

Agenda Item #: 3 - C - 4

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: February 27, 2007 [X] Consent [ ] Regular  
[ ] Workshop [ ] Public Hearing

Department:  
Submitted By: Engineering & Public Works  
Submitted For: Roadway Production Division

=====

I. EXECUTIVE BRIEF

**Project:** Intelligent Transportation System Services on a Task Order Basis

**Motion and Title: Staff recommends motion to approve:** The renewal of the Intelligent Transportation System Annual Agreement with the following firm:

Firm Name	Original Agreement Date	Resolution No.
Kimley-Horn and Associates, Inc.	February 28, 2006	R2006-0310

**Summary:** This Agreement is being considered for renewal for required professional services, on a task order basis.

**Districts:** Countywide (PK)

**Background and Justification:** In accordance with Board-adopted procedures pursuant to Florida Statutes 287.055 Consultants Competitive Negotiations Act (CCNA), the above listed consulting firm was selected to perform professional services relative to County needs, and is presently under Agreement with Palm Beach County on an annual contractual basis. This is the first renewal of this firm's Agreement. It is the consensus of the user departments that this consulting firm has, within the provisions of their Agreement, provided the professional services requested by the County. Since they remain in good standing and wish to continue to provide the professional services as indicated in their Agreement, the County agrees to renew their Agreement for one (1) year.

This Agreement has been reviewed with the above listed consulting firm, and staff recommends the first renewal of the attached consultant Annual Agreement. This transaction will maintain the continuous process of professional services required by Palm Beach County.

**Attachments:**

1. Agreement with Exhibits and Certificate of Insurance (2)

Recommended By: 274 Omelia A. Fernandez 1/23/07 *JK*  
Director Date

Approved By: S. T. Wells 1/29/07  
County Engineer Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	\$ -0-	-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-
<b>NET FISCAL IMPACT</b>	<b>\$ -0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

# ADDITIONAL FTE  
POSITIONS (Cumulative) \_\_\_\_\_

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
Budget Acct No.: Fund \_\_\_\_\_ Dept. \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
Program \_\_\_\_\_

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

This item has no additional fiscal impact.

C. Departmental Fiscal Review: R. D. Ward 4/17/07

**III. REVIEW COMMENTS**

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

J. D. Smith 2-5-07  
OFMB  
JHW 2-5-07  
[Signature] 2/15/07  
[Signature] 2/17/07

John J. Jacoby 2/17/07  
Contract Dev. and Control  
E. Jones 2/17/07

**B. Approved as to Form and Legal Sufficiency:**

Paul F. [Signature] 2/8/07  
Assistant County Attorney

This item complies with current County policies.

**C. Other Department Review:**

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

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



Kimley-Horn  
and Associates, Inc.

January 9, 2007

■  
Suite 109  
5200 N.W. 33rd Avenue  
Ft. Lauderdale, Florida  
33309

Palm Beach County Board of Commissioners  
C/O: Engineering & Public Works Department  
2300 N. Jog Road  
West Palm Beach, FL 33411-2745  
Attention: David Young, P.E., Special Projects Manager

**RE: INTELLIGENT TRANSPORTATION SYSTEM ANNUAL  
AGREEMENT  
(R2006-0310) DATED FEBRUARY 28, 2006**

Dear Mr. Young:

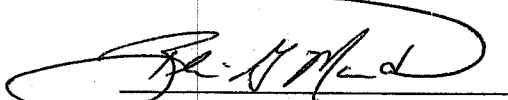
This letter serves as our official notification of interest in continuing our Agreement with Palm Beach County for professional services as specified in the above reference, for the period of March 1, 2007 through February 28, 2008.

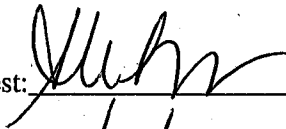
We are in agreement that all provisions in the original Agreement remain in full force and effect. Per your request, we are enclosing an updated fee schedule, State Registration, General, Automobile, and Professional Liability Insurance Certificates, and all appropriate affidavits.

Please indicate your acceptance of this proposal by proper signature below and returning same as fully executed to this office.

Sincerely,

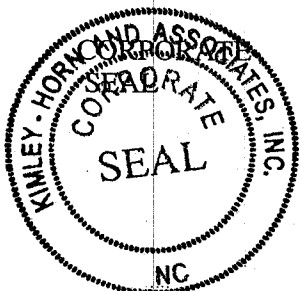
Kimley-Horn and Associates, Inc.

  
Blair Marsden, Vice President

Attest:   
\_\_\_\_\_

Jan 9, 2007  
DATE

1/9/07  
DATE





Kimley-Horn  
and Associates, Inc.

