

AGENDA ITEM **3.B.3**

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 19, 2008 Consent Regular
 Workshop Public Hearing

Department:

Submitted By: Clerk & Comptroller, Palm Beach County

Submitted For: Sharon R. Bock, Clerk & Comptroller

I. EXECUTIVE BRIEF

Motion and Title:

Motion to approve the contracts and claims settlements list as submitted by various departments to the Clerk & Comptroller's Office, cumulatively totaling \$15,563,138.00.

Summary:

The appropriate County staff has executed each contract for the attached lists and each contract will be effective upon Board approval unless a later effective date is referenced in the contract.

Background and Justification:

The Palm Beach County Purchasing Ordinance and R-94-702 delegates certain contract execution to appropriate county staff, however, these contracts require Board approval before becoming effective.

Attachments:

Lists identifying contracts:

| | | |
|----|-------------------------------------|-----------------|
| 1) | Purchasing - Regular Totaling -- | \$15,463,138.00 |
| 2) | Purchasing -- Revenue Generating -- | \$ 8,359,783.00 |
| 3) | TDC Contracts -- | \$ -0- |
| 4) | Risk Management -- | \$ 100,000.00 |

Recommended by: Richard A. Lavarone 8/15/08
Richard Lavarone, Director of Accounting Services Date

Approved by: _____
Assistant County Administrator Date

BOARD SERVICES (MINUTES) DIVISION

ROUTING INFORMATION SLIP:

DATE ROUTED: August 13, 2008

ROUTED TO: Richard Iavarone/Charles Mansen/Angela Sims

ROUTED FROM: Diane Brown, Board Services-Minutes Phone: 355-2951

DESCRIPTION OF ITEM:

Contract List for the August 19, 2008, BCC/Workshop Meeting.
My deadline to County Administration is August 14, 2008 Noon

REQUESTED ACTION:

- Review and signature
- Review and information
- Other: _____

OTHER ROUTING INSTRUCTIONS:

- Return to originator
- Forward for additional processing to:

- Other: _____

THANKS!
Diane Brown

*Team contract, Carter's Van Mark.
OK from 8/13/08
M. J. Johnson 8/13/08
Pre-Audit has reviewed the attached contracts &
claims settlement list. em 8/15/08*

PALM BEACH COUNTY/CONTRACTS AND AWARDS FOR APPROVAL
BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
08/19/08

| Contractor(s) | Project | Contract Amount SBE / M/WBE Amount | Department(s) or Division(s) Accounting Line(s) | Executor | Minutes # |
|---------------|---------|---------------------------------------|---|----------|-----------|
|---------------|---------|---------------------------------------|---|----------|-----------|

EXHIBIT A

| | | | | | |
|--|--|---|------------|----------|--|
| Allied Controls Incorporated; Southeast Florida Parts, Incorporated d/b/a Johnstone Supply | Term contract for the purchase of air conditioning parts by manufacturer (O.E.M.) (primary and secondary) for the period 9/18/08 through 9/17/10 per Bid #08-054/AN. | \$432,000.00 SBE (1) Amount dependent upon usage. | Countywide | Scarlett | |
|--|--|---|------------|----------|--|

The County has encumbered \$706,577 (\$28,263/month) during the previous twenty-five (25) months of the current twenty-seven (27) month term contract which includes a six (6) month Board approved extension and a three (3) month extension pursuant to the Director of Purchasing's authority. Based upon historical usage of the manufacturers that are being awarded, \$432,000 is needed to meet the County's requirements through the expiration of this new twenty-four (24) month term contract. This term contract has three (3) twelve (12) month renewal options.

EXHIBIT B

| | | | | | |
|---|---|----------------------------|---|----------|--|
| Stockton Maintenance Group, Inc.; Superior Service Management, Inc. | Renewal of term contract for custodial services for North, South, West, Central County regions and Governmental Center for the period 9/01/08 through 8/31/09 per Bid #06-100/AN. | \$5,334,000.00 SBE 100% | Facilities Management 0001-410-5240-3403 0001-410-5250-3403 0001-410-5260-3403 0001-410-5270-3403 0001-410-5290-3403 0001-410-5220-3403 | Scarlett | |
|---|---|----------------------------|---|----------|--|

The County has encumbered \$10,276,899 (\$456,751/month) during the previous twenty-two and a half (22.5) months of the current twenty-four (24) month term contract. Based upon fixed fees per location (\$5,273,562); additional tasks (\$60,438); and a 3.9% CPI increase as set forth in the existing contract, \$5,334,000 is needed to meet the County's requirements through the expiration of this twelve (12) month renewal contract. This term contract has two (2) twelve (12) month renewal options remaining.

