Agenda Item #: 3-C-9

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: J Department:	anuary 13, 2009	[X] Consent [] Workshop	[] Regular [] Public Hearing
Submitted By: Submitted For:	Engineering & Public Roadway Production		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: The renewal of the Surveying and Mapping Annual Agreement with Dennis J. Leavy & Associates, Inc. The original Agreement was dated January 15, 2008, R2008-0020.

SUMMARY: Approval of this Agreement will renew for one year required professional services, on a task order basis.

Countywide (PK)

Background and Justification: In accordance with Board of County Commissioners adopted procedures pursuant to Florida Statutes 287.055 Consultants Competitive Negotiations Act (CCNA), the above listed consulting firm was selected to perform professional services relative to Palm Beach County (County) needs, and is presently under Agreement with the County on an annual contractual basis. This is the first renewal of this firm's Agreement. It is the consensus of the user departments that this consulting firm has, within the provisions of their Agreement, provided the professional services requested by the County. Since they remain in good standing and wish to continue to provide the professional services as indicated in their Agreement, Palm Beach County agrees to renew their Agreement for one year.

This Agreement has been reviewed with the above listed consulting firm, and staff recommends the first renewal of the attached consultant Annual Agreement. This transaction will maintain the continuous process of professional services required by Palm Beach County.

Attachments: 1. Agreement with Exhibits and Certificate of Insurance (2)

Recommended By: 2 miles (12/9/08)

Director Date

Approved By: 17/16/06
County Engineer Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County) NET FISCAL IMPACT # ADDITIONAL FTE POSITIONS (CUMULATIVE)	20 <u>09</u> -0- -0- -0- -0- -0-	20 <u>10</u> -0- -0- -0- -0- -0-	20 <u>11</u> -0- -0- -0- -0- -0-	20 <u>12</u> -0- -0- -0- -0- -0-	20 <u>13</u> -0- -0- -0- -0- -0- -0-
COMULATIVE)	-0-	-0-	-0-	-0-	-O-

Is Item Included in Current Budget? Yes _ No_

Budget Account No.:

Fund Agency

Organization

Object

Amount

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

This item has no fiscal impact.

C. [Departmental Fiscal Review:	Oluga-
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III. REVIEW COMMENTS

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Contract Administration/2/19/08

This item complies with current County policies.

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

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



DENNIS J. LEAVY & ASSOC.

LAND SURVEYORS • MAPPERS

November 14, 2008

Palm Beach County Board of Commissioners C/O: Engineering & Public Works Department 2300 N. Jog Road West Palm Beach, FL 33411-2745 Attention: David Young, P.E., Special Projects Manager

RE: SURVEYING AND MAPPING ANNUAL AGREEMENT (R2008-0020) DATED JANUARY 15, 2008

Dear Mr. Young:

This letter serves as our official notification of interest in continuing our Agreement with Palm Beach County for professional services as specified in the above reference, for the period of January 15, 2009 through January 14,

We are in agreement that all provisions in the original Agreement remain in full force and effect. Per your request, we are enclosing an updated fee schedule, State Registration, General, Automobile, and Professional Liability Insurance Certificates, and all appropriate affidavits.

Please indicate your acceptance of this proposal by proper signature below and returning same as fully exe

this office	proper signature below and returning same as tuny executed t
Sincerely,	
Dennis J. Leavy & Associates, Inc. Attest:	Llery LlCae
Dennis J. Leavy, P.S.M., President	
11/14/08	11/14/08
DATE	DATE
CORPORATE	
Accepted by.	Attest:
Palm Beach County Board of Commissioners	Sharon R. Bock, Clerk and Comptroller
BY:	BY:
John F. Koons , Chairman	Deputy Clerk
Approved As To Form & Legal Sufficiency:	Approved as to Terms and Conditions
	AZE Omela att.
County Attorney	and the state of t

460 Business Park Way • Suite D • Royal Palm Beach, Florida 33411 • Phone 561.753.0650 • Fax 561.753.0290 DJLASSC@bellsouth.net

Dennis J. Leavy & Associates, Inc.

