

Agenda Item #: 3-C-10

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: May 20, 2008 [x] Consent [] Regular
[] Workshop [] Public Hearing

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

Project No. : 2004515

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

A) Supplemental Agreement No. 1 to Project Agreement R2005-1059 in the amount of \$18,312.97 with Bowyer-Singleton & Associates, Inc., for professional services.

B) A Budget Transfer of \$26,578 in the Transportation Improvement Fund from FY 2005 Road Program Reserve for Plans and Alignment to Westgate Avenue from Congress Avenue to Australian Avenue.

Summary: This Supplemental Agreement will provide the additional services necessary to study an additional alignment alternative for Westgate Avenue from Congress Avenue to Australian Avenue.

District: 2 (PK)

Background and Justification: On June 7, 2005, the Board of County Commissioners (Board) approved an Agreement (R2005-1059) with Bowyer-Singleton & Associates, Inc., (BSA) to provide professional services required for the preparation of an alignment study for Westgate Avenue from Congress Avenue to Australian Avenue (Project). Palm Beach County now desires BSA to provide additional professional services to evaluate an additional alignment alternative for the Project, as detailed in Exhibit "A" of the attached Supplemental Agreement. The Small Business Enterprise (SBE) goal for the Project is 15%. Due to the nature of the requested additional services, SBE participation was not feasible for this supplement. The fee, as detailed in Exhibit "A" of the attached Supplemental Agreement, has been negotiated as just and reasonable compensation as follows:

Basic Services (Lump Sum)	\$17,542.97 (Alternative Analysis and Data Collection).
Reimbursable Expenses (Not to Exceed)....	\$ 770.00 (Reprographics and Shipping).
Total:	<u>\$18,312.97</u>

After reviewing the attached Supplemental Agreement and finding it in proper order, staff recommends Board approval.

- Attachments:
1. Location Map
 2. Supplemental Agreement with Exhibits and Certificate of Insurance (2)
 3. Project Work Schedule
 4. Budget Transfer

Recommended by: 224 Onelio A. Fernandez 4/20/08
Division Director Date

Approved By: S. J. Webb 4/20/08
County Engineer Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	<u>\$26,578</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>\$26,578</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>

ADDITIONAL FTE
POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes _____ No X
Budget Acct No.: Fund__ Dept.__ Unit__ Object__
Program

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

Transportation Improvement Fund
Reserve for Plans & Alignment
Westgate Ave/Congress to Australian Ave

Supplement #1 - Basic Services	\$17,542.97
- Reimbursables	\$ 770.00
Authorization	<u>\$18,312.97</u>
Contingency	\$ 920.03
Staff Costs-Roadway	\$ 3,670.00
-ROW	\$ 920.00
-Eng Services	\$ 920.00
-Traffic	<u>\$ 1,835.00</u>
Fiscal Impact	<u>\$26,578.00</u>

C. Departmental Fiscal Review: R. D. Ward 4/9/08

III. REVIEW COMMENTS

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

atwillhite 5.5.08
OFMB
SN 5/5/08 CN 4/28/08

Am. J. Jansen 5/6/08
Contract Dev. and Control
E. Jones 5/5/08

B. Approved as to Form and Legal Sufficiency:

This item complies with current County policies.

