

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

Meeting Date: September 28, 2010 ☐ Consent ☒ Regular
 ☐ Workshop ☐ Public Hearing

Submitted For: Sharon R. Bock, Clerk & Comptroller

1)	Purchasing - Regular Totaling --	\$ 7,724,433.04
2)	TDC Contracts --	\$ -0-
3)	Risk Management --	\$ 211,074.00
	TOTAL	\$ 7,935,507.04

Grant Skolnick
Grant Skolnick, Esq., Administrator

Date _____

Assistant County Administrator

Date _____

BOARD SERVICES (MINUTES) DIVISION

ROUTING INFORMATION SLIP:

DATE ROUTED: September 23, 2010

ROUTED TO: Grant Skolnick/Peter Jannis /Alexandra Cook/Kristeena
Pinto/Maxine Goldson

ROUTED FROM: Diane Brown, Board Services-Minutes Phone: 355-2951

DESCRIPTION OF ITEM:

Contract List for the September 28, 2010, BCC/Workshop Meeting.
My deadline to County Administration is September 23, 2010 Noon

REQUESTED ACTION:

- ☒ Review and signature
- ☐ Review and information
- ☐ Other: _____

OTHER ROUTING INSTRUCTIONS:

- ☒ Return to originator
- ☐ Forward for additional processing to:

- ☐ Other: _____
- THANKS!
Diane Brown
- Reviewed by Payables department. Errors were
identified and corrected by County department.
mgoldson 9/24/2010.
KPinto 9/24/10
ACook 9/24/10
Pjann 9/24/10*

September 28, 2010

CONSENT AGENDA

7.A.2 – Agenda Item Summary -CONTINUED

- a) Term contract with Treecycle Land Clearing, Inc.; Eastman Aggregate Enterprises, LLC; Rio-Bak Corporation; D.S.Eakins Construction Corporation; Austin Tupler Trucking, Inc.; John Brown and Sons, Inc.; Tree Movers, Inc.; Palmwood Corporation, Inc.; Centerline Utilities, Inc. and Hardrives of Delray, Inc., DBA Hardrives, Inc. for \$2,072,687.00 for rental of heavy equipment with operator..
- b) Term contract with B M H Concrete, Inc. and Cemex Construction Materials Florida, LLC for \$205,404.00 for concrete (ready mix, hi early, pea-rock).
- c) Term contract with Mac Papers, Inc. for \$765,120.00 for the purchase of xerographic, dual-purpose paper.
- d) Renewal of term contract with Palm Beach Plumbing Parts, Inc.; Bond Supply, Inc.; HD Supply Plumbing/HVAC Ltd.; Interline Brands, Inc. d/b/a Sexauer; American Plumbing & Electrical Supplies, Inc.; Best Plumbing Specialties, Inc. and Marks Plumbing Parts for \$311,600.00 for plumbing supplies and equipment.
- e) Increase of term contract with Neptune Technology Group for \$750,000.00 for a total of \$948,000.00 for purchase of Neptune meters.
- f) Renewal of term contract with Motorola, Inc. for \$1,055,276.04 for the 800 MHz system maintenance.
- g) Increase of term contract with The Hiller Group, Inc. for \$16,500.00 for a total of \$330,000.00 for the purchase and transport delivery of Jet A fuel.
- h) Term contract with Arthur J. Gallaher Risk Management Services, Inc. for (\$295,000.00)(Paid by provider) for property and casualty insurance broker services.
- i) Increase and extension of term contract with Siemens Industry, Inc. for \$244,584.00 for firefighter smoke control system/Apogee, inspection/test/repair.
- j) Term contract with 22nd Century Technologies, Inc. for \$201,626.00 for a Project Manager for the Palm Beach Broadband Project.
- k) Increase and extension of term contract with ERMIC IV, L.P. (formerly ERMIC II, L.P.) for \$261,000.00 for a total of \$1,218,000.00 for service, maintenance and repair to passenger loading bridges, conveyors and 400 HZ ground power and cabin air systems at PBIA.
- l) Extension to Palm Beach County Convention Center Operating Agreement with Global Spectrum, LB for \$372,136.00.
- m) Risk Management Workers' Compensation settlement with James D. Murphy for \$221,074.00.

