

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

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Meeting Date: April 7, 2009	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
	<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing

Department:

Submitted By: Engineering & Public Works

Submitted For: Engineering Services Division

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: An Amendment for the Annual Concrete Bus Stop Pad Construction Contract, Project No. 2007053, R2007-0465 (Contract), dated April 10, 2007, with Florida Blacktop, Inc. (Contractor), to extend the length of the Contract to expire on April 10, 2010.

SUMMARY: Approval of this Amendment will extend the expiration date of the existing Contract from April 10, 2009 to April 10, 2010. It was previously extended from the original expiration date of April 10, 2008 to a new expiration date of April 10, 2009, R-2008-0936. There will be no increase in the maximum value of work orders issued under the existing Contract which is \$150,000.

Countywide (MRE)

Background and Justification: The original twelve month Contract was approved by the Board of County Commissioners on April 10, 2007. Since sufficient funds remain in the existing Contract amount, no increase is required. The Contract consists of various tasks, including construction of bus turn-out bays, concrete pads for placement of bus stop shelters, asphalt and concrete pathways, and miscellaneous concrete works. All tasks will be initiated by Work Order on an as needed basis as required by Palm Tran, the sole user. Work under the Contract is federally funded. Palm Beach County programs for Local Business Preference, Living Wage and Small Business Participation are superseded or negated by the Federal requirements and contract pages concerning these Palm Beach County provisions have been denoted as not applicable. The Contractor has satisfied the Federal contract requirements.

Attachments:

1. Amendment to the Annual Concrete Bus Stop Pad Construction Contract (2)

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Recommended by: <u>Charles Rich</u>	<u>2/25/09</u>
Division Director	Date

Approved By: <u>S. J. Webb</u>	<u>3/11/09</u>
County Engineer	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	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-
NET FISCAL IMPACT	\$ -0-	-0-	-0-	-0-	-0-

ADDITIONAL FTE
POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes _____ No _____
Budget Acct No.: Fund _____ Dept. _____ Unit _____ Object _____
Program _____

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

This item has no fiscal impact.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

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

Jim Dault 3-16-09
OFMB
(WD) 2/13/09 CN 3/12/09 SP 3/12/09

Dr. J. J. J. 3/17/09
Contract Dev. and Control
C. Jones 3/17/09

B. Approved as to Form and Legal Sufficiency:

Marlene R. Pitts 3/20/09
Assistant County Attorney

This amendment complies with
our review requirements.

C. Other Department Review:

Department Director

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

**AMENDMENT TO THE ANNUAL CONCRETE BUS STOP PAD CONSTRUCTION
CONTRACT NO. 2007053, DATED APRIL 10, 2007, BY AND BETWEEN
FLORIDA BLACKTOP, INC. AND PALM BEACH COUNTY**

THIS AMENDMENT to the Annual Concrete Bus Stop Pad Construction Contract dated April 10, 2007 (R2007-0465) and extended June 3, 2008 (R2008-0936), hereinafter "CONTRACT", by and between Florida Blacktop, Inc., hereinafter "CONTRACTOR", and the Board of County Commissioners of Palm Beach County, a political subdivision of the State of Florida, hereinafter "COUNTY".

W I T N E S E T H

WHEREAS, on April 10, 2007, the CONTRACTOR and COUNTY entered into a CONTRACT, in the amount of \$150,000, for the construction of bus stop pads and various minor construction projects throughout Palm Beach County; and

WHEREAS, on June 3, 2008, the CONTRACTOR and COUNTY agreed to extend the contract period retroactively from April 10, 2008 to April 10, 2009; 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 a total of thirty-six months, if the CONTRACTOR and the COUNTY agree; and

WHEREAS, by this AMENDMENT, the CONTRACTOR and the COUNTY mutually agree to extend the CONTRACT from April 10, 2009, for twelve (12) months, to expire on April 10, 2010, with all original terms, conditions and unit prices adhered to.

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. The CONTRACT, dated April 10, 2007, between the CONTRACTOR and the COUNTY is hereby amended to extend the expiration date of the CONTRACT from April 10, 2009 to April 10, 2010.
2. It is the intent of the parties hereto that this AMENDMENT shall not become binding until the date executed by the COUNTY.
3. All other provisions of the Annual Concrete Bus Stop Pad Construction Contract dated April 10, 2007 shall remain in full force and effect.

ANNUAL CONCRETE BUS STOP PAD CONSTRUCTION CONTRACT
PALM BEACH COUNTY PROJECT NO. 2007053
EXTENSION AMENDMENT

ATTEST:

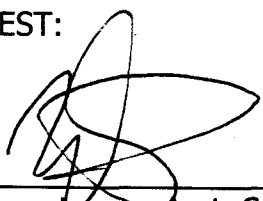
SHARON R. BOCK, Clerk and Comptroller

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

County Attorney

ATTEST:



Secretary or Asst. Secretary

Robert Shaouy
Print Name and Title

(Seal)

PALM BEACH COUNTY, a Political
Subdivision of the State of Florida

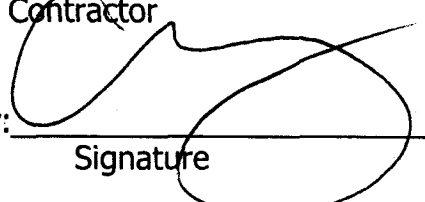
By: _____
John F. Koons, Chairman

APPROVED AS TO TERMS
AND CONDITIONS

Charles Rich

Engineering

FLORIDA BLACKTOP, INC.
Contractor

By: 

Signature

ELIAS SHAOY
Print Name and Title