

Agenda Item is over 50 pages and can be viewed in the Minutes Department

Agenda Item #: 3-C-4

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April 5, 2011 [x] Consent [] Regular [] Workshop [] Public Hearing
Department:
Submitted By: Engineering & Public Works
Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: A Contract with Florida Blacktop, Inc. (Blacktop), in the amount of \$388,592.83 for the construction of Congress Avenue Access to South County Intermodal Center (Project).

SUMMARY: Approval of this Contract will allow Palm Beach County (County) to issue a Notice to Proceed to Blacktop, a Broward County company, to begin construction of the Project. The County's Small Business Enterprise (SBE) goal for all projects is 15% overall, but the responsive bidders cannot be ranked for SBE compliance for this Project due to federal funding restrictions. The federally required non-mandatory Disadvantaged Business Enterprise (DBE) goal for the project is 8.18%. The SBE and DBE participation proposed for the Project by Blacktop is 2.3% and 8.0% respectively.

District 7 (MRE)

Background and Justification: Bids for the Project were received by the Engineering Department on December 16, 2010. Blacktop was the lowest responsive, responsible bidder. This is a federally funded project, and the responsive bidders cannot be ranked for SBE compliance due to federal funding restrictions. DBE participation cannot be utilized in determining the lowest responsive responsible bidder, and therefore does not affect the federal funding. Contract time for this work is 150 calendar days.

Attachments:

- 1. Location Sketch
2. Contracts
3. Contract Pages C-1 and C-2
4. Bid Tabulation

Recommended by: [Signature] Division Director Date 2/10/11
Approved By: [Signature] County Engineer Date 2/11/11

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	<u>\$439,250</u>	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	(<u>395,000</u>)	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	<u>\$44,250</u>	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes No

Budget Account No:

Fund 3500 Dept 361 Unit 1196 Object 6555

Recommended Sources of Funds/Summary of Fiscal Impact:

Transportation Improvement Fund
Local Agency Program Agreement - FDOT (\$395,000)
Congress Avenue at Intermodal Facility

Construction Contract	\$388,592.83
Contingency	\$ 11,657.17
Testing Lab	\$ 6,000.00
Staff Costs	
Roadway Production	\$ 7,700.00
Engineering Services	\$ 3,800.00
Construction Coordination	\$ 15,500.00
Traffic	\$ 6,000.00
Total Fiscal Impact	\$439,250.00
FDOT Funding	< \$395,000.00 >
Gas Tax Funding	\$ 44,250.00

C. Departmental Fiscal Review: Ahrillhite

III. REVIEW COMMENTS

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

OFMB 3/2/11
[Handwritten initials and dates]

Contract Dev. and Control 3/14/11
[Handwritten initials and dates]

This Contract complies with our contract review requirements.