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
# ADDITIONAL FTE	_____	_____	_____	_____	_____
POSITIONS (Cumulative)	_____	_____	_____	_____	_____

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

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

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

_____	_____
OFMB/Budget	Contract Development and Control

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

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

PALM BEACH COUNTY/CONTRACTS AND AWARDS FOR APPROVAL
BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
09/28/10

Contractor(s)	Project	Contract Amount SBE / M/WBE Amount	Department(s) or Division(s) Accounting Line(s)	Executor	Minutes #
<u>EXHIBIT A</u> Treecycle Land Clearing, Inc.; Eastman Aggregate Enterprises, LLC; Rio-Bak Corporation; D.S. Eakins Construction Corporation; Austin Tupler Trucking, Inc.; John Brown and Sons, Inc.; Tree Movers, Inc.; Palmwood Corporation, Inc.; Centerline Utilities, Inc.; Hardrives of Delray, Inc., DBA Hardrives, Inc.	Term contract for rental of heavy equipment with operator for the period 10/07/2010 through 10/06/2011 per Bid # 10046/PR.	\$2,072,687.00 SBE: Amount dependent upon usage	Countywide	Scarlett	

The County has encumbered \$1,244,851 (\$118,557/month) during the previous ten and a half (10.5) months of the current twelve (12) month term contract. Due to Parks & Recreation requesting an additional \$650,000 to create water bodies at Okeeheelee South Park, \$2,072,687 is needed to meet the County's requirements for this new twelve (12) month term contract. This term contract has four (4) twelve (12) month renewal options. Nine (9) Awardees are located in Palm Beach County and one (1) Awardee is located outside Palm Beach County in the city of Vero Beach, Florida.

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Contractor(s)	Project	Contract Amount SBE / M/WBE Amount	Department(s) or Division(s) Accounting Line(s)	Executor	Minutes #
<u>EXHIBIT B</u>					
B M H Concrete, Inc.; Cemex Construction Materials Florida, LLC	Term contract for concrete (ready mix, hi early, pea-rock) for the period 10/18/2010 through 10/17/2011 per Bid # 10080/PR.	\$205,404.00 SBE: \$0	Countywide	Scarlett	
<p>The County has encumbered \$179,728 (\$17,117/month) during the ten and a half (10.5) months of the current twelve month (12) month term contract. Based upon historical usage, \$205,404 is needed to meet the County's requirements through the expiration of this new twelve (12) month term contract. This term contract has four (4) twelve (12) month renewal options. Awardees are located in Palm Beach County. No SBE vendor submitted a bid on this project.</p>					
<u>EXHIBIT C</u>					
Mac Papers, Inc.	Term contract for the purchase of xerographic ,dual-purpose paper for the period 10/01/2010 through 09/30/2012 per Bid #10-089/CC.	\$765,120.00 SBE: \$0	Purchasing Warehouse 0001-680-6810-5281	Scarlett	

The County has encumbered \$127,520 (\$31,880/month) during the four (4) months of the current six (6) month term contract. Based upon historical usage, \$765,120 is needed to meet the County's requirements through the expiration of this new twenty-four (24) month term contract. This term contract has three (3) twelve (12) month renewal options. Awardee is located in Palm Beach County. No SBE vendor submitted a bid on this project.

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EXHIBIT D

Palm Beach Plumbing Parts, Inc.; Bond Supply, Inc.; HD Supply Plumbing/HVAC Ltd.; Interline Brands, Inc. d/b/a Sexauer; American Plumbing & Electrical Supplies, Inc.; Best Plumbing Specialties, Inc.; Marks Plumbing Parts	Renewal of term contract for plumbing supplies and equipment for the period 10/21/2010 through 10/20/11 per Bid # 08-077/MB.	\$311,600.00 SBE: \$0	Countywide	Scarlett	
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The County has encumbered \$597,247 (\$25,967/month) during the previous twenty-three (23) months of the current twenty-four (24) month term contract. Based upon historical usage \$311,600 is needed to meet the County's requirements through the expiration of this twelve (12) month renewal term contract. This term contract has two (2) additional twelve (12) month renewal options remaining. Two (2) Awardees are located in Palm Beach County; two (2) Awardees are located out of state; and three (3) Awardees are located outside Palm Beach County in the cities of Ft. Lauderdale, Jacksonville and Miami, Florida. No SBE vendor submitted a bid on this project.

