Agenda Item #: 3 - C - 12

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date: November 18, 2008 {X} Consent { } Regular { } Workshop { } Public Hearing Department: Submitted By: Engineering & Public Works Submitted For: Engineering Services Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

- A) Contract Amendments to extend the expiration date for the Primary Annual Roadway Landscaping Contract (Contract), Project No. 2008052, R-2007-1911, dated November 6, 2007 with Superior Landscaping & Lawn Service, Inc. (Superior) and the Secondary Annual Roadway Landscaping Contract, R-2007-1911.1, with Vila & Son Landscaping Corporation (Vila) retroactively from November 6, 2008 to November 6, 2009; and.
- **B)** Contract Amendments to add several items to the original Contract proposals for future potential use.

SUMMARY: Approval of these Contract Amendments will extend the expiration dates of the existing Contracts to November 6, 2009, and add additional work items as detailed in Exhibit A. The Contracts include furnishing and installing plant material and irrigation systems within Palm Beach County. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the project by Superior is 5.39% overall and the SBE participation committed by Vila is 5.31% overall.

<u>Countywide</u> (MRE)

Background and Justification: The original 12 month Contract was approved by the Board of County Commissioners on November 6, 2007. The present Contract expired on November 6, 2008. Both Contractors and Palm Beach County are desirous of extending the Contract retroactively from November 6, 2008 to November 6, 2009, while holding the unit prices as bid. The Contract will be re-bid upon expiration of this extension. Due to the quantity of work and the possible geographical separation of concurrent tasks, it is desirable to have two contractors for this Contract.

Attachments:

1. Amendment to the Primary Annual Roadway Landscaping Contract with Exhibit A (2)

2. Amendment to the Secondary Annual Roadway Landscaping Contract with Exhibit A (2)

Recommended by:					
	Division Director	Date			
Approved By:	S. T. W.lub	10/30/08			
	J County Engineer	Date			

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	<u>\$3,757,993</u>	<u>-0-</u>	0	0-	0-
Operating Costs		-0-		0-	-0-
External Revenues	0-	-0-	-0-	-0-	-0-
Program Income (County)		-0-	_0_	0-	-0-
In-Kind Match (County)	0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$3,757,993	-0-	-0-	-0-	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)					
Is Item Included in Current Budget Acct No.: Fund		Yes	bject	No <u>.</u>	
Prog			NICOL		

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

	F	Y 2008	Prior		
	<u>A</u>	locations	Expenditures		Total,
Streetscape	\$3	,267,300	<\$115,705>	\$3	151.595
Facilities	\$		<\$ 96,710>	\$	17,990
Parks and Recreation	\$	860,000	<\$366,517>	\$	493,483
Airports	\$	60,000		\$	60,000
Environmental Resources Mgmt.	\$	148,000	<\$116,075>	\$	31,925
Cooperative Extension Service	<u>\$</u>	3,000	·	\$	3,000
	\$4	,453,000	<\$695,007>		
Potential Fiscal Impact			,	\$3	,757,993

Allocations to the various departments are a not to exceed amount and can be expended from various accounting lines for various projects where budget is available.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

aturall CN 30 08 Sr

В. Approved as to Form and Legal Sufficiency;

108 Assistant County Attorney

Other Department Review: C.

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Department Director

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

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AMENDMENT TO THE SECONDARY ANNUAL ROADWAY LANDSCAPING CONTRACT NO. 2008052, DATED NOVEMBER 6, 2007, BY AND BETWEEN VILA & SON LANDSCAPING CORPORATION AND PALM BEACH COUNTY

THIS AMENDMENT to the Secondary Annual Roadway Landscaping Contract, dated November 6, 2007 (R2007-1911.1), hereinafter "CONTRACT", by and between Vila & Son Landscaping Corporation, hereinafter "CONTRACTOR", and the BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter "COUNTY".

WITNESETH

WHEREAS, on November 6, 2007, the CONTRACTOR and COUNTY entered into a Secondary Annual Roadway Landscaping Contract for landscaping local roads throughout Palm Beach County; and

WHEREAS, Section 40 of the contract provides that change orders to the contract shall be approved in accordance with existing COUNTY policy; and

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

1. The above recitations are true and correct and incorporated herein.

2. The CONTRACT, page C-1 dated November 6, 2007, between the CONTRACTOR and the COUNTY is hereby amended as follows:

a. The original expiration date of the CONTRACT is extended for twelve (12) months, retroactively, from November 6, 2008 until November 6, 2009.

b. The maximum value of orders issued under this Contract shall not, in any case, exceed the Contract amount of \$7,108,000 \$4,453,000.

c. Additional items of work, as shown on Exhibit A, shall be incorporated into this Annual Roadway Landscape Contract by the execution of this Agreement.