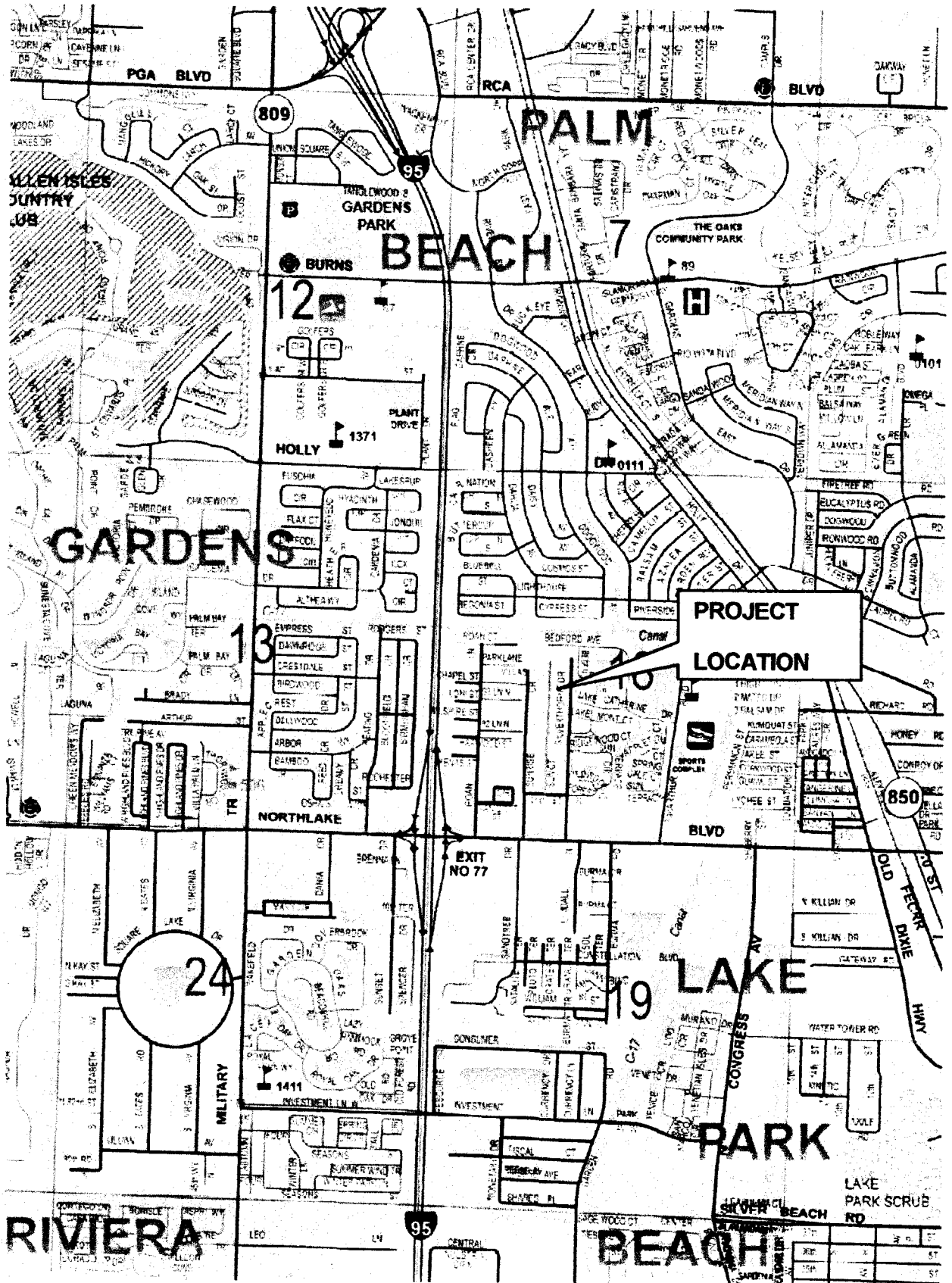
B. Approved as to Form and Legal Sufficiency:

Assistant County Attorney 3/9/11
[Handwritten signature]

C. Other Department Review:

Department Director

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



PROJECT LOCATION

SUN COURT FROM 91ST STREET N., NORTH TO THE END

PROJECT 2006147

ATTACHMENT 1

RESOLUTION NO. R2011-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA REVISING THE PREVIOUS INTEREST RATE ON RESOLUTION R-2009-1544 FOR THE SPECIAL ASSESSMENT SUN COURT DRAINAGE AND PAVING IMPROVEMENTS, SECTION 18, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PAVING IMPROVEMENT PROJECT, PURSUANT TO A PUBLIC HEARING HELD THEREON.

WHEREAS, a Resolution (R-2009-1544) confirming the special assessment process for Sun Court was approved on September 15, 2009.

WHEREAS, this resolution will amend the original assessment roll by reducing the interest rate on payments made over the 20 year period or less as determined by the property owner of each property assessed.

WHEREAS, the property owners have the opportunity to pay off the entire assessment within 30 days of notice from the tax collectors office without incurring any interest; and

WHEREAS, the remaining assessments incur interest after the 30 day pay off period; and

WHEREAS, the interest rate on the previous Resolution (R-2009-1544) of 6.5 percent has been revised to 5.5 percent; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

The Special Assessment Roll for the Sun Court Drainage and Paving Improvements, Section 18, Township 42 South, Range 43 East, as on file in the Clerk of this Board is attached hereto as EXHIBIT II and is hereby approved and confirmed with a revised interest rate of 5.5 percent and shall be recorded by the Clerk of the Board of County Commissioners in a special book to be known as "The Improvement Lien Book" and the record of the lien in said book shall constitute prima facie evidence of the validity of said lien.

1. The said special assessments are hereby made upon all parcels of land described in said Special Assessment Roll in the amount shown thereon.

2. Pursuant to Ordinance No. 94-11 as amended by Ordinance No. 95-53, the following project is hereby approved: Sun Court Drainage and Paving Improvements, Section 18, Township 42 South, Range 43 East, Palm Beach County, Florida.

3. The said special assessments are hereby made upon all parcels of land described in said Special Assessment Roll (EXHIBIT II) in the amount shown thereon.

RESOLUTION NO. R-2011-
March 15, 2011

4. Pursuant to Ordinance No. 94-11 as amended by Ordinance No. 95-53, any and all special assessments made pursuant to this Resolution, which have not been paid in full within thirty (30) days after notice of completion of the subject improvements for which said assessment was made, shall be subject to interest at a rate of five and one-half (5½ %) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty (20) equal annual installments.

