

3H-4

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: March 17, 2009 [X] Consent [ ] Regular  
[ ] Ordinance [ ] Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: Amendment No. 4 to Contract with S&F Construction, Inc. (R2005-1871) to implement the fourth and final renewal to the annual pavilions, shelters and sheds contract.

**Summary:** Amendment No. 4 is a renewal to the Annual Contract-Pavilions, Shelters and Sheds which was awarded to S&F Construction, Inc. The annual pavilions contract is an indefinite-quantity (work orders) contract and this renewal has a maximum value of \$400,000. The renewal term is twelve months or until \$400,000 in work orders are issued. Staff is bringing forward the amendment at this time based on pending work which would exceed the value assigned to the contract. The total dollar value limit for each term is \$400,000. All terms of the original contract remain in effect. This is the fourth and final renewal allowed by the Contract. SBE participation goals are 15%. S&F Construction, Inc.'s participation, for work orders issued-to-date, is 91.33%. (FD&O Admin) Countywide (JM)

**Background and Justification:** Amendment No. 4 is the fourth and final renewal to the Annual Contract-Pavilions, Shelters and Sheds which was awarded to S&F Construction, Inc. on September 27, 2005. The contractor will continue to perform as an annual pavilions contractor for various pavilion projects. The annual pavilions contract is an indefinite-quantity contract and this renewal has a maximum value of \$400,000. The renewal term is twelve months or until the renewal limit of \$400,000 is reached.

**Attachments:**

Amendment No. 4

Recommended by: *Annay Wolf* *2/26/09*  
Department Director Date

Approved by: *[Signature]* *3/5/09*  
County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Year	2009	2010	2011	2012	2013
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
<b>NET FISCAL IMPACT</b>	<b>*</b>	0	0	0	0
# Additional FTE Positions (Cumulative)	—	—	—	—	—

Is Item Included in Current Budget?

Budget Account No:

Reporting Category \_\_\_\_\_


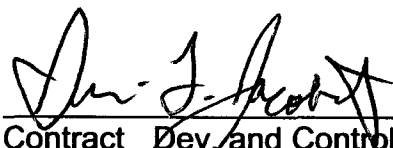
**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

\* Potential maximum fiscal impact is \$400,000. Work Orders 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

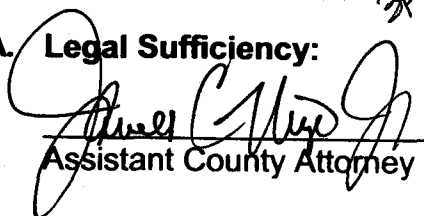
**C. Departmental Fiscal Review:** \_\_\_\_\_

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development & Control Comments:**

<p> 3-3-09          _____          OFMB</p>	<p> 3/17/09          _____          Contract Dev. and Control</p> <p><i>Ed Jones 3/4/09</i>  <b>This amendment complies with our review requirements.</b></p>
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**A. Legal Sufficiency:**

 3/18/09  
 \_\_\_\_\_  
 Assistant County Attorney

**A. Other Department Review:**

\_\_\_\_\_  
 Department Director

**AMENDMENT #4 TO ANNUAL PAVILION CONTRACT**

This agreement amends the contract between Palm Beach County (County) and S&F Construction, Inc., (Contractor) authorized pursuant to Palm Beach County Resolution (R-2005-1871).

The original contract provided that Contractor would act as an annual pavilion contractor from September 27, 2005 to September 26, 2006 or until Contractor had been awarded projects totaling four hundred thousand dollars (\$400,000), whichever occurred first. That contract also provides that it could be extended for four additional terms. This is the fourth and final amendment. This contract was previously amended on October 3, 2006 and August 21, 2007 and on May 6, 2008.

The County is extending the contract for a period of twelve (12) months based on the pending work which would exceed the value assigned to the contract. The total dollar value limit for each term is four hundred thousand dollars (\$400,000). Pursuant to the provisions of the existing contract, the parties agree that Contractor will continue to act as an annual general contractor until March 16, 2010 or until the total dollar value of work authorizations for the fifth term totals four hundred thousand dollars (\$400,000), whichever comes first. The parties agree that the total dollar value of work authorizations issued pursuant to this amendment shall not exceed four hundred thousand dollars (\$400,000).

Except as amended herein, all provisions of the existing contract shall remain in full force and effect.

ATTEST:  
Sharon R. Bock, Clerk & Comptroller

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
John F. Koons, Chairman

Witness:

*Barbara Kennedy Kirk*  
Printed Name

*Barbara Kennedy Kirk*  
Signature

S&F Construction, Inc.

*Jim Ford*  
Signature

*PRESIDENT*  
Title

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*James C. Murphy*  
County Attorney

APPROVED AS TO TERMS  
AND CONDITIONS

*Audrey Wolf*  
Audrey Wolf, Director  
Facilities Development & Operations