

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

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<b>Meeting Date:</b> February 6, 2007	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular	
	<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing	

**Department:**

**Submitted By:** Engineering & Public Works  
**Submitted For:** Engineering Services Division

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Project #2005058

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to Approve:

A Contract Amendment of \$1,019,000 and an 18 month Contract Extension to the Annual Pavement Marking Contract (R2005-0848), dated May 3, 2005, with the pavement marking contractor, Transmark, Inc.

**Summary:**

The Amendment to the Annual Pavement Marking Contract extends the expiration date of the existing Contract retroactively from November 3, 2006 to May 3, 2008. The dollar value of the Contract is to be increased to a not to exceed amount of \$3,200,000. The Annual Pavement Marking Contract consists of furnishing and installing pavement marking material, raised reflectorized pavement markers and traffic paint on County roadways. Small Business Enterprise (SBE) goals were established at 15% of the overall contract amount. Due to the non-existence of any SBE company which could furnish thermoplastic material, as verified by the Office of Small Business Assistance, the requirement for SBE participation is hereby deleted from this contract.

**District:** Countywide (MRE)

**Background and Justification:**

The present contract expired on November 3, 2006. The contractor and County staff are desirous of extending the Contract retroactively from November 3, 2006 to May 3, 2008, while holding the unit prices as bid. At the end of the proposed Contract period, the Contract will be re-bid.

**Attachments:**

1. Amendment to the Annual Pavement Marking Contract (2)

**Recommended by:** \_\_\_\_\_  
Division Director Date

**Approved By:**           S. J. Webb                     1/11/07            
County Engineer Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	\$1,019,000	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$1,019,000	-0-	-0-	-0-	-0-
# ADDITIONAL FTE	-0-	-0-	-0-	-0-	-0-
POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

Is Item Included In Current Budget? Yes ☒ No ☐

### Budget Account No.:

Fund Department Unit Object Program

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

	FY 2005	FY 2007	TOTAL
Traffic	\$2,050,000	\$ 874,000	\$2,924,000
Palm Tran	\$ 15,000	\$ 10,000	\$ 25,000
Parks & Recreation	\$ 61,000	\$ 80,000	\$ 141,000
Water Utilities	\$ 10,000	\$ 10,000	\$ 20,000
Airports	\$ 45,000	\$ 45,000	\$ 90,000
Total	\$2,181,000	\$1,019,000	\$3,200,000

C. Departmental Fiscal Review: R. D. Ward 11/27/06

## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Dev. and Control Comments:

John R. Smith 12-27-06 John J. Lawler 12/28/06  
OFMB 12-20-06 Contract Dev. and Control

### B. Legal Sufficiency:

This amendment complies with our review requirements.

Paul F. J. 12/29/06  
Assistant County Attorney

### C. Other Department Review:

\_\_\_\_\_  
Department Director

This summary is not to be used as a basis for payment.

AMENDMENT TO THE ANNUAL PAVEMENT MARKING  
CONTRACT NO. 2005058 DATED MAY 3, 2005 BY AND BETWEEN  
TRANSMARK, INC. AND PALM BEACH COUNTY

THIS AMENDMENT to the Annual Pavement Marking Contract dated May 3, 2005 (R2005-0848), hereinafter "CONTRACT" by and between Transmark, Inc., hereinafter "CONTRACTOR" and the Board of County Commissioners of Palm Beach County, a political subdivision of the State of Florida, hereinafter, "COUNTY".

WITNESETH

WHEREAS, on May 3, 2005, the CONTRACTOR and COUNTY entered into a Annual Pavement Marking Contract for furnishing and/or installing various striping, reflectors and messages on roadways in Palm Beach County; and

WHEREAS, Section 33 of the CONTRACT provides that the contract may be extended, at the COUNTY'S option for a defined period of time, not to exceed a total of thirty-six months, if the CONTRACTOR and the COUNTY agree; and

WHEREAS, by this Amendment, the CONTRACTOR and the COUNTY mutually agree to extend the CONTRACT until May 3, 2008, with all original terms, conditions and unit prices adhered to.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the parties agree as follows:

1. The above recitations are true and correct and incorporated herein.
2. The CONTRACT, dated May 3, 2005 between the CONTRACTOR and the COUNTY is hereby amended as follows:
  - a. The expiration date of the CONTRACT is extended to expire on May 3, 2008.
  - b. The INVITATION FOR BID is hereby amended to read: Due to the non-existence of any Small Business Enterprise (SBE) company which could furnish thermoplastic material, the requirement for SBE participation is hereby deleted from this contract.
  - c. Paragraph 2, page C-1 is hereby amended to read as follows:

The CONTRACTOR agrees with the COUNTY, for the consideration herein

mentioned at his, its or their own proper cost and expense to do all the work and furnish all necessary labor, materials, equipment, machinery, tools, apparatus, services, state workmen's compensation and unemployment compensation taxes incurred in the performance of the contract, for the:

ANNUAL PAVEMENT MARKING CONTRACT, PROJECT NO. 2005058

PALM BEACH COUNTY, FLORIDA

IN THE AMOUNTS specified in Work Orders which may be issued by the COUNTY under Section #23 and the other terms of the Contract Documents. The COUNTY is not required to issue any task orders hereunder. The maximum value of Work Orders issued under the existing CONTRACT together with this AMENDMENT shall not, in any case, exceed \$3,200,000 (except as may be increased according to Section #40 of the Contract Specifications).

3. It is the intent of the parties hereto that this Amendment shall not become binding until the date executed by the Board of County Commissioners of Palm Beach County.
4. All other provisions of the Annual Pavement Marking Contract dated May 3, 2005, shall remain in full force and effect.

ATTEST:

PALM BEACH COUNTY, a Political  
Subdivision of the State of Florida

SHARON R. BOCK  
Clerk & Comptroller

By: \_\_\_\_\_  
Addie L. Greene, Chairperson  
Board of County Commissioners

By: \_\_\_\_\_  
DEPUTY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
County Attorney

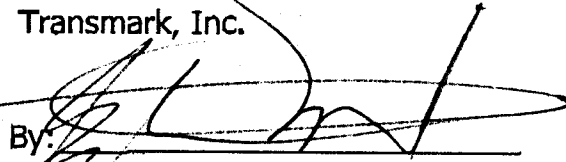
APPROVED AS TO TERMS  
AND CONDITIONS

  
ENGINEERING

ATTEST:

  
(Secretary or Ass't. Secretary)

CONTRACTOR  
Transmark, Inc.

By:   
(Name & Title)  
ELIZABETH YOUNT  
PRESIDENT,

WITNESS:

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