5. The total cost of the paving and drainage improvements for the Sun Court drainage and paving project is \$458,571.58 of which the MSTU program funded \$97,879.25 the residents are being assessed \$97,879.25 through a special assessment and the Office of Community Revitalization funded \$262,813.08.

6. Pursuant to Section 21 of Ordinance No. 94-11 as amended by Ordinance No. 95-53, if any special assessment made under this Resolution shall be either in whole or part vacated or set aside by the judgment of any court, or the Board of County Commissioners, it shall be satisfied, that any such assessment is so defective that the same cannot be enforced or collected, or if the Board will have omitted to make any such assessment when it might have done so, the Board of County Commissioners will take all necessary steps to cause a new assessment to be made for any improvement against any property specially benefited by such improvement.

7. The Board of County Commissioners further finds that each parcel listed on EXHIBIT II will obtain a special benefit which is at least equal to the amount of special assessment made against each such parcel.

RESOLUTION NO. R-2011-
March 15, 2011

The foregoing Resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

District 1:	Karen T. Marcus, Chair	-
District 3:	Shelley Vana, Vice Chair	-
District 2:	Paulette Burdick	-
District 4:	Steven L. Abrams	-
District 5:	Burt Aaronson	-
District 6:	Jess R. Santamaria	-
District 7:	Priscilla A. Taylor	-

The Chairperson thereupon declared the Resolution duly passed and adopted this day of _____, 2011.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

BY: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
County Attorney

PROJECT NO. 2006147

REPORT OF COST

**SUN COURT
PAVING & DRAINAGE IMPROVEMENTS**

LEGAL ADVERTISING	\$	<u>1,300.32</u>
ENGINEERING & SURVEY COSTS	\$	<u>49,961.46</u>
PERMITTING FEES	\$	<u> </u>
ENGINEERING STAFF FEES	\$	<u>10,018.83</u>
CONSTRUCTION COSTS	\$	<u>350,378.16</u>
SUB-TOTAL	\$	<u>411,658.77</u>
ADMINISTRATIVE COSTS, FEES, CONSTRUCTION COORDINATION AND CONTINGENCIES	\$	<u>46,912.81</u>
TOTAL	\$	<u>458,571.58</u>
<u>SUPPLEMENTAL FUNDING</u>		
CCRT ALLOCATIONS	\$	<u>262,813.08</u>
DISTRICT RESERVES	\$	<u> </u>
TOTAL MSTU FUNDING	\$	<u>195,758.50</u>
ASSESSABLE COST = 50% of MSTU FUNDING	\$	<u>97,879.25</u>
ABUTTING FOOTAGE - - - -		<u>3,915.17</u>
ASSESSMENT PER ABUTTING FOOT -	\$	<u>25.00</u>



Assessment Roll - Final

SUN COURT PAVING & DRAINAGE
PROJECT NO. 2006147

FUND AGENCY ORG	COMMISSION DISTRICT	SECTION	TOWNSHIP	RANGE
	1 KAREN T. MARCUS	18	43S	42E

No.	Homeowner	PCN/Legal Description	Assessible Footage	Total Assessment	Annual Cost/Per Year	Notes
1	LAVERE RANDY &	00-43-42-18-02-000-014.0 GOOLSBY SUB LT 14	100.41	\$2,510.25	\$212.52	
2	SPEAR CARL W SR & NORA	00-43-42-18-02-000-015.0 GOOLSBY SUB LT 15	100.00	\$2,500.00	\$211.65	
3	BATES ELIZABETH H	00-43-42-18-02-000-016.0 GOOLSBY SUB LT 16	100.00	\$2,500.00	\$211.65	
4	BABIN KIMBERLY &	00-43-42-18-02-000-017.1 GOOLSBY SUB N 80 FT OF LT 17	100.00	\$2,500.00	\$211.65	
5	AGUSTIN EDGAR G &	00-43-42-18-02-000-017.2 GOOLSBY SUB S 20 FT OF LT 17 & N 60 FT OF LT 18	100.00	\$2,500.00	\$211.65	

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of five and a half (5.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.



