

Agenda Item #: 3-C-4

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

Meeting Date: May 1, 2007 Consent Regular
 Workshop Public Hearing

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

=====

I. EXECUTIVE BRIEF

Project: Traffic Signal Design Services on a Task Order Basis

Motion and Title: Staff recommends motion to approve: The renewal of the Traffic Signal Design Services Agreement with the following firm:

Firm Name	Original Agreement Date	Resolution No.
Kimley-Horn and Associates, Inc.	May 3, 2005	R2005-0850

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 firm's Agreement. It is the consensus of 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:

Agreement with Exhibits and Certificate of Insurance (2)

Recommended By: *Dr. Daniel A. Fernandez* 3/27/07 *[Signature]*
Director Date

Approved By: *Ray T. Well* 4/9/07
County Engineer Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
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
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B. Recommended Sources of Funds/Summary of Fiscal Impact:

This item has no fiscal impact.

C. Departmental Fiscal Review: *[Signature]*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

<u><i>[Signature]</i></u> OFMB 4-3-07	<u><i>[Signature]</i></u> Contract Administration 4/14/07
<i>actn 4-3-07</i>	<i>[Signature]</i> 4/12/07

B. Legal Sufficiency:

This item complies with current County policies.

Paul F. [Signature] 4/5/07
Assistant County Attorney

C. Other Department Review:

Department Director

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



Kimley-Horn
and Associates, Inc.

March 5, 2007

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

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

**RE: TRAFFIC SIGNAL DESIGN - ANNUAL AGREEMENT
(R2005-0850) DATED MAY 3, 2005**

Dear Mr. Young:

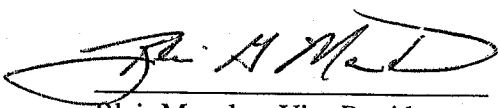
This letter serves as our official notification of interest in continuing our Agreement with Palm Beach County for professional services as specified in the above reference, for the period of May 4, 2007 to May 3, 2008.

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,

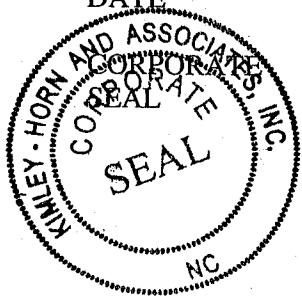
Kimley-Horn and Associates, Inc.


Blair Marsden, Vice President

5 March 2007
DATE

Attest 

3/5/07
DATE





Kimley-Horn
and Associates, Inc.

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

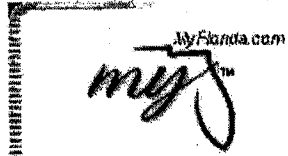
County Attorney

[Handwritten Signature]

KIMLEY-HORN AND ASSOCIATES INC.
PALM BEACH COUNTY TRAFFIC SIGNAL DESIGN SERVICES ANNUAL CONTRACT
RESOLUTION NO. 2005-0850

CATEGORY TITLE	CATEGORY AVERAGE	REPRESENTATIVE PERSONNEL
Project Manger	\$60.47	Blair Marsden
Senior Engineer/Designer	\$44.56	Jim Sumislaski
Project Engineer	\$39.25	John McWilliams
Analyst/EI	\$28.64	Ravi Wijesundera
CADD Technician	\$22.28	Mario Rivera, Isaac Duncan & Fernando Garcia

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, Rates will escalate at a rate of 3% per year



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12:28:39 PM 3/5/2007

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- Apply to Retake Exam
- Find Exam Information
- File a Complaint
- AB&T Delinquent Invoice & Activity List Search

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- Renew a License
- Change License Status
- Maintain Account
- Change My Address
- View Messages
- Change My PIN
- View Continuing Ed

[Term Glossary](#)

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Licensee Details

Licensee Information

Name: **Kimley-Horn & Associates, Inc. (Primary Name)**
 (DBA Name)
 Main Address: **Att:Mindy Zeni**
3001 Weston Parkway
CARY North Carolina 27513

License Mailing:

License Location:

License Information

License Type: **Certificate of Authorization**
 Rank: **Cert of Auth**
 License Number: **696**
 Status: **Current,Active**
 Licensure Date: **05/10/1977**
 Expires: **02/28/2009**

Special Qualifications Qualification Effective

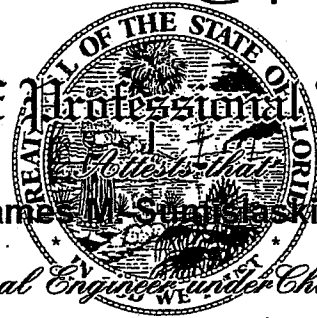
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State of Florida

Board of Professional Engineers



James M. Sullivan, PE

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

Expiration: 28-FEB-09

P.E. Number: 38841

AUDIT NO.: 0709-001959

DISPLAY AS REQUIRED BY LAW

State of Florida

Board of Professional Engineers

John Joseph McWilliams, PE



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

Expiration: 28-FEB-09

P.E. Number: 62541

AUDIT NO.: 0709- 003093

DISPLAY AS REQUIRED BY LAW

State of Florida

Board of Professional Engineers

Blair G. Nielsen, PE



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

Expiration: 28-FEB-09

P.E. Number: 57917

AUDIT NO.: 0709- 003003

DISPLAY AS REQUIRED BY LAW

ACORD™ CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 09/01/2006
PRODUCER (904) 396-4404 CROMBIE INSURANCE AGENCY, INC. 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	
INSURED KIMLEY-HORN AND ASSOCIATES, INC P. O. BOX 33068	INSURER A: TRAVELERS PROP CASUALTY	NAIC # 25674
	INSURER B: (A M BEST RATING A+)	
	INSURER C: HUDSON SPECIALTY COMPANY	
	INSURER D:	
RALEIGH NC 27636-306	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 CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> CONTRACTUAL LIAB	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
		GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJ <input type="checkbox"/> LOC		/ /	/ /	
A		AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS 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 ANY AUTO		/ /	/ /	AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
		EXCESS/UMBRELLA LIABILITY OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> 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	836G878-3-06	09/01/2006	09/01/2007	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
		OTHER		/ /	/ /	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
PROJECT NUMBER: ON A TASK ORDER BASIS. PROJECT DESCRIPTION: TRAFFIC SIGNAL DESIGN SERVICES. PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, ITS OFFICERS, EMPLOYEES AND AGENTS ARE ADDITIONAL INSURED FOR GENERAL LIABILITY FOR THIS PROJECT. "INCLUDES PRIOR ACTS COVERAGE TO EFFECTIVE DATE OF THE CONTRACT." R2005-0850. KHA PROJECT MGR: BLAIR MARSDEN.

CERTIFICATE HOLDER () - () - PALM BEACH COUNTY ATTN: JOAN THURMAN 160 AUSTRALIAN AVENUE 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 <i>James E. Crombie, Jr.</i>
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Client#: 660269

80KIMLEHOR1

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

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

PRODUCER BB&T Insurance Services, Inc. 7 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.	
INSURED Kimley-Horn and Associates Inc. 3001 Weston Parkway PO Box 33068 Raleigh, NC 27636		INSURERS AFFORDING COVERAGE	NAIC #
		INSURER A: Lexington Insurance Company	19437
		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
		GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR <hr/> 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 \$
		AUTOMOBILE LIABILITY <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) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <hr/> DEDUCTIBLE \$ RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A		OTHER Professional Liability	0517215	12/09/06	12/09/07	\$2,000,000 Per Claim \$2,000,000 Aggregate

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

CERTIFICATE HOLDER

Palm Beach County
 Attn: Joan Thurman
 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
Stuart C. Thomas