"FEE SCHEDULE FOR COUNTY ANNUAL"

(Effective January 15, 2009 through January 15, 2010)

PROFESSIONAL SURVEYING SERVICES:

1. Hourly Rates (Administration, general overhead, fringe benefits) = 150% (Operating margin) = 12% = 2.80

A) Field tasks:

B) Office tasks:

1) 3 man field crew * \$120.00 per hour 2) 2 man field crew * \$95.00 per hour * Fully equipped except for reimbursable equipment.

• •

Raw/Burdened

1) Principle	\$ 39.29/\$110.00 per hour
2) Staff P.S.M.	\$ 33.93/\$ 95.00 per hour
3) Survey Technician	\$ 23.21/\$ 65.00 per hour
4) CADD Technician *	\$ 23.21/\$ 65.00 per hour
5) Draft Person	\$ 16.07/\$ 45.00 per hour
* includes computer.	·

2. Reimbursable Services:

A) Airboat or Swamp Buggy * \$80.00 per day
B) All Terrain Vehicle * \$60.00 per day
C) Small Boat for Hydrographic Surveys \$35.00 per day

* Includes operator, does not include survey crew.

It is understood that Palm Beach County will provide all necessary plats, maps, abstracts or other documents required as a basis for survey services. All services provided will be in accordance with Chapters 177 and 472 Florida Statutes and Chapter 61G17 Florida Administrative Code, as applicable. Further, all services provided will be in accordance with the standards and/or requirements by individual government agencies having jurisdiction or control over the project for which services are provided.

PROJECT:

Survey and Mapping Annual Services

PROJECT NO.:

On a Task Order Basis

CONSULTANT:

Dennis J. Leavy & Associates, Inc.

TRUTH-IN-NEGOTIATION STATEMENT

By entering into this Agreement, the **CONSULTANT** certifies that the wage rates and costs used to determine the lump sum fees contained in herein are accurate, complete and current as of the date of this Agreement.

The said lump sum fees shall be adjusted to exclude any significant sums should the **COUNTY** determine that the lump sum fees were increased due to inaccurate, incomplete or non-current wage rates or due to inaccurate representations of fees paid to outside consultants.

The COUNTY shall exercise its right under this "Certificate" within one year following final payment.

PROHIBITION AGAINST CONTINGENT FEES STATEMENT

By entering into this Agreement the **CONSULTANT** warrants that they have not employed or retained any company or person other than a bonafide employee working solely for the **CONSULTANT** to solicit or secure this Agreement and that they have not paid or agreed to pay any person, company, corporation, individual or firm other than a bonafide employee working solely for the **CONSULTANT**, any fee, commission, percentage, gift or other consideration contingent upon or resulting from the award of making of this agreement.

PUBLIC ENTITY CRIMES STATEMENT

As provided in F.S. 287.132-133, by entering this Agreement or performing any work in furtherance hereof, the **CONSULTANT** certifies that it, its affiliates, suppliers, sub-contractors and consultants who will perform hereunder, have not been placed on the convicted vendor list maintained by the State of Florida Department of Management Services within the 36 months immediately preceding the date hereof. This notice is required by F.S. 287.133 (3) (a).

NON-DISCRIMINATION STATEMENT

The **CONSULTANT** warrants and represents that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, sexual orientation, gender identity and expression.