Assessment Roll - Final

SUN COURT PAVING & DRAINAGE
PROJECT NO. 2006147

FUND AGENCY ORG	COMMISSION DISTRICT	SECTION TOWNSHIP RANGE
	1 KAREN T. MARCUS	18 43S 42E

No.	Homeowner	PCN/Legal Description	Assessible Footage	Total Assessment	Annual Cost/Per Year	Notes
6	CURTIS ROBERT &	00-43-42-18-02-000-018.1 GOOLSBY SUB LT 19 S 40 FT OF LT 18 & N 40 FT OF	80.00	\$2,000.00	\$169.32	
7	MAHEURON MARY G	00-43-42-18-02-000-019.1 GOOLSBY SUB LT 20 S 60 FT OF LT 19 & N 20 FT OF	80.00	\$2,000.00	\$169.32	
8	HANLON ELIZABETH A	00-43-42-18-02-000-020.1 GOOLSBY SUB S 80 FT OF LOT 20	80.00	\$2,000.00	\$169.32	
9	LOWERY VONICE I TR	00-43-42-18-02-000-021.0 GOOLSBY SUB LT 21	100.00	\$2,500.00	\$211.65	
10	LOWERY VONICE I TR	00-43-42-18-02-000-022.0 GOOLSBY SUB LT 22	100.00	\$2,500.00	\$211.65	

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PROJECT NO. 2006147

FUND AGENCY ORG	COMMISSION DISTRICT	SECTION TOWNSHIP RANGE
	1 KAREN T. MARCUS	18 43S 42E

No.	Homeowner	PCN/Legal Description	Assessible Footage	Total Assessment	Annual Cost/Per Year	Notes
11	THOUROT CHARLES S	00-43-42-18-02-000-023.0 GOOLSBY SUB LT 23	130.00	\$3,250.00	\$275.14	
12	CATALDO VITO A &	00-43-42-18-02-000-024.0 GOOLSBY SUB LT 24	81.00	\$2,025.00	\$171.43	
13	ALLEN BARBARA J	00-43-42-18-02-000-025.0 GOOLSBY SUB LT 25	81.00	\$2,025.00	\$171.43	
14	SUN CT LLC	00-43-42-18-02-000-026.0 GOOLSBY SUB LT 26	100.00	\$2,500.00	\$211.65	
15	BAILEY DARBY	00-43-42-18-02-000-027.1 GOOLSBY SUB N 84 FT OF LT 27	84.00	\$2,100.00	\$177.78	

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FUND AGENCY ORG	COMMISSION DISTRICT	SECTION	TOWNSHIP	RANGE
	1 KAREN T. MARCUS	18	43S	42E

No.	Homeowner	PCN/Legal Description	Assessible Footage	Total Assessment	Annual Cost/Per Year	Notes
16	ISAAC GILBERT	00-43-42-18-02-000-027.2 GOOLSBY SUB LT 28 S 41 FT OF LT 27 & N 42 FT OF	83.00	\$2,075.00	\$175.67	
17	BARRY PHILLIP A &	00-43-42-18-02-000-028.1 GOOLSBY SUB S 83 FT OF LT 28	83.00	\$2,075.00	\$175.67	
18	SCHULZ LEONARD F JR TRUST	00-43-42-18-02-000-029.0 GOOLSBY SUB LT 29	125.00	\$3,125.00	\$264.56	
19	SHAMBLIN ONNIE J TRUST	00-43-42-18-02-000-030.0 GOOLSBY SUB LT 30	106.00	\$2,650.00	\$224.35	
20	BATES KARIN &	00-43-42-18-02-000-031.0 GOOLSBY SUB LT 31	106.00	\$2,650.00	\$224.35	

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SUN COURT PAVING & DRAINAGE
PROJECT NO. 2006147

FUND	AGENCY	ORG	COMMISSION DISTRICT		SECTION	TOWNSHIP	RANGE
			1 KAREN T. MARCUS		18	43S	42E

No.	Homeowner	PCN/Legal Description	Assessible Footage	Total Assessment	Annual Cost/Per Year	Notes
21	RICHTER JOHN	00-43-42-18-02-000-032.0 GOOLSBY SUB LT 32	106.00	\$2,650.00	\$224.35	
22	KIRK JAMES M & JANET L	00-43-42-18-02-000-033.0 GOOLSBY SUB LT 33	106.00	\$2,650.00	\$224.35	
23	RESEARCH & MARKETING SERVICES INC	00-43-42-18-02-000-034.0 GOOLSBY SUB LT 34	106.00	\$2,650.00	\$224.35	
24	RESEARCH & MARKETING SERVICES INC	00-43-42-18-02-000-035.0 GOOLSBY SUB LT 35	108.00	\$2,700.00	\$228.58	
25	BEGTRUP DOLORES	00-43-42-18-02-000-036.0 GOOLSBY SUB LT 36	100.00	\$2,500.00	\$211.65	