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| EXHIBIT C | | | | | |
| B M H Concrete, Inc.; Mullings Engineering Services LLC | Renewal of term contract for concrete (Ready Mix, HI – Early, Pea Rock), Pea Rock and Rock for the period 10/18/08 through 10/17/09 per Bid #05-169R/PR. | \$227,509.00 SBE \$0 | Countywide | Scarlett | |

The County has encumbered \$171,534 (\$18,056/month) during the previous nine and a half (9.5) months of the current twelve (12) month term contract. Based upon historical usage (\$216,676) and a 5% CPI increase (\$10,833) as set forth in the existing contract, \$227,509 is needed to meet the County's requirements through the expiration of this twelve (12) month renewal term contract. This term contract has one (1) twelve (12) month renewal option remaining. No certified SBE vendor submitted a bid on this project.

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| EXHIBIT D | | | | | |
| H&H Liquid Sludge Disposal, Inc. | Renewal of term contract to haul and dispose of sewage cake sludge for the period 9/16/08 through 9/15/09 per Bid #06-154/CB. | \$700,750.00 SBE \$0 | Water Utilities 4001-720-2582-3401 | Scarlett | |

The County has encumbered \$588,446 (\$56,042/month) during the previous ten and half (10.5) months of the current twelve (12) month term contract. Based upon historical usage and a 4.2% CPI increase (\$28,245) as set forth in the existing contract, \$700,750 is needed to meet the County's requirements through the expiration of this twelve (12) month renewal term contract. This term contract has two (2) twelve (12) month renewal options remaining. No certified SBE vendor submitted a bid on this project.

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| EXHIBIT E | | | | | |
| Tropic Fence Inc. | Renewal of term contract to furnish and install chain link fence for the period 9/30/08 through 9/29/09 per Bid #07-096/PR. | \$627,540.00 SBE \$0 | Countywide | Scarlett | |

The County has encumbered \$503,321 (\$50,332/month) during the previous ten (10) months of the current twelve (12) month term contract. Based upon historical usage (\$603,985) and a 3.9% CPI increase (\$23,555) as set forth in the existing contract, \$627,540 is needed to meet the County's requirements through the expiration of this twelve (12) month renewal term contract. This term contract has three (3) twelve (12) month renewal options remaining. No certified SBE vendor bid within 10% of the low bidder.

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| <u>EXHIBIT F</u> Rio Bak Corporation, Hardrives, Inc.; Palmwood Corporation Inc.; D.S. Eakins Construction Corporation; John Brown and Sons, Inc. | Renewal of term contract for rental of heavy equipment with operator for the period 10/07/08 through 10/06/09 per Bid #05-194/PR. | \$768,518.00 SBE (2) Amount dependent upon usage | Countywide | Scarlett | |

The County has encumbered \$1,169,626 (\$116,963/month) during the previous ten (10) months of the current twelve (12) month term contract. Based upon a decrease of projects due to budget constraints by ERM and by other user departments \$768,518 is needed to meet the County's requirements through the expiration of this twelve (12) months renewal term contract. This amount includes a 4.2% CPI increase (\$30,977) as set forth in the existing contract. This term contract has one (1) twelve (12) month renewal option remaining.

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| <u>EXHIBIT G</u> TNT Land Developing, Inc. | Increase of term contract amount for exotic vegetation/vine removal and nature trail installation for the period 7/01/08 through 6/30/09 per Bid #07- 085/MM. | Increased Amount: \$650,000.00 Total with Increase: \$725,000.00 SBE \$0 | Parks & Recreation 3020-581-P527-6504 | Scarlett | |
|--|--|--|--|----------|--|

The County has encumbered \$75,000 (75,000/month) during the previous one (1) month of the current twelve (12) month term contract. Parks & Recreation has requested an increase of \$650,000 over the previously authorized amount of \$75,000 due to the continued restoration and development of Park property at South County Regional Park (\$100,000), Palm Beach Downs (\$100,000) and Okeeheelee South Park (\$450,000). This term contract has three (3) twelve (12) month renewal options. No certified SBE vendor bid within 10% of the low bidder.

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| EXHIBIT H | | | | | |
| Howe Enterprises | Renewal of term contract for aircraft insecticide spraying for the period 10/01/08 through 9/30/09 per Bid #05-167/PR. | \$500,000.00 SBE \$0 | ERM 0001-380-3241-3401 | Scarlett | |

The County has encumbered \$159,000 (\$15,900/month) during the previous ten (10) months of the current twelve (12) month term contract. Based upon the need for ERM to spray an additional five (5) times before the current contract expires, \$500,000 is needed to meet the County's requirements through the expiration of this twelve (12) month renewal term. This amount includes a 4.2% CPI increase (\$21,000) as set forth in the existing contract. This term contract has one (1) twelve (12) month renewal option remaining. No certified SBE vendor submitted a bid on this project.