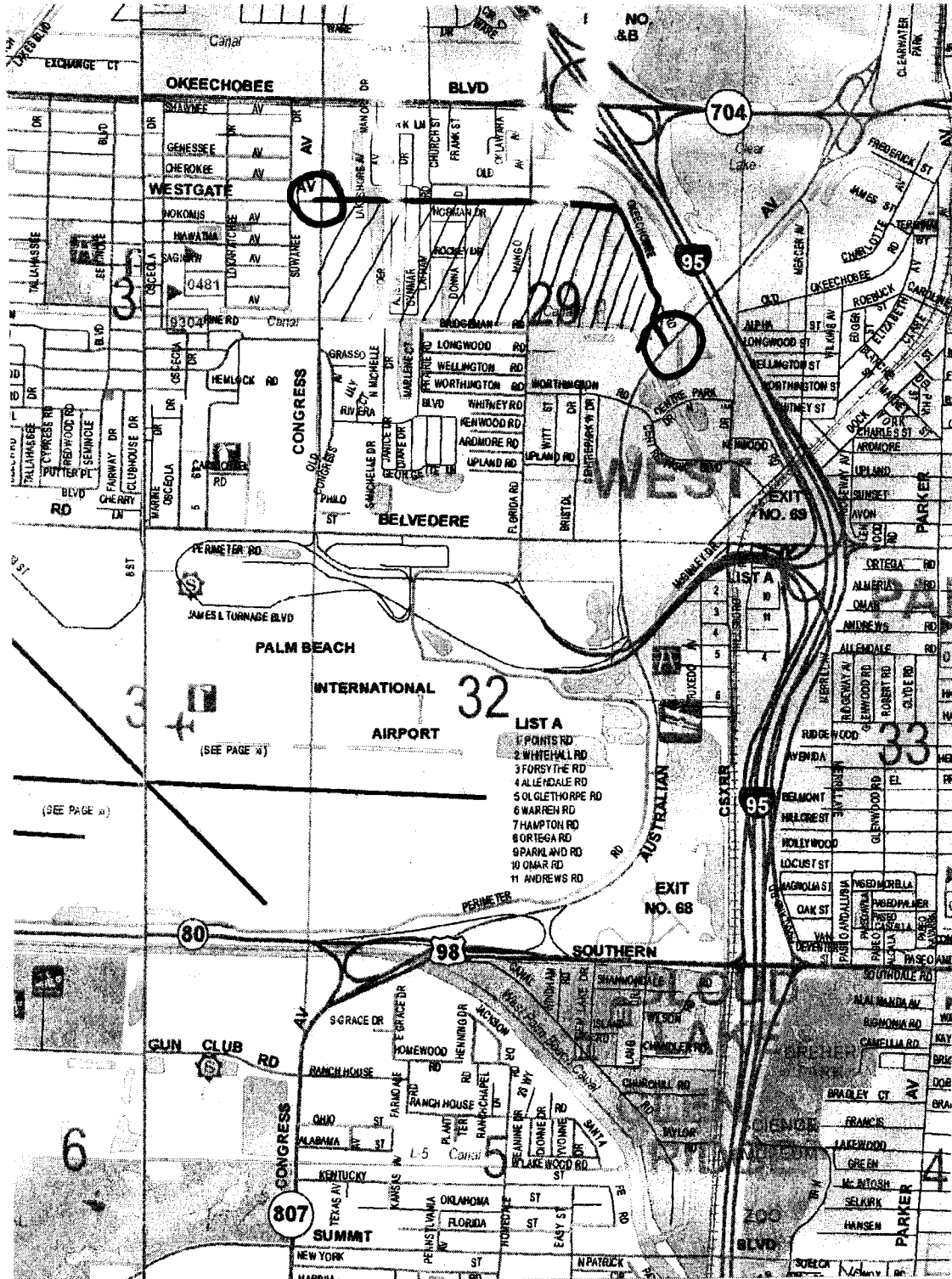
Paul F. S. 5/7/08
Assistant County Attorney

C. Other Department Review:

Department Director

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

WESTGATE AVENUE
CONGRESS AVENUE AUSTRALIAN AVENUE
PALM BEACH COUNTY PROJECT NO. 2004515



LOCATION SKETCH

SUPPLEMENTAL AGREEMENT BETWEEN
PALM BEACH COUNTY
AND
BOWYER-SINGLETON & ASSOCIATES, INC.
FOR PROFESSIONAL ENGINEERING SERVICES ON
WESTGATE AVENUE
CONGRESS AVENUE TO AUSTRALIAN AVENUE
PROJECT NO.: 2004515
PALM BEACH COUNTY, FLORIDA

THIS SUPPLEMENTAL AGREEMENT No. 1, made and entered into this day of _____ 2008 by and between Palm Beach County, hereinafter **COUNTY**, and, Bowyer-Singleton & Associates, Inc. (BSA), a Florida Corporation with an address of 901 Northpoint Parkway, Suite 204, West Palm Beach, Florida 33407, hereinafter **CONSULTANT**.

