

Agenda Item #: 3 - C - 1

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

Meeting Date: March 13, 2007

☒ Consent ☐ Regular
☐ Workshop ☐ Public Hearing

Department:

Submitted By: Engineering & Public Works

Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

Project: Municipal Service Taxing Unit (MSTU) Districts "A Through E" Services on a Task Order Basis.

Motion and Title: Staff recommends motion to approve: The renewal of the MSTU Districts "A Through E" Services Agreement with the following firm:

<u>Firm Name</u>	<u>Original Agreement Date</u>	<u>Resolution No.</u>
Last Devenport, Inc.	March 15, 2005	R2005-0519

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 second and final renewal of this firms' 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 this office now recommends the second and final 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:

Director

Date

John
1/29/07

Approved By:

County Engineer

Date

2/8/07

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-
NET FISCAL IMPACT	-0-	-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 Agency Organization Object Amount

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

This item has no fiscal impact.

C. Departmental Fiscal Review: R.D. Ward 1/30/07

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

John D. ... 2-12-07 OFMB
John J. ... 2/13/07 Contract Administration
2-12-07 2-12-07 2-12-07 2-12-07

This item complies with current
County policies.

B. Legal Sufficiency:

Paul F. ... 2/13/07
Assistant County Attorney

C. Other Department Review:

Department Director

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



Last Devenport, Inc.

PROFESSIONAL CONSULTING SERVICES

RECEIVED JAN 16 2007

January 3, 2007

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: MSTU ANNUAL AGREEMENT (R2005-0519) DATED MARCH 15, 2005

Dear Mr. Young:

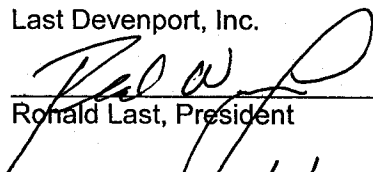
This letter serves as our official notification of interest in continuing our Agreement with Palm Beach County for professional services as specified in the above reference, for the period of March 16, 2007 through March 15, 2008.

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.

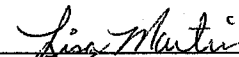
Sincerely,

Last Devenport, Inc.



Ronald Last, President

Attest:

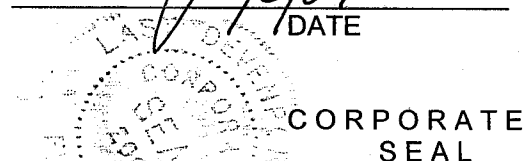


1/3/07

DATE

1/3/07

DATE



Accepted by:
Palm Beach County Board of Commissioners

Attest:
Sharon R. Bock, Clerk and Comptroller

BY: _____
Addie L. Greene, Chairperson

BY: _____
Deputy Clerk

Approved As To Form & Legal Sufficiency:

Approved as to Terms and Conditions

County Attorney

901 Northpoint Parkway, Suite 406 • West Palm Beach, FL 33407 • Phone: 561-615-6567 • Fax: 561-683-0872
www.lastdevenport.com

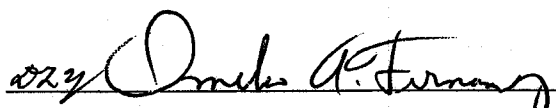


EXHIBIT "B" -- PROJECT FEE SCHEDULE

**ANNUAL AGREEMENT FOR STREET IMPROVEMENTS PROJECTS
M.S.T.U. DISTRICTS A-E -- PALM BEACH COUNTY**

FISCAL YEAR MARCH 16, 2007 THROUGH MARCH 15, 2008

HOURLY RATES:

<u>PERSONNEL CLASSIFICATION</u>	<u>Hourly Billing</u>
SENIOR ENGINEER/PROJECT MANAGER	\$125.00
PROJECT ENGINEER	\$ 89.00
DESIGNER	\$ 80.00
ENGINEERING TECHNICIAN (CADD)	\$ 65.00
SENIOR SURVEYOR & MAPPER	\$ 95.00
3-PERSON SURVEY FIELD PARTY	\$105.00

ANY ADDITIONAL SERVICES, AS AUTHORIZED AND APPROVED BY THE OWNER, PALM BEACH COUNTY

OUR SUBCONTRACTORS SHALL BE:

**Tierra (Geotechnical/Environmental Engineering)
Brown & Phillips, Inc.
Ron Bell**

MULTIPLIER CALCULATIONS:

SALARY	1
FRINGE BENEFITS/GENERAL OPERATIONS	<u>1.60</u>
SUBTOTAL	2.60
PROFIT @ 12%	<u>0.31</u>
TOTAL	2.91

REIMBURSABLE EXPENSES

Reimbursement for Direct Project Expenses will be determined for each Project, as required.

State of Florida

Board of Professional Engineers



Is authorized under the provisions of Section 471.023, Florida Statutes, to offer engineering services to the public through a Professional Engineer duly licensed under Chapter 471, Florida Statutes.

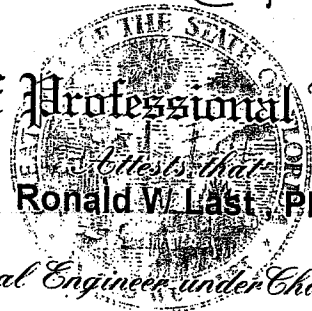
AUDIT NO.: 0507- 000587 CERTIFICATE OF AUTHORIZATION NUMBER: 9889

EXPIRATION: 28-FEB-07

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: 38707

AUDIT NO.: 0507- 016572

DISPLAY AS REQUIRED BY LAW

Client#: 10237

LASTDEV3

ACORD™ CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 01/04/07
PRODUCER Suncoast Insurance Associates P.O. Box 22668 Tampa, FL 33622-2668 813 289-5200		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.
INSURED Last Devenport, Inc. 901 Northpoint Parkway Suite 406 West Palm Beach, FL 33407		
INSURERS AFFORDING COVERAGE		NAIC #
INSURER A: United States Fidelity & Guaranty		25887
INSURER B: St. Paul Fire & Marine Insurance Co		24767
INSURER C: XL Specialty Insurance Company		37885
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
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GENTL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	BK01957990	12/01/06	12/01/07	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000
A		AUTOMOBILE LIABILITY <input 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	BK01957990	12/01/06	12/01/07	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 AUTO ONLY: EA ACC \$ AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
B		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	BW02203548	12/10/06	12/10/07	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$100,000 E.L. DISEASE - EA EMPLOYEE \$100,000 E.L. DISEASE - POLICY LIMIT \$500,000
C		OTHER Professional Liability	DPF960295	12/01/06	12/01/07	\$1,000,000 per claim \$1,000,000 annl aggr.


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

Professional Liability is written on a claims-made basis.

RE: FOR ALL PROJECTS WITH PALM BEACH COUNTY.

Palm Beach County Board of County Commissioners, a political subdivision of the state of Florida, its officers, employees and agents are listed as (See Attached Descriptions)

CERTIFICATE HOLDER

Palm Beach County 160 Australian Ave. 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 <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 
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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.

DESCRIPTIONS (Continued from Page 1)	
<p>additional insureds with respects to the General Liability and Auto Liability policy. Professional Liability Retroactive Date is 12/01/2003.</p>	