ernis // Leavy, P.S.M., President

F:\ROADWAY\CCNA\Annuals\Survey\Dennis Leavy\2009\Affidav.doc

CONFLICT OF INTEREST DISCLOSURE FORM

SOME DISTRIBUTION OF THE PROPERTY OF THE PROPE	CLOSURE FORM
Project: Surveying and Mapping Annual Services	Project No.: On a Task Order Basis
ENGINEER represents that it presently has no interest, eiconflict in any manner with the performance of services	ther direct or indirect, which would or could for the County, except as follows:
	•
1	MIC
/ NO	ME
Attach additional sheets as needed.)	
ENGINEER further represents that no person having performance. By signing below, ENGINEER certifies thand correct and constitutes all current potential conflicts on a fluence ENGINEER'S judgment or quality of services	nat the information contained herein is true of interest which may influence or appear to
ENGINEER shall promptly notify the COUNTY in writing of interest that may arise in the future through any prosper circumstance which may influence or appear to influence services being provided to the County. Such written business association, interest or circumstance, the natural and request an opinion of the COUNTY as to whether would, in the opinion of the COUNTY, constitute an unapply the ENGINEER.	ctive business association, interest or other nce ENGINEER'S judgment or quality of notification shall identify the prospective e of work that ENGINEER may undertake the association, interest or circumstance
If, in the sole opinion of the COUNTY, the prospective be of ENGINEER would constitute an unacceptable conflic shall so state in the notification and the ENGINEER shall circumstance.	t of interest to the COUNTY, the COUNTY ll not enter into said association, interest or
THIS DISCLOSURE is submitted by Denni	•
	(Name of Individual)
	Dennis J. Leavey & Associates, Inc.
(Title/Position) (Fin	m Name of ENGINEER)
who hereby certifies that the information stated above	is true and correct. Further, it is hereby
acknowledged that any misrepresentation by file Cons	ultant on this Disclosure is considered an
unethical business practice and is grounds for sanction	is against future County business with the
Consultant.	ilacina
Gionatura	110000
F:\ROADWAY\CCNA\Annuals\Survey\Dennis Leavy\200\Disclosurd Doc.doc	(Date)
V N T	-

Revised 01/27/05

	Nov18. 2008 3:33PM				No. 6976	P. 2	
A	CORD CERTIFIC	ATE OF LIABIL	ITY INS	URANCE		DATE (MM/DD/YYYY) 11/18/2008	
тори Со 1 ` Р.	CER (305)822-7800 F/ linsworth, Alter, Fowler, O. Box 9315	X 305-362-2443	THIS CERT ONLY AND HOLDER, T	IFICATE IS ISSU CONFERS NO R HIS CERTIFICAT	ED AS A MATTER OF II IGHTS UPON THE CER E DOES NOT AMEND, FORDED BY THE POLI	NFORMATION STIFICATE EXTEND OR	
Ann	mi Lakes, FL 33014-9315 na Howren ahowren@cafdf.c			FFORDING COV		NAIC #	
NSUR	ED Dennis J. Leavy & Associ	iates	INSURER A: Ha	rtford Ins C	o of the SE A+ X	v	
	460 Business Parkway Suite B				alty & Surety Co	A+ XV	
	Royal Palm Beach, FL 334	(11		INSURER C: ACE American Insurance Co. A+			
	noyal raim beach, 12 33-	*11	INSURER D:		·		
COV	ERAGES		WOONEN E.				
MA'	E POLICIES OF INSURANCE LISTED BELL Y REQUIREMENT, TERM OR CONDITION Y PERTAIN, THE INSURANCE AFFORDEI LICIES. AGGREGATE LIMITS SHOWN MA	OF ANY CONTRACT OR OTHER DI DBY THE POLICIES DESCRIBED HI	OCUMENT WITH R EREIN IS SUBJECT CLAIMS.	ESPECT TO WHICH TO ALL THE TERM	A THIS CERTIFICATE MAY	BE ICCHEN AD	
NER A		POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS		
	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY	2158MRQ5737	05/09/2008	05/09/2009	DAMAGE TO RENTED	1,000,000	
	CLAIMS MADE X OCCUR				PREMISES (Ea occurance) MED EXP (Any one person)	\$ 1,000,000 \$ 10,000	
A					PERSONAL & ADV INJURY	\$ 10,000 \$ 1,000,000	
					GENERAL AGGREGATE	\$ 2,000,00	
	GEN'L AGBREGATE LIMIT APPLIES PER:				PRODUCTS - COMP/OP AGG	5 2,000,00	
	POLICY X PRO-						
	ANY AUTO			·	COMBINED SINGLE LIMIT (Ez accideni)	€	
	SCHEDULED AUTOS	· •			BODILY INJURY (Per person)	\$	
	HIRED AUTOS NON-OWNED AUTOS				BODILY INJURY (Per accident)	\$	
					PROPERTY DAMAGE (Per excident)	s	
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	3	
	ANY AUTO				OTHER THAN EA ACC AUTO ONLY: AGG	\$	
	EXCESS/UMBRELLA LIABILITY	21SBMRQ5737	05/09/2008	05/09/2009	EACH OCCURRENCE	3 2,000,00	
	X OCCUR CLAIMS MADE				AGGREGATE	3 2,000,00	
A	DEDUCTIBLE					\$	
	X RETENTION s 10,000		:			\$	
	WORKERS COMPENSATION AND	UB9976Y787	08/01/2008	05/09/2009	X WC STATU- OTH-		
B	EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE			00, 00, 2000	E.L. EACH ACCIDENT	\$ 500,00	
١	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under	NO	•		E.L. DISEASE - EA EMPLOYEE		
	SPECIAL PROVISIONS below				E.L. DISEASE - POLICY LIMIT		
_ ,	Professional Liab	EONN01880731004	05/09/2008	05/09/2009	\$2,000,000 Gene		
	Claims-Made Form	RETRO DATE 1/1/1994			\$1,000,000 \$10,000 Deducti		
DESC	CRIPTION OF OPERATIONS / LOCATIONS / VEHICL All Projects with Palm Be	LES / EXCLUSIONS ADDED BY ENDORSES	MENT / SPECIAL PROV	I	JIO, OU DEGUCE III	Letii Ciaii	
	m Beach County Board of Co				ate of Florida.	its	
Off.	icers, Employees, and Agen						
CEI	RTIFICATE HOLDER		CANCELLA	TION			