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Assessment Roll - Final

SUN COURT PAVING & DRAINAGE
PROJECT NO. 2006147

FUND AGENCY ORG	COMMISSION DISTRICT	SECTION TOWNSHIP RANGE
	1 KAREN T. MARCUS	18 43S 42E

No.	Homeowner	PCN/Legal Description	Assessible Footage	Total Assessment	Annual Cost/Per Year	Notes
26	GEOFFROY PIERRE P	00-43-42-18-02-000-037.0 GOOLSBY SUB LT 37	100.00	\$2,500.00	\$211.65	
27	LOPEZ SUSAN K &	00-43-42-18-02-000-038.0 GOOLSBY SUB LT 38	100.00	\$2,500.00	\$211.65	
28	KEEVER LOIS &	00-43-42-18-02-000-039.0 GOOLSBY SUB LT 39	100.00	\$2,500.00	\$211.65	
29	SCHPEPKE PATRICK	00-43-42-18-02-000-040.0 GOOLSBY SUB LT 40	100.00	\$2,500.00	\$211.65	
30	SUN COURT HOLDINGS LLC	00-43-42-18-02-000-041.0 GOOLSBY SUB LT 41	100.00	\$2,500.00	\$211.65	

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Assessment Roll - Final

SUN COURT PAVING & DRAINAGE
PROJECT NO. 2006147

FUND AGENCY ORG	COMMISSION DISTRICT	SECTION TOWNSHIP RANGE
	1 KAREN T. MARCUS	18 43S 42E

No.	Homeowner	PCN/Legal Description	Assessible Footage	Total Assessment	Annual Cost/Per Year	Notes
31	SUAREZ NARDY	00-43-42-18-02-000-042.0 GOOLSBY SUB LOT 42	100.00	\$2,500.00	\$211.65	
32	BEAN GREGORY B & PATRICIA M	00-43-42-18-02-000-043.0 GOOLSBY SUB LT 43	100.00	\$2,500.00	\$211.65	
33	SMITH ROBERT JOSEPH JR &	00-43-42-18-02-000-044.0 GOOLSBY SUB LT 44	100.00	\$2,500.00	\$211.65	
34	BHAJAN LINDA &	00-43-42-18-02-000-045.0 GOOLSBY SUB LT 45 & 16 FT ADJ ON N	106.70	\$2,667.50	\$225.83	
35	LAVERE RANDALL W	00-43-42-18-02-000-062.0 GOOLSBY SUB, LT 14-A	90.00	\$2,250.00	\$190.48	

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of five and a half (5.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.



Assessment Roll - Final

SUN COURT PAVING & DRAINAGE
PROJECT NO. 2006147

FUND AGENCY ORG	COMMISSION/DISTRICT	SECTION	TOWNSHIP	RANGE
	1 KAREN T. MARCUS	18	43S	42E

No.	Homeowner	PCN/Legal Description	Assessible Footage	Total Assessment	Annual Cost/Per Year	Notes
36	CARSILLO G JR & SHIRLEY	00-43-42-18-02-000-063.0 GOOLSBY SUB LT 14-B, LT 14-C & 15 FT RD R/W N OF & ADJ TO LT 14C	172.52	\$4,313.00	\$365.13	
37	LIPPIELLO JERRY &	00-43-42-18-02-000-064.0 GOOLSBY SUB LT 45A	100.00	\$2,500.00	\$211.65	
38	HONORAT IVASELIN	00-43-42-18-02-000-065.0 GOOLSBY SUB N 93 FT OF LOT 45C & 15 FT R/W N & ADJ THERETO	100.54	\$2,513.50	\$212.79	

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of five and a half (5.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.



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SUN COURT PAVING & DRAINAGE
PROJECT NO. 2006147

FUND AGENCY / ORG	COMMISSION DISTRICT	SECTION	TOWNSHIP	RANGE
	1 KAREN T. MARCUS	18	43S	42E

No.	Homeowner	PCN/Legal Description	Assessible Footage	Total Assessment	Annual Cost/Per Year	Notes
39	CHAISSON KATHLEEN M &	00-43-42-18-02-000-065.1	100.00	\$2,500.00	\$211.65	
		GOOLSBY SUB 45C				
		LOT 45B & S 7.5 FT OF LOT				
Totals:			3,915.17	\$97,879.25		

Note Description/Totals	
1	ASSIGNED FRONT FOOTAGE 0
2	ASSIGNED AVERAGE FRONT FOOTAGE 0
3	50% OF SUM OF ALL ABUTTING FOOTAGE 0

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of five and a half (5.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.