

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: September 15, 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 the contract (R2007-1813) with Miller Legg & Associates, Inc., for professional design services on a continuing contract basis for Parks and Recreation Department's capital improvement projects.

Summary: Miller Legg & Associates, Inc. was selected to provide professional design services for Parks and Recreation Department capital improvement projects. The original contract provided for an initial one (1) year term with three (3) - one (1) year renewal options. Amendment No. 2 will provide for services during the second renewal period. Miller Legg & Associates, Inc. has a Small Business Enterprise/Minority/Women Business Enterprise (SBE/M/WBE) participation goal of 18% and 2%. During the two years of the Contract, Miller Legg & Associates, Inc. has achieved 12.5% SBE and 6.9% M/WBE participation. The SBE goal was not achieved as the projects assigned under this annual contract did not always fully utilize Miller Legg's SBE Sub-consultants. (Capital Improvements Division) Countywide (JM)

Background and Justification: In accordance with Board adopted procedures pursuant to Florida Statute 287.055 (Consultants Competitive Negotiation Act, CCNA), Miller Legg & Associates, Inc. was one of two firms selected to perform professional design services on a continuing contract basis. Work is authorized through individual task agreements when required during the term of this contract. The contract term is for one (1) year and the original Board action allowed for three (3) additional one (1) year renewals. Amendment No. 2 will provide services during the second renewal period and would be the third year of the contract. It is the consensus of Facilities Development & Operations that Miller Legg & Associates, Inc. has successfully provided the professional services required by the County in a timely manner. They are in good standing and wish to continue to provide professional services. Amendment No. 2 will maintain the continuous professional services required by Palm Beach County. During the two years of the Contract, Miller Legg & Associates, Inc. was awarded \$933,484 in Consultant Service Authorizations.

Attachments:

- 1. Amendment No. 2

Recommended by:

Army Wolf
Department Director

8/22/09
Date

Approved by:

[Signature]
County Administrator

9/8/09
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	_____	0	0	0	_____
Operating Costs	_____	0	0	0	0
External Revenues	_____	0	0	0	0
Program Income (County)	_____	0	0	0	0
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	* See below	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

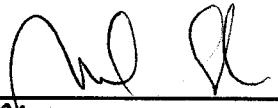
Is Item Included in Current Budget? Yes _____ No _____
 Budget Account No: Fund _____ Dept _____ Unit _____ Object _____
 Reporting Category _____


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

* Fiscal impact cannot be determined at this time. Individual Task Assignments 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.


III. REVIEW COMMENTS:

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


 _____ 9/2/09
 OFMB
 8/21/09 9/2/09 8/22/09


 _____ 9/13/09
 Contract Administrator
 6/26/09 9/3/09
 This amendment complies with our review requirements.

B. Legal Sufficiency:


 _____ 9/4/09
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

AMENDMENT TO CONTRACT

FOR

Annual Parks and Recreation Services

This Amendment #2 dated _____ to the Contract (R-2007-1813) dated October 16, 2007, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of Commissioners, hereinafter referred to as the COUNTY and Miller Legg & Associates, Inc., a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONSULTANT.

WITNESSETH

WHEREAS, the parties have entered into a Contract under which the CONSULTANT provided certain professional services to the COUNTY for various projects in accordance with Consultants Competitive Negotiations Act (CCNA) FS 287.055; and

WHEREAS, the parties hereto desire to amend the Contract to extend it for an additional one (1) year period.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth and for such other good and valuable consideration, the receipt of which the parties hereto expressly acknowledge, the parties covenant and agree to the following terms and conditions:

1. The term of this Contract as set forth in Section 4, Article 4.1 is renewed for one (1) additional year to October 15, 2010.
 2. Except as specifically modified above, the terms and conditions of the Contract are hereby confirmed and remain in full force and effect.
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IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the COUNTY and CONSULTANT has hereunto set its hand the day and year above written.

ATTEST:
SHARON R. BOCK, Clerk & Comptroller

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
John F. Koons, Chairman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND CONDITIONS

By: _____
County Attorney

By: John F. Koons
Director - FD&O

WITNESS: FOR CONSULTANT SIGNATURE

CONSULTANT:

Dylan Larson
Signature

John F. Koons
Signature

Dylan Larson
Name (type or print)

Sandra Smith
Name (type or print)

Principal
Title

(Corporate Seal)