CANCELLATION

AUTHORIZED REPRESENTATIVE

Meade Collinsworth/ANGIE

Palm Beach County Engineering & Public Works CCNA Division/Roadway Production Attn: JeaAnne Dean 2300 N. Jog Road West Palm Beach , FL 33411

TAND THE COLUMN EAV. (ECT) 694 ATES

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL

OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY

Williadi Duniano

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the Issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or aller the coverage afforded by the policies listed thereon.

CERTIFICATE OF INSURANCE

SUCH INSURANCE AS RESPECTS THE INTEREST OF THE CERTIFICATE HOLDER WILL NOT BE CANCELED OR OTHERWISE TERMINATED WITHOUT GIVING 10 DAYS PRIOR WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED BELOW, BUT IN NO EVENT SHALL THIS CERTIFICATE BE VALID MORE THAN 30 DAYS FROM THE DATE WRITTEN. THIS CERTIFICATE OF INSURANCE DOES NOT CHANGE THE COVERAGE PROVIDED BY ANY POLICY DESCRIBED BELOW.

This certifies that:	STATE FARM MUTUAL AUTOI	MOBILE INSURANCE COMPAN	Y of Bloomington, Illinois, or	
has coverage in force for	STATE FARM FIRE AND CASU the following Named Insured	JALTY COMPANY of Bloomington i as shown below:	on, Illinois	
Named Insured	Dennis J. Leavy & A	ssociates Inc.		
Address of Named Insun	460 Business Parkw Royal Palm Beach, F			
POLICY NUMBER	445 7708-E09-59-003	445 7708-E09-59-005	445 7708-E09-59-001	445 7708-E89-59-002
EFFECTIVE DATE OF POLICY	05/09/08-05/09/09	05/09/08-05/09/09	05/09/08-05/09/09	05/09/08-05/09/09
DESCRIPTION OF VEHICLE	98 CHEVROLET K2500 PICKUP	05 GMC K2500 PICKUP	00 CHEVROLET K2500 PICKUP	01 CHEVROLET K2500 PICKUP
LIABILITY COVERAGE	⊠YES □NO	⊠YES □NO	⊠YES □NO	✓YES □NO
LIMITS OF LIABILITY a. Bodily Injury Each Person	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00
a. Bodily Injury Each Accident	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00
b. Property Damage	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00
c. Bodily Injury & Property Damage Single Limit Each Accident				
PHYSICAL DAMAGE COVERAGES a. Comprehensive	∑YES □NO \$500.00 Deductible		∑YES □NO \$500.00 Deductible	⊠YES □NO \$500.00 Deductible
b. Collision	⊠YES □NO \$500.00 Deductible	⊠YES □NO \$500.00 Deductible	∑YES □NO \$500.00 Deductible	∑YES □NO \$500.00 Deductible
EMPLOYER'S NON-OWNERSHIP COVERAGE	⊠YES □NO	⊠yes □no	⊠YES □NO	⊠YES □NO
HIRED CAR COVERAGE	⊠YES □NO	, ⊠YES □NO	⊠YES □NO	☑YES □NO
1	repro Kor	AGENT	6608	11/18/08
Signature of	Authorized Representative	Title	Agent's Code Nu	
Name	and Address of Certificate Ho	older	Name and Address	s of Agent
CCNA Div Attn: JaeA 2300 N. Jo			PHIL ROSSI INSURANCE 11924 W FOREST HILL B WELLINGTON, FL 33414	•
Check if a nermanent Co	ertificate of Insurance for liab	ility agyaraga is possible.		. The sales are all the sales and the sales are a sales and a sales and a sales are a sales are a sales are a
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	ALL PROJECTS WITH PAL		ı	
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Palm Beach County Board of County Commissioners, a Political Subdivision of the State of Florida, its Officers, Employees, and Agents, shall

