

3H-2

Agenda Item #:

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: December 2, 2008 **Consent** **Regular**
 Ordinance **Public Hearing**

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 2 to the Contract with Stephen L. Boruff, AIA, Architects & Planners, Inc. (R2006-0073) for architectural services for Fire-Rescue projects on a continuing contract basis.

Summary: Stephen L. Boruff, AIA, Architects & Planners, Inc., is under contract to provide professional architectural services for Fire-Rescue projects generally with a construction value up to \$3,500,000. The contract provided for an initial two (2) year term with three (3) - one (1) year renewal options. Amendment No. 2 would provide for services during the second renewal period. Stephen L. Boruff, AIA, Architects & Planners, Inc. has an SBE participation goal of 15%. During the first three years of the Contract, Stephen L. Boruff, AIA, Architects & Planners, Inc. has achieved 88.5% participation. (Capital Improvements Division) Countywide (JM)

Background and Justification: In accordance with Board adopted procedures pursuant to Florida Statute 287.055 (Consultants Competitive Negotiation Act, CCNA), Stephen L. Boruff, AIA, Architects & Planners, Inc. was selected to perform professional architectural consulting services on a continuing contract basis. Work is authorized through individual task agreements when required during the term of this contract. The contract term is for two (2) years and the original Board action allowed for three (3) additional one (1) year renewals. Amendment No. 2 would provide services during the second renewal period and would be the fourth year of the contract. This Amendment will maintain the continuous professional services required by Palm Beach County. During the first year of the Contract, Stephen L. Boruff's office was awarded \$826,470 in Consultant Service Authorizations.

- Attachments:**
 1. Amendment No. 2
 2. Disclosure of Ownership Interests

Recommended by: Ann Mary Wolf 10/31/08
 Department Director **Date**

Approved by: MA Deen 10/12/08
 County Administrator **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	* See below *				
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No _____

Budget Account No.:

Fund _____ Agency _____ Org _____ Object _____ Amount _____

Reporting Category _____

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

* Fiscal impact cannot be determined at this time. Individual Task Assignments 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:

Ann White 11-7-08
OFMB
11/10/08

Dr. J. Jacoby 11/10/08
Contract Development & Control
11/10/08

This amendment complies with our review requirements.

B. Legal Sufficiency:

James C. [Signature] 11/13/08
Assistant County Attorney

C. Other Department Review

Lawman [Signature]
Department Director

AMENDMENT TO CONTRACT FOR
Annual Architectural / Professional Services
For Fire-Rescue Projects on a
Continuing Contract Basis

This Amendment No. 2 to the Contract (R-2006-0073) dated January 10, 2006, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of Commissioners, hereinafter referred to as the COUNTY and Stephen L. Boruff, AIA Architects + Planners, Inc., a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONSULTANT.

W I T N E S S E T H

WHEREAS, the parties have entered into a Contract under which the CONSULTANT provided certain professional services to the COUNTY for various projects in accordance with Consultants Competitive Negotiations Act (CCNA) FS 287.055; and

WHEREAS, the parties hereto desire to amend the Contract to extend it for an additional one (1) year period.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth and for such other good and valuable consideration, the receipt of which the parties hereto expressly acknowledge, the parties covenant and agree to the following terms and conditions:

1. The term of this Contract as set forth in Section 4, Article 4.1 is renewed for one (1) additional year to January 10, 2010
2. Except as specifically modified above, the terms and conditions of the Contract are hereby confirmed and remain in full force and effect.

ATTACHMENT # 1

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the COUNTY and CONSULTANT has hereunto set its hand the day and year above written.

ATTEST:
SHARON R. BOCK, Clerk & Comptroller

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND CONDITIONS

By: _____
County Attorney

By: Joe Anthony Wolf
Director - FD&O

WITNESS:

CONSULTANT:

Jessica C Lucido
Signature

Stephen L. Boruff
Signature

Jessica C. Lucido
Name (type or print)

Stephen L. Boruff
Name (type or print)

President
Title

(Corporate Seal)

DISCLOSURE OF OWNERSHIP INTERESTS

TO: PALM BEACH COUNTY CHIEF OFFICER,
OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared
Stephen L. Boruff, hereinafter referred to as "Affiant," who being by me
first duly sworn, under oath, deposes and states as follows:

1. Affiant appears herein as:
 an individual **or**
 the President of Stephen L. Boruff, AIA, Architects + Planners, Inc.
[position—e.g., sole proprietor, president, partner, etc.] [name & type of entity—e.g., ABC Corp., XYZ Ltd. Partnership, etc.].
The Affiant or the entity the Affiant represents herein seeks to do business with
Palm Beach County through its Board of County Commissioners.

2. Affiant's address is: 901 Northpoint Parkway, Suite 101,
West Palm Beach, Florida 33407

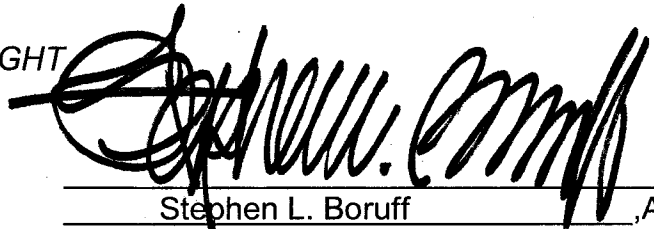
3. Attached hereto as Exhibit "A" is a complete listing of the names and
addresses of every person or entity having a five percent (5%) or greater interest in the
Affiant's corporation, partnership, or other principal. Disclosure does not apply to
nonprofit corporations, government agencies, or to an individual's or entity's interest in
any entity registered with the Federal Securities Exchange Commission or registered
pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general
public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach
County policy, and will be relied upon by Palm Beach County and the Board of County
Commissioners. Affiant further acknowledges that he or she is authorized to execute
this document on behalf of the entity identified in paragraph one, if any.

5. Affiant further states that Affiant is familiar with the nature of an oath and
with the penalties provided by the laws of the State of Florida for falsely swearing to
statements under oath.

6. Under penalty of perjury, Affiant declares that Affiant has examined this
Affidavit and to the best of Affiant's knowledge and belief it is true, correct and
complete.

FURTHER AFFIANT SAYETH NAUGHT

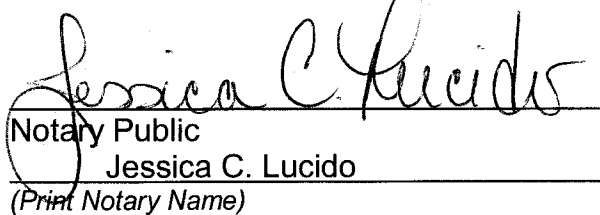


Stephen L. Boruff, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 21st day of October,
2008, by Stephen L. Boruff, who is personally known to me
or who has produced _____ as identification
and who did take an oath.



JESSICA C. LUCIDO
MY COMMISSION # DD 621497
EXPIRES: February 4, 2011
Bonded Thru Budget Notary Services



Notary Public
Jessica C. Lucido
(Print Notary Name)

State of Florida at Large
My Commission Expires: February 4, 2011

EXHIBIT "A"

DISCLOSURE OF OWNERSHIP INTERESTS IN AFFIANT

Affiant must identify all entities and individuals owning five percent (5%) or more ownership interest in Affiant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant's principal is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to any nonprofit corporation, government agency, or to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
Stephen L. Boruff	901 Northpoint Parkway, Suite 101 West Palm Beach, Florida 33407