WITNESSETH

WHEREAS, the **COUNTY** and **CONSULTANT** entered into a Project Agreement dated June 7, 2005 (R2005-1059), to provide professional engineering services for the preparation of an alignment study for Westgate Avenue from Congress Avenue to Australian Avenue, Palm Beach County, Florida (hereinafter **PROJECT**); and.

WHEREAS, the **COUNTY** now desires for the **CONSULTANT** to provide additional services necessary to study a new alternative alignment for the **PROJECT**; and

WHEREAS, the following fee has been negotiated as just and reasonable compensation for these professional services to be performed by the **CONSULTANT**:

RE: WESTGATE AVENUE – CONGRESS AVENUE TO AUSTRALIAN AVENUE
Project No. 2004515

Basic Services in a lump sum fee of \$17,542.97;

Reimbursable Services (Not to Exceed) \$770.00;

Totaling \$18,312.97

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That for and in consideration of the mutual benefits to flow from each to the other, the parties hereto agree as follows:

1. The **CONSULTANT** agrees to provide professional services as described in Exhibit "A" of the Agreement known as "SCOPE OF WORK & FEE".
2. The **CONSULTANT** agrees to "CERTIFICATION" statements as described in Exhibit "B" of the Agreement.
3. The **CONSULTANT** agrees to Small Business Enterprise (SBE) Participation, described in Exhibit "C" of the Agreement.
4. The **COUNTY** agrees to pay the **CONSULTANT** a fee of Eighteen Thousand Three Hundred Twelve Dollars and Ninety-Seven Cents (\$18,312.97).
5. The **CONSULTANT** agrees to indemnify, defend and hold harmless the **COUNTY** against all claims that may arise as a result of negligence, wrongdoing, misconduct or want of care by the **CONSULTANT**.

Except as hereby amended, changed or modified, all other terms and conditions of the original Agreement dated **June 7, 2005 (R2005-1059)**, and;

Supplements and Amendments thereto, shall remain in full force and effect.

RE: WESTGATE AVENUE – CONGRESS AVENUE TO AUSTRALIAN AVENUE
Project No. 2004515

IN WITNESS WHEREOF, the parties hereto have made and executed this Authorization as of the day and year first above written.

OWNER:


Palm Beach County, Florida, a
Political Subdivision of the
State of Florida

CONSULTANT:

Bowyer-Singleton & Associates, Inc.
a Florida Corporation

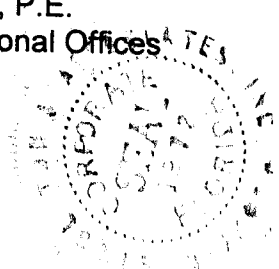
BOARD OF COUNTY COMMISSIONERS

BY: _____
Addie L. Greene, Chairperson

BY: 
Dana C. Chester, P.E.
Director of Regional Offices

ATTEST:
Sharon R. Bock, Clerk & Comptroller
Circuit Court

CORPORATE SEAL



BY: _____
Deputy Clerk

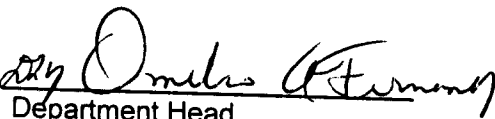
WITNESS:

BY: Laura S. Kline

SEAL

Laura S. Kline
(Printed Name)

APPROVED AS TO TERMS
AND CONDITIONS:

BY: 
Department Head

BY: 

APPROVED AS TO FORM & LEGAL
SUFFICIENCY:

VICKY OTERO
(Printed Name)

County Attorney

EXHIBIT "A"