be named Additional Insured as to General Liability.

CERTIFICATE OF INSURANCE

SUCH INSURANCE AS RESPECTS THE INTEREST OF THE CERTIFICATE HOLDER WILL NOT BE CANCELED OR OTHERWISE TERMINATED WITHOUT GIVING 10 DAYS PRIOR WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED BELOW, BUT IN NO EVENT SHALL THIS CERTIFICATE BE VALID MORE THAN 30 DAYS FROM THE DATE WRITTEN. THIS CERTIFICATE OF INSURANCE DOES NOT CHANGE THE COVERAGE PROVIDED BY ANY POLICY DESCRIBED BELOW.

	STATE FARM MUTUAL AUTOM STATE FARM FIRE AND CASUA			
	r the following Named Insured		ii, iiiaiaa	
arned Insured	Dennis J. Leavy & As	sociates Inc.		
ddress of Named Insur	460 Business Parkwa Royal Palm Beach, Fl			
DLICY NUMBER	445 7708-E09-59 -007			
FECTIVE DATE OF	05/09/08-05/09/09			
ESCRIPTION OF EHICLE	96 JEEP CHEROKEE		,	
IABILITY COVERAGE	⊠YES □NO	☐YES ☐NO	YES NO	☐YES ☐NO
IMITS OF LIABILITY a. Bodily Injury Each Person	\$1,000,000.00			
a. Bodity Injury Each Accident	\$1,000,000.00			
b. Property Damage	\$1,000,000.00			
c. Bodily Injury & Property Damage Single Limit Each Accident				
PHYSICAL DAMAGE COVERAGES a. Comprehensive	∑YES □NO \$500.00 Deductible	YES NO Deductible	☐YES ☐NO Deductible	☐YES ☐NO Deductible
b. Collision	⊠YES □NO \$500.00 Deductible	☐YES ☐NO Deductible	☐YES ☐NO Deductible	YES NO
EMPLOYER'S NON-OWNERSHIP COVERAGE	⊠YES □NO	□YES □NO	□YES □NO	□YES □NO
IIRED CAR COVERAGE	YES □NO	YES NO	□YES □NO	☐YES ☐NO
4	Energy Pos	3- AGENT	6608	11/18/08
Signature of	of Authorized Representative	Title	Agent's Code Nu	mber Date
Name	e and Address of Certificate Ho	older	Name and Address	of Agent
CCNA Di Attn: Jae 2300 N.	ineering & Public Works ivision/Roadway Production Anne Dean Jog Road Im Beach, FL 33411		PHIL ROSSI INSURANCE 11924 W. FOREST HILL I WELLINGTON, FL 33414	BLVD STE 1
-				
	Certificate of Insurance for liab		_	
Check if the Certificate	e Holder should be added as a	n Additional Insured:	3	
Remarks: Project: FC	OR ALL PROJECTS WITH PAI	LM BEACH COUNTY	•	

Palm Beach County Board of County Commissioners, a Political Subdivision of the State of Florida, its Officers, Employees, and Agents, shall

be named Additional Insured as to General Liability.