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| EXHIBIT I | | | | | |
| A.Y. McDonald Mfg. Co.; L&L Worldwide, Inc.; Line-Tec, Inc.; Corcel Corp. | Increase of term contract amount for the purchase of fittings for water meter and pipe for the period 12/12/07 through 12/11/08 per Bid #06-005RR/TN. | Increased Amount: \$150,000.00 Total with Increase: \$541,000.00 SBE: (3) 72% Amount dependent upon usage | Water Utilities 4001-720-2310-4615 | Scarlett | |

The County has encumbered \$390,994 (\$48,874/month) during the previous eight (8) months of the current twelve (12) month term contract. Water Utilities requests an increase of \$150,000 over the previously authorized amount of \$391,000 to replenish Warehouse inventory and to continue purchasing water meter components in order to change-out water meters in the Aberdeen and Kings Point communities. This term contract has three (3) twelve (12) month renewal options remaining.

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| EXHIBIT J | | | | | |
| Chaz Equipment Co., Inc. | Renewal of term contract for sanitary sewer manhole rehabilitation for the period 10/01/08 through 9/30/09 per Master Agreement #900280E. | \$389,250.00 SBE \$0 | Water Utilities 4011-721-W031-6546 | Scarlett | |

The County has encumbered \$324,374 (\$32,437/month) during the previous ten (10) months of the current twelve (12) month term contract. Based upon historical usage, \$389,250 is needed to meet the County's requirements through the expiration of this twelve (12) month renewal term contract. This term contract has no renewal options remaining. This purchase is off City of Delray Beach Bid #2002-37, due to lack of SBE competition for this commodity.

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|---|--|---|---|----------|-----------|
| <u>EXHIBIT K</u> Carter & VerPlanck, Inc. | Increase of term contract amount for parts, repairs, and maintenance of Clor Tec Onsite Hypochlorite Generation, for the period 7/10/08 through 7/09/09 per Master Agreement # SS850117B. | Increased Amount: \$ 371,502.00 Total with Increase: \$1,086,500.00 SBE \$0 | Water Utilities 4001-721-W001-6541 | Scarlett | |

The County has encumbered \$676,013 (\$56,334/month) during the previous four (4) weeks of the current twelve (12) month term contract. Water Utilities requests an increase of \$371,502 over the previously authorized amount of \$714,998 to maintain safe and reliable operation of the nine (9) hypochlorite generation units located at WTP #3, WTP #8, WTP #9, and Southern Region, and to meet the continued requirements for parts, maintenance and repairs through contract expiration. This is a sole-source provider who is not a certified SBE vendor.

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| <u>EXHIBIT L</u> 37 pre-qualified vendors | Renewal of term contract for pre-qualification of vendors for transit coach parts for the period 9/27/08 through 9/26/09 per Bid #05-215/MF. | \$2,005,000.00 SBE \$0 | Palm Tran 1341-542-5529-4603 | Scarlett | |
|---|--|---------------------------|---------------------------------|----------|--|

The County has encumbered \$1,605,631 (\$152,917/month) during the previous ten and a half (10.5) months of the current twelve (12) month term contract. Due to a twenty-five percent (25%) increase in cost for parts and buses no longer covered under warranty, \$2,005,000 is needed to meet the County's requirements through the expiration of this new twelve (12) month term contract. Additionally, approval is requested to add vendors that may become pre-qualified during the term of this contract. Because of Federal funding, this project must adhere to the Federal DBE program rather than the County's SBE program.

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| <u>EXHIBIT M</u> Rivers Bus Sales, Inc. | Increase to dollar amount for the purchase of buses per Purchase Order # KM031408-29. | Increased Amount: \$ 56,514.00 Total with Increase: \$526,071.00 SBE \$0 | Fleet Management 5000-410-7250-6401 | Scarlett | |
|---|--|--|--|----------|--|

Fleet Management requests an increase of \$56,514 to upgrade three (3) new Headstart buses to meet Federal Headstart standards. This purchase is off Florida Department of Education contract number 2008-04 due to the lack of SBE competition for this commodity.

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|---|--|---------------------------|---|----------|--|
| <u>EXHIBIT N</u> Jade Communications, Inc. | Renewal of term contract for installation, integration, maintenance and support services for the voice services and enterprise network systems for the period 10/03/08 through 10/02/09 per Bid #05-193/MF | \$1,600,000.00 SBE \$0 | ISS 3901-491-1253-4674 3901-491-1255-4674 3901-491-1267-4674 3901-491-1268-4674 3901-491-1282-4674 3901-491-1285-4674 | Scarlett | |
|---|--|---------------------------|---|----------|--|

The County has encumbered \$4,529,873 (\$133,232/month) during the previous thirty-four (34) months of the current thirty-six (36) month term contract. Based upon historical usage, \$1,600,000 is needed to meet the County's requirements through the expiration of this new twelve (12) month term contract. This term contract has one (1) twelve (12) month renewal option remaining. No certified SBE vendor bid within 10% of the low bidder.

