was already budgeted in GMP No. 2. The amount of \$6,070,343 requested to be increased in GMP No. 1 is the same amount that will be deducted by GMP No. 2 and covers five CPEAM budget transfers. There is no budgetary impact for this action.

Source of Additional Information

Alan Cohen, Assistant County Administrator, (954) 357-7364

Fiscal Impact

Fiscal Impact/Cost Summary

There is no fiscal impact as the monies are already contained in an authorized budget.