Mr. David Young, P.E., January 9, 2007, Page 2

Accepted by:  
Palm Beach County  
Board of Commissioners

Attest: \_\_\_\_\_  
Sharon R. Bock, Clerk and Comptroller

\_\_\_\_\_  
Addie L. Greene, Chairperson

\_\_\_\_\_  
Deputy Clerk

Approved as to Form &  
Legal Sufficiency:

Approved as to Terms and Conditions

\_\_\_\_\_  
County Attorney

*Sharon R. Bock*  
\_\_\_\_\_  
Deputy Clerk

**KIMLEY-HORN AND ASSOCIATES INC.**  
**PALM BEACH COUNTY INTELLIGENT TRANSPORTATION SYSTEM (ITS) CONTRACT**  
**PROJECT NO. 2006-00310**

CATEGORY TITLE	CATEGORY AVERAGE	REPRESENTATIVE PERSONNEL
Chief Enginner	\$81.62	KK Saxena and Jerry Ingram
Project Manger	\$60.42	Blair Marsden
Senior ITS Specialist	\$57.24	Jim Sumislaski
ITS Project Specialist	\$40.28	Lisa Stewart, Jason Castillo, George Robaldo, Mike Russell
ITS System Specialist	\$33.92	Dale Jamison, Nelson Castillo, Jill Capelli
Analyst	\$28.62	Fernando Garcia, Jairo Castro, Mario Rivera
Administrative Support	\$20.14	Shanda Layne, Jeanine Woll, Margaret McDermott & Salma Tilhakdharry

The Category Billing Rate is the category average times a 3.0 multiplier (multiplier equates to a 10% fee). For hourly not-to-exceed task orders, Kimley-Horn will limit Chief Engineer participation to 3%. Rates will escalate at a rate of 3% per year accomplished for 2006 and 2007



STATE OF FLORIDA  
BOARD OF PROFESSIONAL ENGINEERS  
2507 Callaway Rd, Suite 200  
Tallahassee, FL 32303-5268

150274  
State of Florida  
Board of Professional Engineers  
*attests that*

**Jerry W Ingram , PE**

Is licensed as a Professional Engineer under Chapter 471, Florida Statutes.

0507- 013335

Lic No: 15027  
Exp: 28-Feb-07

Jerry W Ingram  
% Kimley-Horn & Ascs. Inc.  
4431 Embarcadero Dr.  
WEST PALM BCH, FL 334070000

DETACH HERE



STATE OF FLORIDA  
 BOARD OF PROFESSIONAL ENGINEERS  
 2507 Callaway Rd, Suite 200  
 Tallahassee, FL 32303-5268



*alibi that*  
**James M Sumislaski , PE**

Is licensed as a Professional Engineer under Chapter 471, Florida Statutes.

0507- 006899

Lic No: 38841  
 Exp: 28-FEB-07

James M Sumislaski  
 420 SW 17th St  
 BOCA RATON, FL 334320000

DETACH HERE



**James M Sumislaski , PE**

*is licensed as a Professional Engineer under Chapter 471, Florida Statutes.*

Expiration: 28-FEB-07

P.E. Number: 38841

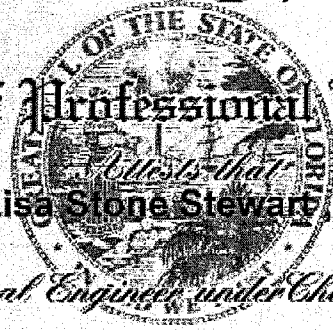
AUDIT NO.: 0507- 006899

DISPLAY AS REQUIRED BY LAW

# State of Florida

## Board of Professional Engineers

Lisa Stone Stewart, PE



*is licensed as a Professional Engineer under Chapter 471, Florida Statutes.*

Expiration: 28-Feb-07

P.E. Number: 56806

AUDIT NO.: 0607- 020454

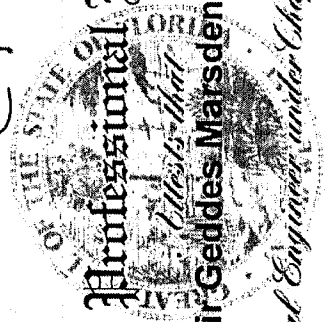
DISPLAY AS REQUIRED BY LAW



# State of Florida

Board of Professional Engineers

Blair Geddes Marsden, PE



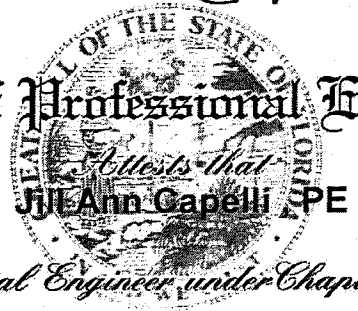
*is licensed as a Professional Engineer under Chapter 471, Florida Statutes.*

