

3H-4

**Meeting Date:**   **November 16, 2010**

<input checked="" type="checkbox"/>	<b>x] Consent</b>	<input type="checkbox"/>	<b>] Regular</b>
<input type="checkbox"/>	<b>] Ordinance</b>	<input type="checkbox"/>	<b>] Public Hearing</b>

## I. EXECUTIVE BRIEF

**Summary:** Amendment No. 5 is a renewal to the Annual Contract-Residential which was awarded to Joe Schmidt Construction, 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%. Joe Schmidt Construction had \$42,285 in work orders under this contract during the last term and their participation for work orders issued to date is 100%. Joe Schmidt Construction, 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)

**Attachments:**

## Amendment No. 5

Anthony Wolf  
Department Director

10/15/10  
Date

  
County Administrator

22/2/14  
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 <i>* see below</i>	\$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*

*[Signature]*  
OFMB

*[Signature]* 11/1/10  
Contract Development & Control  
*E. Jones 10/29/10*

### A. Legal Sufficiency:

*[Signature]* 11/1/10  
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 #5 TO ANNUAL RESIDENTIAL CONTRACT

This Amendment No. 5 dated October 17, 2010, to the Contract (R2006-2217) 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 Joe Schmidt Construction, 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:

Ashley Stoetzel  
Signature

ASHLEY STOETZEL  
Printed Name

Joe Schmidt Construction, Inc.

Joe Schmidt  
Signature

Joe Schmidt - 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

[Signature]  
County Attorney

APPROVED AS TO TERMS AND CONDITIONS

[Signature]  
Audrey Wolf, Director  
Facilities Development & Operations