3. It is the intent of the parties hereto that this Agreement shall not become binding until the date executed by the Board of County Commissioners of Palm Beach County.

4. All other provisions of the Secondary Annual Roadway Landscaping Contract, dated November 6, 2007, as amended, shall remain in full force and effect.

sealed this _____ day of _____, 2008.

SUPERIOR LANDSCAPING & LAWN SERVICE, INC.

By: Signature

ORIAndo Otero President Print Name & Title

ATTEST:

By: Signature,

MARIAVALISES THEASING Print Name & Title

PALM BEACH COUNTY ITS' BOARD OF COUNTY **COMMISSIONERS**

Chair

By:_____

ATTEST: SHARON R.BOCK, CLERK & COMPTROLLER

By:___

Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By:____

County Attorney

APPROVED AS TO TERMS AND CONDITIONS

By: <u>Charly Rich</u> Engineering

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ANNUAL LANDSCAPING CONTRACT - PRIMARY PROJECT NUMBER: 2008052 **EXTENSION AMENDMENT EXHIBIT A**

	ITEM	UNIT	UNIT PRICE
	ISOLATION VALVE PER ISC - 2.04.B.		
	11/2" GATE VALVE - IN TRAFFIC RATED VALVE BOX	EA	\$531.00
	1 ¹ / ₂ " GATE VALVE - IN EXISTING VALVE BOX	EA	\$225.00
219	2" GATE VALVE - IN TRAFFIC RATED VALVE BOX	EA	\$576.00
	2" GATE VALVE - IN EXISTING VALVE BOX	EA	\$270.00
221	21/2" GATE VALVE - IN TRAFFIC RATED VALVE BOX	EA	\$465.00
222	21/2" GATE VALVE - IN EXISTING VALVE BOX	EA	\$159.00
	AIR RELIEF VALVE PER ISC - 2.04.E.		
223	2" VALVE IN TRAFFIC RATED VALVE BOX	EA	\$531.00
	PRESSURE RELIEF VALVE PER ISC - 2.04.D.		
224	1" VALVE	EA	\$75.00
225	34" VALVE	EA	\$60.00
	FLOW SENSOR PER ISC - 2.09	1	
	11/2" SENSOR IN TRAFFIC RATED VALVE BOX	EA	\$1,146.00
227	11/2" SENSOR IN EXISTING VALVE BOX	EA	\$840.00
228	2" SENSOR IN TRAFFIC RATED VALVE BOX	EA	\$1,116.00
229	2" SENSOR IN EXISTING VALVE BOX	EA	\$810.00
	FURNISH & APPLY FERTILIZER		
230	IRRIGATED SOD	BAG	\$23.75
231	UN-IRRIGATED SOD	BAG	\$12.50
	FURNISH & APPLY WEED & FEED FERTILIZER		
232	IRRIGATED SOD	BAG	\$26.90
233	UN-IRRIGATED SOD	BAG	\$12.50

President

Signature

Ctre-0

<u>10/6/8</u> Date

Orlando Print Name & Title

Superior Landscaping & Lawn Service, Inc.

AMENDMENT TO THE PRIMARY ANNUAL ROADWAY LANDSCAPING CONTRACT NO. 2008052, DATED NOVEMBER 6, 2007, BY AND BETWEEN SUPERIOR LANDSCAPING & LAWN SERVICE, INC. AND PALM BEACH COUNTY

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b. The maximum value of orders issued under this Contract shall not, in any case, exceed the Contract amount of $\frac{77,108,000}{44,453,000}$ \$4,453,000.

c. Additional items of work, as shown on Exhibit A, shall be incorporated into this Annual Roadway Landscape Contract by the execution of this Agreement.

3. It is the intent of the parties hereto that this Agreement shall not become binding until the date executed by the Board of County Commissioners of Palm Beach County.

