

3H-3

Meeting Date: **November 16, 2010**

☒ **Consent** ☐ **Regular**
☐ **Ordinance** ☐ **Public Hearing**

Department: **Facilities Development & Operations**

Motion and Title: Staff recommends motion to approve: Amendment No. 5 to Contract with DCOTA Contracting, Inc. (R2006-2218) to implement the fourth renewal of an annual Residential contract with a maximum value of \$499,999.99.

Summary: Amendment No. 5 is a renewal to the Annual Contract-Residential which was awarded to DCOTA Contracting, Inc. as one (1) of seven (7) approved contractors. Each work order is bid among the seven (7) contractors with the lowest responsive annual contractor awarded the work order. The annual Residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 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 fourth and final extension allowed by the Contract. The Small Business Enterprise (SBE) participation goals for the Residential contracts are 15%. DCOTA Contracting had no work orders under this contract during the last term and their participation for work orders issued to date is 75.66%. DCOTA Contracting, Inc. is a certified SBE contractor and is a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

Background and Justification: Amendment No. 5 is the fourth renewal to the Annual Contract—Residential which was awarded to DCOTA Contracting, Inc. on October 17, 2006, as one (1) of seven (7) Annual Residential Contractors. The contractor will continue to perform as an annual Residential contractor for implementation of work not typically appropriate for assignment to commercial contractors such as requests from Housing and Community Development (HCD) and the County Community Revitalization Team (CCRT) as well as routine board-ups for PREM, PZB, etc. The annual Residential Contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until the renewal limit of \$499,999.99 is reached.

Amendment No. 5

Army Wolf
Department Director

20/15/10
Date


County Administrator

11/2/10
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
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)	0	0	0	0	0

Is Item Included in Current Budget: Yes X No _____

Budget Account No: _____

Reporting Category _____

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

* Potential maximum fiscal impact is \$499,999.99 but is based on the value of actual work orders awarded. Funding for each work order is from only projects previously approved by the Board of County Commissioners.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

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

Source of funding used from various lines

OFMB

Contract Development & Control

A. Legal Sufficiency:

This amendment complies with our review requirements.

Assistant County Attorney

A. Other Department Review:

Department Director

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

AMENDMENT #5 TO ANNUAL RESIDENTIAL CONTRACT

This Amendment No. 5 dated October 17, 2010, to the Contract (R2006-2218) dated October 17, 2006, 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 DCOTA Contracting, Inc., a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONTRACTOR.

The contract provided that Contractor would act as one (1) out of a pool of seven (7) approved annual Residential contractors working within the annual capacity as established below:

	Effective Date	End Date	Added Capacity	Cumulative Capacity
Original Contract	October 17, 2006	October 16, 2007		\$ 499,999.99
Amendment #1	October 17, 2007	October 16, 2008	\$499,999.99	\$ 999,999.98
Amendment #2	October 17, 2008	October 16, 2009	\$499,999.99	\$1,499,999.97
Amendment #3	October 17, 2009	October 16, 2010	\$499,999.99	\$1,999,999.96

Amendment No. 4 dated September 30, 2010, was approved by the FDO Director and amended the contract to include the Inspector General language.

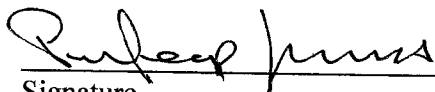
Amendment No. 5: 1) extends the term of the original contract through October 16, 2011, 2) increases the total dollar value by \$499,999.99 for a new total contract value of \$2,499,999.95, and 3) incorporates the following language:

Palm Beach County has established the Office of the Inspector General, Ordinance R2009-049, as may be amended. The Inspector General's authority includes but is not limited to the power to review past, present and proposed County contracts, transactions, accounts and records, to require the production of records, and audit, investigate, monitor, and inspect the activities of the contractor, its officers, agents, employees, and lobbyists in order to ensure compliance with contract specifications and detect corruption and fraud. All contractors and parties doing business with the County and receiving County funds shall fully cooperate with the Inspector General including receiving access to records relating to Bid or any resulting contract.

Except as amended herein, all provisions of the existing contract shall remain in full force and effect.


ATTEST:

Witness:


Signature

PRADEEP GUNNESS
Printed Name

DCOTA Contracting, Inc.


Signature

ANAND POONAT. PRESIDENT
Printed Name and Title

Sharon R. Bock, Clerk & Comptroller

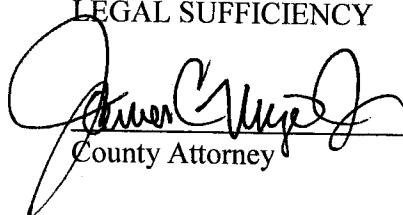
PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

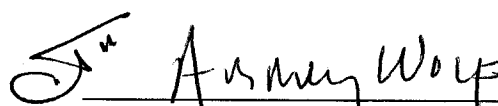
Deputy Clerk

Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND CONDITIONS


County Attorney


Audrey Wolf, Director
Facilities Development & Operations