

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: March 11, 2008

☒ **Consent**

☐ **Regular**

☐ **Ordinance**

☐ **Public Hearing**

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 2 to Contract with Kerney & Associates, Inc. (R2006-2090) to implement the second renewal of an annual HVAC contract with a maximum value of \$1,000,000.

Summary: Amendment No. 2 is a renewal to the Annual Contract–HVAC which was awarded to Kerney & Associates, Inc. as one of eight approved contractors. The contractor will continue to perform on projects for various facilities. This annual HVAC contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,000,000. The renewal term is twelve months or until \$1,000,000 in work orders are issued. Staff is bringing forward the amendment at this time based on pending work which would exceed the value assigned to the contract. All terms of the original contract remain in effect. This is the second of four extensions allowed by the Contract. SBE participation goals for the HVAC contracts are 15%. Kerney's participation for work orders issued to date is 100%. Work orders issued to date for all eight annual contracts include a combined SBE participation of 75.4%. (FD&O Admin) Countywide (JM)

Background and Justification: Amendment No. 2 is the second renewal to the Annual Contract– HVAC which was awarded to Kerney & Associates, Inc. on October 3, 2006 as one of eight Annual HVAC Contractors. The contractor will continue to perform as an annual HVAC contractor for implementation of HVAC equipment repairs and/or replacements. This annual HVAC contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,000,000 among the pool of Annual HVAC Contractors. The renewal term is twelve months or until the renewal limit of \$1,000,000 is reached.

Attachments:

Amendment No. 2

Recommended by:


Department Director

2/15/08
Date

Approved by:


County Administrator

3/3/08
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Year	2008	2009	2010	2011	2012
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 Positions (Cumulative)	—	—	—	—	—

Is Item Included in Current Budget? Yes ____ No ____

Budget Account No:

Reporting Category _____

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

Potential maximum fiscal impact is \$1,000,000. Work Orders requiring BCC approval will be brought to the Board and fiscal impact will be addressed at that time; otherwise, funding will come from previously approved BCC projects.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development & Control Comments:

John D. Smith 2-26-08
OFMB
①② CN 2/26/08 2/25/08

John D. Smith 2/26/08
Contract Dev. and Control
2/27/08

B. Legal Sufficiency:

James E. Smith 2/29/08
Assistant County Attorney

**This amendment complies with
our review requirements.**

C. Other Department Review:

Department Director

AMENDMENT #2 TO ANNUAL HVAC CONTRACT

This agreement amends the contract between Palm Beach County (County) and Kerney & Associates, Inc. (Contractor) authorized pursuant to Palm Beach County Resolution (R-2006-2090).

The original contract provided that Contractor would act as an annual HVAC contractor from October 3, 2006 to October 2, 2007 or until the total dollar value of work authorizations issued in the term, among the pool of annual HVAC Contractors, totals One Million dollars (\$1,000,000), whichever occurred first. That contract also provides that it could be extended for four additional terms. This is the second amendment. This contract was previously amended on July 10, 2007.

The County is extending the contract for a period of twelve (12) months based on pending work which would exceed the value assigned to the contract. Pursuant to the provisions of the existing contract, the parties agree that Contractor will continue to act as an annual HVAC contractor until March 10, 2009 or until the total dollar value of work authorizations for the third term totals one million dollars (\$1,000,000), whichever comes first. The parties agree that the total dollar value of work authorizations issued pursuant to this amendment shall not exceed one million dollars (\$1,000,000).

Except as amended herein, all provisions of the existing contract shall remain in full force and effect.

ATTEST:
Sharon R. Bock, Clerk & Comptroller

BOARD OF COUNTY COMMISSIONERS

Deputy Clerk

Addie L. Greene, Chairperson

Witness:

Kerney & Associates, Inc.

Barbara Skennedy-Kish
Printed Name

Dale E. Skennedy
Signature

[Signature]
Signature

AREA MANAGER
Title

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

[Signature]
County Attorney

[Signature]
Audrey Wolf, Director
Facilities Development & Operations