

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

3H-4

AGENDA ITEM SUMMARY

Meeting Date: July 7, 2009

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 (R2006-2090) with Kerney & Associates, Inc. to implement the fourth and final renewal to the annual Heating Ventilation Air Conditioning (HVAC) contract.

**Summary:** Amendment No. 4 is a renewal to the Annual Contract-HVAC which was awarded to Kerney & Associates, Inc. as one of eight approved contractors. The annual HVAC contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,200,000. The renewal term is twelve months or until \$1,200,000 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. All terms of the original contract remain in effect. This is the fourth and final extension allowed by the Contract. The Small Business Enterprise (SBE) participation goal for the HVAC contract is 15%. Kerney's participation for work orders issued to date is 100%. Kerney & Associates, Inc. is a certified SBE contractor. Work orders issued-to-date for all eight annual contracts include a combined SBE participation of 85.4%. (FD&O Admin) Countywide (JM)

**Background and Justification:** This amendment is the fourth and final renewal to the Annual Contract-HVAC which was awarded to Kerney & Associates, Inc. on October 3, 2006 as one of eight Annual HVAC Contractors. The contractor will continue to perform as an annual HVAC contractor for implementation of HVAC equipment repairs and/or replacements. This annual HVAC contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,200,000 among the pool of Annual HVAC Contractors. The renewal term is twelve months or until the renewal limit of \$1,200,000 is reached.

**Attachments:**

Amendment No. 4

Recommended by:

Annex Wolf  
Department Director

6/9/09  
Date

Approved by:

[Signature]  
County Administrator

6/29/09  
Date



**AMENDMENT #4 TO ANNUAL HVAC CONTRACT**

This agreement amends the contract between Palm Beach County (County) and Kerney & Associates, Inc. (Contractor) authorized pursuant to Palm Beach County Resolution (R-2006-2090).

The original contract provided that Contractor would act as an annual HVAC contractor from October 3, 2006 to October 2, 2007 or until the total dollar value of work authorizations issued in the term, among the pool of annual HVAC Contractors, totals One Million dollars (\$1,000,000), 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 July 10, 2007, again on March 11, 2008, and finally on January 13, 2009.

The County is extending the contract for a period of twelve (12) months based on pending work which would exceed the value assigned to the contract. Due to the volume of work, the total dollar value limit for each term was increased from one million dollars (\$1,000,000) to one million two hundred thousand dollars (\$1,200,000) on Amendment #3. Pursuant to the provisions of the existing contract, the parties agree that Contractor will continue to act as an annual HVAC contractor until July 7, 2010 or until the total dollar value of work authorizations for the fifth term totals one million two hundred thousand dollars (\$1,200,000), whichever comes first. The parties agree that the total dollar value of work authorizations issued pursuant to this amendment shall not exceed one million two hundred thousand dollars (\$1,200,000).

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:

JIM NEVELS  
Printed Name

Kerney & Associates, Inc.

*[Signature]*  
Signature

*[Signature]*  
Signature

AREA MANAGER  
Title

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

*[Signature]*  
County Attorney

*[Signature]*  
Audrey Wolf, Director  
Facilities Development & Operations