EXHIBIT E

Neptune Technology Group	Increase of term contract for purchase of Neptune meters for the period 04/10/2010 through 04/09/2011 per Sole Source # SS300329C.	Increased Amount: \$ 750,000.00 Total with Increase: \$ 948,000.00	Water Utilities Department 4001-720-3333-4615	Scarlett	
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The County has encumbered \$32,385 (\$7,197/mo) during the previous four and a half (4.5) months of the current twelve (12) month term contract. Water Utilities is requesting an additional \$750,000 over the previously authorized amount of \$198,000 to purchase and install 4,375 new meters for the Radio Read meter installation project. These new Radio Read meters are replacements for old meters throughout the Water Utility Department service area. This term contract has two (2) additional twelve (12) month renewal options remaining. Awardee is located out of State. This is a Sole Source provider who is not a certified SBE.

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Contractor(s)	Project	Contract Amount SBE / M/WBE Amount	Department(s) or Division(s) Accounting Line(s)	Executor	Minutes #
<u>EXHIBIT F</u>					
Motorola, Inc.	Renewal of term contract for the 800 MHz system maintenance for the period 10/01/2010 through 09/30/2011 per Sole Source # SS750558A.	\$1,055,276.04 SBE: \$0	FD&O-Electronic Services Division 001-410-4150-3401	Scarlett	

The County has encumbered \$2,959,607.88 (\$83,369.24/month) during the previous thirty-five and a half (35.5) months of the current thirty-six (36) month term contract. Based upon fixed monthly pricing, a 2.5% increase in the fourth year of the contract per the Service Agreement, and the additional maintenance of ten (10) XTL5000 Astro 800mhz consolettes for the Town of Lantana, \$1,055,276.04 is needed to meet the County's requirements through the expiration of this twelve (12) month renewal contract. This term contract has one (1) additional twelve (12) month renewal option remaining. Awardee is located outside Palm Beach County in the city of Plantation, Florida. This is a Sole Source provider who is not a certified SBE.

<u>EXHIBIT G</u>					
The Hiller Group, Inc.	Increase of term contract for the purchase and transport delivery of Jet A fuel for the period 10/06/09 through 10/05/2010 per Bid # 06-155/KM.	Increased Amount: \$ 16,500.00 Total with Increase: \$330,000.00	Fleet Management 5000-410-7220-5217	Scarlett	

The County has encumbered \$313,500 during the previous eleven (11) months of the current twelve (12) month term contract. Fleet Management is requesting an additional \$16,500 over the previously authorized amount of \$313,500, which includes the Purchasing Director's ten percent (10%) authority, to fuel the helicopter that was purchased by PBSO in June. This term contract has one (1) additional twelve (12) month renewal option remaining. Awardee is located outside Palm Beach County in the city of Tampa, Florida. No SBE vendor submitted a bid on this project.

<u>EXHIBIT H</u>					
Arthur J. Gallagher Risk Management Services, Inc.	Term contract for property and casualty insurance broker services for the period 10/01/2010 through 09/30/2011 per RFP 10-024R/LJ.	Paid by provider: (\$295,000.00) SBE: \$0	Risk Management 5010-700-7130-4501	Scarlett	

The broker will be compensated by commissions paid directly by the insurance provider and not by the County. The contractor's commissions are capped at \$295,000 annually and include all forms of compensation received by the broker. Compensation received by domestic or foreign intermediaries from the insurance provider are not included in the cap. This term contract has four (4) twelve (12) month renewal options. Awardee is located in Palm Beach County. This contract was established by a competitive RFP process that allowed up to ten (10) points for SBE participation. No certified SBE participation was offered by the recommended Awardee.

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09/28/10

Contractor(s)	Project	Contract Amount SBE / M/WBE Amount	Department(s) or Division(s) Accounting Line(s)	Executor	Minutes #
<u>EXHIBIT I</u>					
Siemens Industry, Inc.	Increase and extension of term contract for firefighter smoke control system/Apogee, inspection/test/repair for the period 07/01/2009 through 12/31/2010 or until a new contract is awarded, whichever occurs first, per Sole Source #SS450729D.	\$244,584.00 SBE: \$0	Facilities Management 0001-410-5250-4610	Scarlett	
<p>The County has encumbered \$197,019 (\$13,588/month) during the previous fourteen and a half (14.5) months of the current fifteen (15) month term contract, which includes a three (3) month extension pursuant to the Director of Purchasing's authority. Based on historical usage, the County requests an increase of \$45,234 over the previously authorized amount of \$199,350, and a three (3) month extension to allow additional time to negotiate terms and conditions of a new sole source contract. This term contract has no renewal options. Awardee is located outside Palm Beach County in the city of Palm City, Florida. This is a sole source provider who is not a certified SBE.</p>					
<u>EXHIBIT J</u>					
22 nd Century Technologies, Inc.	Term contract for a Project Manager for the Palm Beach Broadband Project for the period 10/01/2010 through 01/31/2012 per Emergency Contract No. 200362.	\$201,626.00 SBE: \$0	ISS 0001-490-1303-3404	Scarlett	

