

3H-4

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

**Meeting Date:** June 17, 2008

Consent       Regular  
 Ordinance       Public Hearing

**Department:** Facilities Development & Operations

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: Amendment No. 1 to contract with M.A.C. Construction Inc. (R2007-0949) to implement the first renewal of Job Order Contract (JOC) - Central with a maximum value of \$2,500,000.

**Summary:** Amendment No. 1 is a renewal to the Job Order Contract-Central which was awarded to M.A.C. Construction Inc. The contractor will continue to perform as an "annual general contractor" for implementation of maintenance and capital projects. This is an indefinite-quantity contract and this renewal has a maximum value of \$2,500,000. The renewal term is twelve months or until \$2,500,000 in work orders are issued. Staff is bringing forward the amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of two extensions allowed by the Contract. SBE goals for the JOC program are 15%. M.A.C.'s participation, for work orders issued-to-date, is 25%. (FD&O Admin) Countywide (JM)

**Background and Justification:** Amendment No. 1 is the first renewal to the Job Order Contract-Central which was awarded to M.A.C. Construction Inc. on June 19, 2007. The contractor will continue to perform as an "annual general contractor" for implementation of maintenance and capital projects. This Job Order Contract (JOC) is an indefinite-quantity contract and this renewal has a maximum value of \$2,500,000. The renewal term is twelve months or until the renewal limit of \$2,500,000 is reached.

**Attachments:**

Amendment No. 1

**Recommended by:**

Armando Wolf      5/22/08  
Department Director      Date

**Approved by:**

Chris Johnson      6/4/08  
County Administrator      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)	<i>up to \$2.5M see note below</i>				
	-	-	-	-	-

Is Item Included in Current Budget? Yes  No

Budget Account No: \_\_\_\_\_

Reporting Category \_\_\_\_\_

Recommended Sources of Funds/Summary of Fiscal Impact:

\*\* Potential Maximum fiscal impact is \$2,500,000. 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:

*A. White 6-2-08*  
OFMB *6/6/08* *cn 5/26/08*

*Dr. J. Jacob 6/3/08*  
Contract Dev. and Control

*6/3/08*

This amendment complies with our review requirements.

### A. Legal Sufficiency:

*James C. Meyer 6/3/08*  
Assistant County Attorney

### A. Other Department Review:

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

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

**AMENDMENT #1 TO JOB ORDER CONTRACT**

This agreement amends the contract between Palm Beach County (County) and M.A.C. Construction, Inc., (Contractor) authorized pursuant to Palm Beach County Resolution (R-2007-0949).

The original contract provided that Contractor would act as an annual general contractor from June 19, 2007 to June 18, 2008 or until Contractor had been awarded projects totaling two million five hundred thousand dollars (\$2,500,000), whichever occurred first. That contract also provides that it could be extended for two additional terms. This amendment is the first extension.

The County is extending the contract for a period of twelve (12) months based on expiration of the term and applying an Economic Price Adjustment of 2.81% to the Contractor's Adjustment Factors per the letter attached from The Gordian Group, dated May 12, 2008. Pursuant to the provisions of the existing contract, the parties agree that Contractor will continue to act as an annual general contractor until June 16, 2009 or until the total dollar value of work authorizations for the second term totals two million five hundred thousand dollars (\$2,500,000), whichever comes first. The parties agree that the total dollar value of work authorizations issued pursuant to this amendment shall not exceed two million five hundred thousand dollars (\$2,500,000)

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

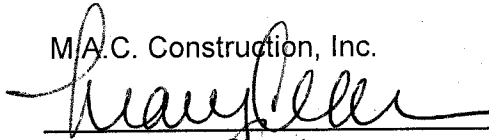
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Deputy Clerk

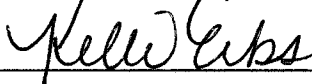
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Addie L. Greene, Chairperson

Witness:

M.A.C. Construction, Inc.

KEVIN ERBS  
Printed Name

  
Signature

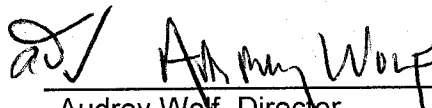
  
Signature

PRESIDENT  
Title

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

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

  
Audrey Wolf, Director  
Facilities Development & Operations



**THE  
GORDIAN  
GROUP®**

May 12, 2008

Palm Beach County  
Facility Development and Operations  
2633 Vista Parkway  
West Palm Beach, FL 33411

Attn: Allan Dupee, Manager

Re: 1<sup>st</sup> year Economic Price Adjustments

Mr. Dupee,

Per Special Conditions Article 7 of the Terms and Conditions of the JOC Contract, below are the new Adjustment Factors for each Contractor and the Engineering News and Record (ENR) Back Up calculations.

The new Adjustments factors for the Contractors awarded June 19, 2007 where adjusted 1.0281 by the CSI index 8054.5864/7834.1 842.

Contract R-2007-0944 HA Contracting

Normal Time 1.0281

Other Than Normal 1.1309

Contract R-2007-0945 All Site Construction

Normal Time 1.0434

Other Than Normal 1.0584

Contract R-2007-0946-Paragon Construction

Normal Time 1.0538

Other Than Normal 1.0846

Contract R-2007-0947 Holt Construction

Normal Time 1.0497

Other Than Normal 1.0610

Contract R-2007-0948 West Construction

Normal Time 1.0487

Other Than Normal 1.0898



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Contract R-2007-0949 MAC Construction

Normal Time 1.0512

Other Than Normal 1.1001

The new Adjustments factors for the Contactor awarded July 10, 2007 where adjusted 1.0270 by the CSI index 8066.1870/7854.1 000

Contract R-2007-1009 Robling Construction

Normal Time 1.1143

Other Than Normal 1.1194

If you have any questions regarding the new Adjustment Factors give me a call.

Please let us know when the new Adjustment Factors are approved and we will change them in PROGEN®.

Sincerely,

Keith Greene  
The Gordian Group

(7) Attachments ENR Back Up Calculations for each Contractor

Cc: Chris Miranda  
File

ENR Construction Cost Index for 20 City Average

Base Year		Option Year	
Date	Index	Date	Index
2006 June	7699.59	2007 June	7938.58
2006 July	7721.34	2007 July	7959.00
2006 August	7722.66	2007 August	8007.48
2006 September	7768.16	2007 September	8049.65
2006 October	7882.53	2007 October	8045.14
2006 November	7910.81	2007 November	8091.34
2006 December	7887.62	2007 December	8089.45
2007 January	7886.00	2008 January	8090.06
2007 February	7879.54	2008 February	8094.28
2007 March	7856.27	2008 March	8109.00
2007 April	7864.70	2008 April	8126.00
2007 May	7942.00		
Base Average:	7834.1842	Option Average:	8054.5864

Calculations for new factors		New Factors	
Option / Base = 1.0281	Adjustment = 1.0281	1.0512	Normal Time
Factor 1 = 1.0225	1.0281 = 1.0512	1.0000	Other Than Normal Time
Factor 2 = 1.0700	1.0281 = 1.1000		