

34-7

Meeting Date: **November 16, 2010**

| | | | |
|-------------------------------------|------------------|--------------------------|-----------------------|
| <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Regular |
| <input type="checkbox"/> | Ordinance | <input type="checkbox"/> | Public Hearing |

I. EXECUTIVE BRIEF

Summary: Amendment No. 5 is a renewal to the Annual Contract-Residential which was awarded to Sunco Construction Services, LLC 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%. Sunco Construction had no work orders under this contract during the last term and their participation for work orders issued to date is 100%. Sunco Construction Services, LLC 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:

Recommended by:

Date _____

County Administrator

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

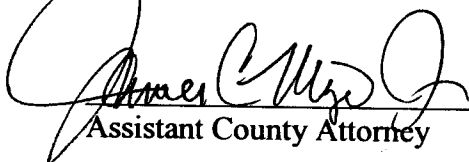
A. OFMB Fiscal and/or Contract Development & Control Comments:

Source of funding comes from various lines

OFMB

Contract Development & Control

A. Legal Sufficiency:

10/29/10 10/31/10

 Assistant County Attorney

11/11/10
 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 November 21, 2010, to the Contract (R2006-2426) dated November 21, 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 Sunco Construction Services, LLC, 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 | November 21, 2006 | November 20, 2007 | | \$ 499,999.99 |
| Amendment #1 | November 21, 2007 | November 20, 2008 | \$499,999.99 | \$ 999,999.98 |
| Amendment #2 | November 21, 2008 | November 20, 2009 | \$499,999.99 | \$1,499,999.97 |
| Amendment #3 | November 21, 2009 | November 20, 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.

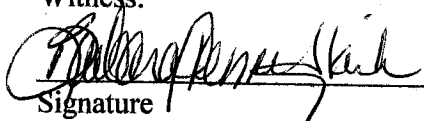
Amendment No. 5: 1) extends the term of the original contract through November 20, 2011, 2) increases the total dollar value by \$499,999.99 for a new total contract value of \$2,499,999.95, and 3) incorporates the following language:

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.

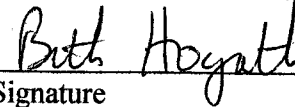
ATTEST:

Witness:


Signature

Barbara S Kennedy-Kirk
Printed Name

Sunco Construction Services, LLC


Signature

BETH HOGARTH, PRESIDENT
Printed Name and Title

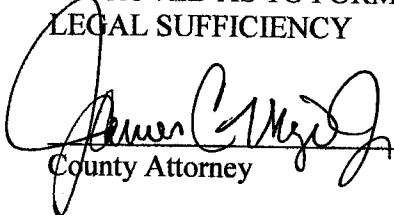
Sharon R. Bock, Clerk & Comptroller

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

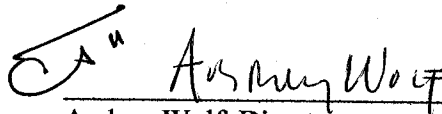
Deputy Clerk

Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY


County Attorney

APPROVED AS TO TERMS AND CONDITIONS


Audrey Wolf, Director
Facilities Development & Operations