The County has encumbered \$134,904 (\$12,264/month) during the previous eleven (11) months of the current twelve (12) month emergency contract, which expires on September 30, 2010. The Palm Beach Broadband Coalition (Palm Beach County, School District, Palm Beach Community College, Florida Atlantic University and SFWMD) jointly fund an annual contract for Project Manager services and requires the continuation of these services from the existing consultant through January 31, 2012. \$201,626.00 is needed to continue the day-to-day management of this intergovernmental project pertaining to the feasibility of establishing high-speed, wide area wireless connectivity in Palm Beach County. This emergency contract has no renewal options. Awardee is located out of State.

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EXHIBIT K					
ERMC IV, L.P. (formerly ERM II, L.P.)	Increase and extension of term contract for service, maintenance and repair to passenger loading bridges, conveyors, and 400 HZ ground power and cabin air systems at PBI for the period 10/01/2009 through 03/31/2011 per RFP no. 05-055/MJ.	Increased Amount: \$ 261,000.00 Total with Increase: \$1,218,000.00	Department of Airports 4100-120-2540-4620 4100-120-2541-4620 4100-120-2542-4620 4100-120-2543-4620 4100-120-2544-4620 4100-120-2545-4620	Scarlett	

The County has encumbered \$673,026.52 (\$61,185/month) during the previous eleven (11) months of the current twelve (12) month term contract. Airports is requesting a six (6) month extension to allow additional time to solicit and award a new contract through the RFP process, and requires an increase of \$261,000.00 based upon historical usage. This term contract has no renewal options. Awardee is located out of State. This contract was established by a competitive RFP process that allowed up to ten (10) points for SBE participation. No certified SBE participation was offered by the recommended Awardee.

EXHIBIT L					
Global Spectrum, LB	Extension to Palm Beach County Convention Center Operating Agreement for the period 10/01/2010 through 09/30/2012.	\$372,136.00	Tourist Development Council 1450-710-7420-3401	Scarlett	

Due to the extensive RFP process recently concluded for food and beverage services at the Convention Center and the research, development and implementation of a new RFP process for the operations of the Convention Center, and the unique expertise of the existing operating firm as it relates to the coordination required between the impending Convention Center Hotel and the Convention Center, Administration is requesting a two (2) year extension to the existing Operating Contract. (See attached justification memo.) As time is of the essence, this emergency extension is warranted to ensure the continued level of service throughout the upcoming competitive selection process. This contract was originally procured through a competitive selection process by Discover Palm Beach County (CVB). In 2007, the County assumed both the Convention Center food and beverage contract and the operations contract from the CVB. Awardee is located out of State.

TOTAL AMOUNT OF CONTRACT INCREASES (EXHIBITS E, G and K \$ 732,500.00)

TOTAL AMOUNT OF ALL CONTRACTS (EXHIBITS A – L \$ 7,724,433.04)

**RISK MANAGEMENT DEPARTMENT SETTLEMENTS FOR APPROVAL
BOARD OF COUNTY COMMISSIONERS MEETING
10/5/2010**

Exhibits	Name	Type of Claim	Date of Claim	Amount
A.	James D. Murphy	Workers' Compensation	3/8/98; 10/14/98; 10/27/01	\$221,074.00*

CLAIM SETTLEMENTS TOTAL:

\$221,074.00

NOTE: Workers' Comp claims settlements must be reviewed and approved by a Judge of Compensation Claims prior to payment.

* The Board of County Commissioners previously approved a total settlement of \$200,000.00, on September 15, 2009. However, because of the cost of future medical care associated with this claim, the Medicare Set Aside was higher than anticipated. Therefore, the parties have now reached a tentative settlement agreement consisting of \$221,074.00, which is \$21,074.00 higher than the initial approval; however, this settlement, even as amended, will provide substantial savings to the County.