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| EXHIBIT O Vanguard Car Rental USA, Inc.; Avis Rent A Car System, Inc.; Budget Rent A Car Systems, Inc.; DTG Operations, Inc. d/b/a Dollar Rent A Car; DTG Operations, Inc. d/b/a Thrifty Rent A Car; Enterprise Leasing Company; The Hertz Corporation | First Amendment to the Airport Rental Car Lease and Concession Agreements for the period 10/01/03 through 9/30/09 per Bid #03-113/TS (R-2003-1338 through R-2003-1344). | \$8,359,783.00 Revenue Generating DBE | Airports 4100-120-8340-4465 | Scarlett | |

In 2003, the BCC approved the Airport Rental Car Lease and Concession Agreements for seven (7) rental car companies to operate as airport concessionaires and to lease reservation counters and offices within the PBI terminal. Airports has requested a one (1) year extension to the original Agreements in order to prepare a new solicitation. This is a revenue generating contract with a minimum annual guarantee of \$8,359,783 during the one (1) year extension period. Because of Federal funding, this project must adhere to the Federal DBE program rather than the County's SBE program.

| | |
|---|------------------------|
| TOTAL AMOUNT OF CONTRACT INCREASES (EXHIBITS A - N) | \$ 1,228,016.00 |
| TOTAL AMOUNT OF ALL CONTRACTS (EXHIBITS A - N) | \$15,463,138.00 |
| TOTAL REVENUE (EXHIBIT O) | \$ 8,359,783.00 |

**RISK MANAGEMENT DEPARTMENT SETTLEMENTS FOR APPROVAL
BOARD OF COUNTY COMMISSIONERS MEETING
8/19/2008**

| Exhibits | Name | Type of Claim | Date of Claim | Amount |
|----------|----------------|-----------------------|--------------------|--------------|
| A. | Loretta Draper | Workers' Compensation | 11/30/06 & 10/3/07 | \$100,000.00 |

CLAIM SETTLEMENTS TOTAL:

\$100,000.00

NOTE: Worker's Comp claims settlements must be reviewed and approved by a Judge of Compensation Claims prior to payment.

2008 JUL 21 AM 8:23

AUTHORIZATION REPORT OVER \$50,000.00

July 7, 2008

Claimant: LORETTA DRAPER
Employer: PALM TRAN, INC.
Department:
Title:
D/A: 11/30/2006 and 10/03/07
Subsequent D/A:
D.O.B.: 10/19/1965
AWW: 427.98

Type of Settlement (circle one) 1. Full 2. Partial 3. Fees only

Injury: The Claimant has chronic low back problems consisting of disc bulges at L4-5 and L5-1 and an aggravation to her spinal stenosis and degenerative disc disease. The Claimant underwent low back surgery which consisted of a lumbar laminectomy in order to decompress the neural elements as well as a posterior spinal fusion at the L4-S1 level. Complications arose following the surgery as the result of an infection, which required two additional hospitalizations.

List date of accident(s) 11/30/03 and 10/03/07

Body Parts Injured: Failed low back syndrome with chronic pain and radiculopathy.

Compensable: YES NO

Benefits paid to date: (Information obtained from Risk Mgmt)

| | |
|--------------------------|-------------|
| Indemnity - \$ 16,847.00 | \$ 181.00 |
| Medical - \$ 107,348.00 | \$ 716.00 |
| Other - \$ 1,681.00 | \$ 1,410.00 |
| (11/30/06) | (10/3/07) |

Issues: At the expiration of the Claimant's temporary indemnity benefits, we would be facing an issue concerning the payment of PTD and PTD supplemental benefits.

Claimant's counsel: RANDALL T. PORCHER, ESQUIRE

Initial demand: \$250,000.00 and assignment of Third Party Lien.

Recommendation: It is recommended that this entire claim be settled for a \$100,000.00 and that the Third Party Lien be assigned to the Claimant, which would provide a substantial savings to the Employer

RISK MGMT.
Received
JUL 10 2008
DEPT.

NOTE: A settlement that is in the best interest of Palm Beach County is recommended by counsel and has been authorized by Risk Management and accepted by the injured employee and his attorney. The settlement is subject to approval by Board of County Commissioners.

Defense attorney: JOHN B. CLARKE, ESQUIRE

Need authorization by: 7/15/08



JOHN B. CLARKE, ESQUIRE

cc: Harry George, Palm Beach County

John B. Clarke, Esq.

RISK MGMT.
Received
JUL 10 2008
DEPT.