Agenda Item #: 3 - C - 10

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

Meeting Date: August 19,	• •	======= Consent Workshop	
	gineering & P gineering Ser	ublic Works	
I. EXECUTIVE BRIEF			
Motion and Title: Staff rec Annual Microsurfacing Contra Florida Highway Products, Inc.	ct, R2007-073	4 (Contract), da	ated May 15, 2007, with
<b>SUMMARY:</b> Approval of this A Contract to September 30, 20 work orders issued under the 6	09. There will	be no increase	in the maximum value of
Countywide (MRE)			
Background and Justification County Commissioners on May Contract amount, no increase pavement on various County needed basis as required by the Business Enterprise (SBE) go committed for the project by date, no work orders have been bid upon expiration of this external county.	y 15, 2007. Singler is required. The roads. All tase the Road and Expanded for the properties of the properties. The results of the properties of the properties of the properties of the properties of the results of the properties of the results o	nce sufficient fur ne Contract cons ks are initiated Bridge Division, to ject was 15%. ny Products, Inc.	nds remain in the existing sists of overlaying existing by Work Order on an as the sole user. The Small The SBE participation was 8.67% overall. To
<b>Attachments:</b> 1. Amendment to the Annual M	Nicrosurfacing C	ontract (2)	
=======================================	======	=======	=============
Recommended by:	sion Director		Date
Approved By: Sou	nty Engineer		7 23 08 Date

### II. FISCAL IMPACT ANALYSIS

#### A. Five Year Summary of Fiscal Impact: Fiscal Years 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 -0--0--0--0--0-POSITIONS (Cumulative) -0--0--0--0--0-Is Item Included In Current Budget? Yes \_\_\_\_ No **Budget Account No.:** Department \_\_\_\_\_ Unit \_\_\_\_ Object \_\_\_\_\_ B. **Recommended Sources of Funds/Summary of Fiscal Impact:** NO FISCAL IMPACT **Departmental Fiscal Review:** C. III. REVIEW COMMENTS A. **OFMB Fiscal and/or Contract Dev. and Control Comments:** Contract Dev. **OFMB** and Control B. **Legal Sufficiency:** This amendment complies with our review requirements. Assistant County Attorney

Other Department Review:

**Department Director** 

C.

# AMENDMENT TO THE ANNUAL MICROSURFACING CONTRACT NO. 2007055 DATED MAY 15, 2007 BY AND BETWEEN FLORIDA HIGHWAY PRODUCTS, INC., AND PALM BEACH COUNTY

THIS AMENDMENT to the Annual Microsurfacing Contract dated May 15, 2007, (R-2007-0734), hereinafter "CONTRACT" by and between Florida Highway Products, Inc., hereinafter "CONTRACTOR" and the BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter, "COUNTY".

### WITNESSETH

WHEREAS, on May 15, 2007, the CONTRACTOR and COUNTY entered into an Annual Microsurfacing Contract for overlaying existing pavement on various roadways throughout Palm Beach County; and

WHEREAS, Section 33 of the contract provides that the contract may be extended, at the COUNTY'S option for a defined period of time, not to exceed thirty-six months total contract time, upon approval of the Board of County Commissioners; and

WHEREAS, by this amendment, the CONTRACTOR and the COUNTY mutually agree to extend the CONTRACT retroactively from May 15, 2008 to September 30, 2009, with all original terms, conditions and unit prices adhered to; and

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the parties agree as follows:

- The above recitations are true and correct and incorporated herein. The CONTRACT, dated May 15, 2007, between the CONTRACTOR and the COUNTY is hereby amended to extend the expiration date of the CONTRACT retroactively from May 15, 2008 to September 30, 2009.
- 2. It is the intent of the parties hereto that this Agreement shall not become binding until the date executed by the COUNTY.
- 3. All other provisions of the Annual Microsurfacing Contract dated May 15, 2007, shall remain in full force and effect.

## ANNUAL MICROSURFACING CONTRACT PALM BEACH COUNTY PROJECT NO. 2007055 EXTENSION AMENDMENT

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IN WITNESS WHEREOF, the parties have of	caused this Contract to be executed and sealed
as of the day and year first written above.	
ATTEST: SHARON R. BOCK Clerk and Comptroller	PALM BEACH COUNTY, a Political Subdivision of the State of Florida Board of County Commissioners
By: Deputy Clerk	By:Addie L. Greene, Chairperson
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
COUNTY ATTORNEY	Charles Rich ENGINEERING
ATTEST:	FLORIDA HIGHWAY PRODUCTS, INC. Contractor
Secretary or Asst. Secretary	By: 4. 4. General (Signature & Title)
	Robert H. Maggard - President (Print Name & Title)

(Seal)