4. All other provisions of the Primary Annual Roadway Landscaping Contract, dated November 6, 2007, as amended, shall remain in full force and effect.

sealed this _____ day of _____, 2008.

SUPERIOR LANDSCAPING & LAWN SERVICE, INC.

By: Signature

ORlando Otero, President Print Name & Title

ATTEST: 11-By: _ Signature AMMUNIO TRANSVER

Print Name & Title

PALM BEACH COUNTY ITS' BOARD OF COUNTY COMMISSIONERS

By:____ Chair

ATTEST: SHARON R.BOCK, CLERK & COMPTROLLER

By:___

Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By:___

County Attorney

APPROVED AS TO TERMS AND CONDITIONS

By: Charles Rich Engineering

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ANNUAL LANDSCAPING CONTRACT - PRIMARY PROJECT NUMBER: 2008052 EXTENSION AMENDMENT EXHIBIT A

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223	2" VALVE IN TRAFFIC RATED VALVE BOX	EA	\$531.00
	PRESSURE RELIEF VALVE PER ISC - 2.04.D.		
the second se	1" VALVE	EA	\$75.00
225	34" VALVE	EA	\$60.00
	FLOW SENSOR PER ISC - 2.09		
226	11/2" SENSOR IN TRAFFIC RATED VALVE BOX	EA	\$1,146.00
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228	2" SENSOR IN TRAFFIC RATED VALVE BOX	EA	\$1,116.00
229	2" SENSOR IN EXISTING VALVE BOX	EA	\$810.00
	FURNISH & APPLY FERTILIZER		
	IRRIGATED SOD	BAG	\$23.75
_231	UN-IRRIGATED SOD	BAG	\$12.50
	FURNISH & APPLY WEED & FEED FERTILIZER		
	IRRIGATED SOD	BAG	\$26.90
233	UN-IRRIGATED SOD	BAG	\$12.50

Signature

10/6/8 Date

Print Name & Title Alero President

Superior Landscaping & Lawn Service, Inc.

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sealed this _____ day of _____, 2008.

VILA & SON LANDSCAPING CORPORATION

By: <u>Print C. Ably</u> Signature <u>Breff C. Ashley</u>, G.U. Print Name & Title

ATTEST:

By Signature eal, President

Print Name & Title

PALM BEACH COUNTY ITS' BOARD OF COUNTY COMMISSIONERS

Ву:____ Chair

ATTEST: SHARON R.BOCK, CLERK & COMPTROLLER

By:___

Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By:___

County Attorney

APPROVED AS TO TERMS AND CONDITIONS

By: <u>Charlie Rich</u> Engineering

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218	11/2" GATE VALVE - IN EXISTING VALVE BOX	EA	\$247.43
219		EA	\$377.67
220		EA	\$248.59
221		EA	\$409.45
222	21/2" GATE VALVE - IN EXISTING VALVE BOX	EA	\$280.37
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228	2" SENSOR IN TRAFFIC RATED VALVE BOX	EA	\$1,215.39
229	2" SENSOR IN EXISTING VALVE BOX	EA	\$1,086.31
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230	IRRIGATED SOD	BAG	\$45.00
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	FURNISH & APPLY WEED & FEED FERTILIZER		
232	IRRIGATED SOD	BAG	\$50.00
233	UN-IRRIGATED SOD	BAG	\$60.00

C. Ashlay, G.M. Signature ł Print Name & Title

10/4/08 Date

Vila & Son Landscaping Corporation

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VILA & SON LANDSCAPING CORPORATION

By: <u>Broot C. Ashly</u> Signature

Brett C. ASHPU, G.M.

ATTEST:

Bv: Signature 1 President Print Name & Title

PALM BEACH COUNTY ITS' BOARD OF COUNTY COMMISSIONERS

By:____ Chair

ATTEST: SHARON R.BOCK, CLERK & COMPTROLLER

Ву:____

Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By:___

County Attorney

APPROVED AS TO TERMS AND CONDITIONS

By: Charle Rich Engineering

ANNUAL LANDSCAPING CONTRACT - SECONDARY PROJECT NUMBER: 2008052 EXTENSION AMENDMENT EXHIBIT A

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	IRRIGATED SOD	BAG	\$50.00
233	UN-IRRIGATED SOD	BAG	\$60.00

4 C. G.H. Print Name & Title

08

Vila & Son Landscaping Corporation