

3H-6

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: June 16, 2009

Consent

Regular

Ordinance

Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: Amendment No. 2 to contract (R2007-0944) with H.A. Contracting Corp., to implement the second and final renewal of Job Order Contract (JOC) - North.

**Summary:** Amendment No. 2 is a renewal to the JOC - North which was awarded to H.A. Contracting Corp. The contractor will continue to perform as an "annual general contractor" for maintenance and capital projects. This is an indefinite-quantity contract and the renewal has a maximum value of \$2,500,000. The renewal term is twelve months or until \$2,500,000 in work orders are issued. Staff is bringing forward the amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of two extensions allowed by the contract. The Small Business Enterprise (SBE) goal for the JOC program is 15% H.A.'s participation, for work orders issued-to-date, is 20%. (FD&O Admin) Countywide (JM)

**Background and Justification:** Amendment No. 2 is the first renewal to the Job Order Contract-North which was awarded to H.A. Contracting Corp. on June 19, 2007. The contractor will continue to perform as an "annual general contractor" for maintenance and capital projects. This is an indefinite-quantity contract and the renewal has a maximum value of \$2,500,000. The renewal term is twelve months or until the renewal limit of \$2,500,000 is reached.

**Attachments:**

Amendment No. 2

Recommended by:

Army Wolf 5/22/09  
Department Director Date

Approved by:

[Signature] 6/4/09  
County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Year	2008	2009	2010	2011	2012
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? Yes \_\_\_\_\_ No \_\_\_\_\_

Budget Account No:

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

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

\* Potential Maximum fiscal impact is \$2,500,000. 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:**

Michael Shil 6/1/09  
OFMB  
①  
6/1/09

John J. Jacob 6/17/09  
Contract Dev. and Control

**A. Legal Sufficiency:**

James C. [Signature] 6/3/09  
Assistant County Attorney

**This amendment complies with our review requirements.**

**A. Other Department Review:**

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

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

**AMENDMENT #2 TO JOB ORDER CONTRACT**

This agreement amends the contract between Palm Beach County (County) and H.A. Contracting Corp, (Contractor) authorized pursuant to Palm Beach County Resolution (R-2007-0944).

The original contract provided that Contractor would act as an annual general contractor from June 19, 2007 to June 18, 2008 or until Contractor had been awarded projects totaling two million, five hundred thousand dollars (\$2,500,000), whichever occurred first. That contract also provides that it could be extended for two additional terms. This amendment is the second and final extension. This contract was previously amended on June 17, 2008.

The County is extending the contract for a period of twelve (12) months based on expiration of the term and applying an Economic Price Adjustment of 7.92% to the Contractor's Adjustment Factors per the letter attached from The Gordian Group, dated May 11, 2009. Pursuant to the provisions of the existing contract, the parties agree that Contractor will continue to act as an annual general contractor until June 15, 2010 or until the total dollar value of work authorizations for the third term totals two million, five hundred thousand dollars (\$2,500,000), whichever comes first. The parties agree that the total dollar value of work authorizations issued pursuant to this amendment shall not exceed two million, five hundred thousand dollars (\$2,500,000).

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:

H.A. Contracting Corp.

KELLI ERBS  
Printed Name

[Signature]  
Signature

[Signature]  
Signature

PRESIDENT  
Title

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

\_\_\_\_\_  
Assistant County Attorney

[Signature]  
Audrey Wolf, Director  
Facilities Development & Operations



**THE  
GORDIAN  
GROUP**<sup>®</sup>

May 11, 2009

Palm Beach County  
Facility Development and Operations  
2633 Vista Parkway  
West Palm Beach, FL 33411

Attn: Allan Dupee, Manager

Re: 2<sup>nd</sup> Option Economic Price Adjustments

Mr. Dupee,

Per Special Conditions Article 7 of the Terms and Conditions of the JOC Contract, below are the new Adjustment Factors for each Contractor and the Engineering News and Record (ENR) Back Up calculations.

The new Adjustments factors listed below are for the Contractors awarded June 19, 2007 where adjusted 1.0792 by the CSI index 8454.8567/7834.1842.

Contract R-2007-0944 HA Contracting

Normal Time 1.0792

Other Than Normal 1.1871

Contract R-2007-0945 All Site Construction

Normal Time 1.0953

Other Than Normal 1.1110

Contract R-2007-0947 Holt Construction

Normal Time 1.1019

Other Than Normal 1.1137

Contract R-2007-0948 West Construction

Normal Time 1.1008

Other Than Normal 1.1440

Contract R-2007-0949 MAC Construction

Normal Time 1.1035

Other Than Normal 1.1547



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The new Adjustments factors listed below is for the Contactor awarded July 10, 2007 where adjusted 1.0765 by the CSI index 8454.8567/7854.1000

Contract R-2007-1009 Robling Construction

Normal Time 1.1680

Other Than Normal 1.1734

If you have any questions regarding the new Adjustment Factors give me a call.

Please let us know when the new Adjustment Factors are approved and we will update them in PROGEN®.

Sincerely,

Keith Greene  
The Gordian Group

(6) Attachments ENR Back Up Calculations for each Contractor

Cc: File

**ENR Construction Cost Index for 20 City Average**

Base Year		Option Year	
Date	Index	Date	Index
2006 June	7699.59	2008 May	8420.61
2006 July	7704.34	2008 June	8434.94
2006 August	7722.66	2008 July	8498.05
2006 September	7768.15	2008 August	8561.74
2006 October	7862.53	2008 September	8566.72
2006 November	7900.84	2008 October	8623.22
2006 December	7937.69	2008 November	8602.45
2007 January	7930.06	2008 December	8550.39
2007 February	7979.54	2009 January	8649.06
2007 March	7956.27	2009 February	8637.75
2007 April	7964.70	2009 March	8682.05
2007 May	7921.06	2009 April	8528.39
<b>Base Average:</b>	<b>7834.1842</b>	<b>Option Average:</b>	<b>8454.8567</b>

Calculations for new factors	
Option / Base = 1.0792	Adjustment = 1.0792
Factor	Index
Base	Index

New Factors	
1.0792 Normal	Index
1.0792 Other than Normal	Index

H.A.