Expiration: 28-Feb-07

P.E. Number: 57917

# State of Florida

## Board of Professional Engineers



*is licensed as a Professional Engineer under Chapter 471, Florida Statutes.*

Expiration: 28-FEB-07

P.E. Number: 62365

AUDIT NO.: 0507- 012214

DISPLAY AS REQUIRED BY LAW

# State of Florida

## Board of Professional Engineers



*is licensed as a Professional Engineer under Chapter 471, Florida Statutes.*

Expiration: 28-FEB-07

P.E. Number: 62486

AUDIT NO.: 0507- 001833

DISPLAY AS REQUIRED BY LAW

# ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
09/01/2006

PRODUCER (904) 396-4404  
ABERCROMBIE INSURANCE AGENCY, INC.  
P. O. BOX 5857

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

JACKSONVILLE FL 32247-5857

INSURERS AFFORDING COVERAGE NAIC #

INSURED  
KIMLEY-HORN AND ASSOCIATES, INC  
P. O. BOX 33068

INSURER A: TRAVELERS PROP CASUALTY 25674

INSURER B: (A M BEST RATING A+)

INSURER C: HUDSON SPECIALTY COMPANY

INSURER D:

INSURER E:

RALEIGH NC 27636-306

## COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> CONTRACTUAL LIAB  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	P-630-315X3476-TIL-06	09/01/2006	09/01/2007	EACH OCCURRENCE	\$ 1,000,000
				/ /	/ /	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 500,000
				/ /	/ /	MED EXP (Any one person)	\$ 5,000
				/ /	/ /	PERSONAL & ADV INJURY	\$ 1,000,000
				/ /	/ /	GENERAL AGGREGATE	\$ 2,000,000
				/ /	/ /	PRODUCTS - COMP/OP AGG	\$ 2,000,000
A		AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	P-810-171L6115-TIL-06	09/01/2006	09/01/2007	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
				/ /	/ /	BODILY INJURY (Per person)	\$
				/ /	/ /	BODILY INJURY (Per accident)	\$
				/ /	/ /	PROPERTY DAMAGE (Per accident)	\$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO		/ /	/ /	AUTO ONLY - EA ACCIDENT	\$
				/ /	/ /	OTHER THAN EA ACC	\$
				/ /	/ /	AUTO ONLY: AGG	\$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE  DEDUCTIBLE RETENTION \$		/ /	/ /	EACH OCCURRENCE	\$
				/ /	/ /	AGGREGATE	\$
				/ /	/ /		\$
				/ /	/ /		\$
A		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER	836G878-3-06	09/01/2006	09/01/2007	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER	
				/ /	/ /	E.L. EACH ACCIDENT	\$ 500,000
				/ /	/ /	E.L. DISEASE - EA EMPLOYEE	\$ 500,000
				/ /	/ /	E.L. DISEASE - POLICY LIMIT	\$ 500,000

### DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

PROJECT: PALM BEACH COUNTY INTELLIGENT TRANSPORTATION SYSTEM SERVICES. PROJECT MGR: BLAIR G. MARSDEN. PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, ITS OFFICERS, EMPLOYEES AND AGENTS ARE ADD'L INSUREDS FOR GENERAL & AUTO LIABILITY ONLY FOR THIS PROJECT.

### CERTIFICATE HOLDER

( ) - ( ) -  
  
PALM BEACH COUNTY  
160 AUSTRALIAN AVENUE  
SUITE 503  
WEST PALM BEACH FL 33406-

### CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

*James E. ...*

Client#: 660269

80KIMLEHOR1

# ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
12/07/06

<b>PRODUCER</b> <b>BB&amp;T Insurance Services, Inc.</b> 7823 National Service Road 2nd Floor Greensboro, NC 27419	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
	<b>INSURERS AFFORDING COVERAGE</b>	<b>NAIC #</b>
<b>INSURED</b> Kimley-Horn and Associates Inc. 3001 Weston Parkway PO Box 33068 Raleigh, NC 27636	INSURER A: <b>Lexington Insurance Company</b>	<b>19437</b>
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
		<b>GENERAL LIABILITY</b> <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
		<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		<b>EXCESS/UMBRELLA LIABILITY</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
		<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A		<b>OTHER Professional Liability</b>	0517215	12/09/06	12/09/07	<b>\$2,000,000 Per Claim</b> <b>\$2,000,000 Aggregate</b>

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS**  
 Project Description: Traffic Signal Design Services  
 Project No: On A Task Order Basis  
 Project Mgr: Blair Marsden  
 Retro-Date: 2/10/67

<b>CERTIFICATE HOLDER</b>  Palm Beach County Attn: Joan Thurman 160 Australian Avenue Suite 503 West Palm Beach, FL 33406	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE <i>Stuart C Thomas</i>
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## **IMPORTANT**

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

## **DISCLAIMER**

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.