3H-9

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 17, 2011	[X] Consent [] Ordinance	[] Regular [] Public Hearing	
Department: Facilities Develop	ment & Operations		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 2 with F.H. Paschen, S.N. Nielsen & Associates (R2010-0752) for Job Order Contract (JOC) – Central.

Summary: Amendment No. 2 is a renewal to the Job Order Contract — Central which was awarded to F.H. Paschen. The contractor will continue to perform as an annual general contractor for implementation of maintenance and capital projects. The Job Order Contract — Central is an indefinite-quantity, fixed unit price contract and this renewal has a maximum value of \$2,500,000. The contract will terminate when a total of \$2,500,000 in work orders is issued or when the one-year time period has expired, whichever comes first. The County is extending the contract for a period of twelve (12) months based on expiration of the term. Pursuant to Special Conditions, Article 7 — Terms and Conditions of the JOC Contract and to account for escalation and de-escalation, the contractor's adjustment factors has been modified by 1.0288%. Staff is bringing forward the amendment at this time based on expiration of the first term. The contract provides for four (4) — one (1) year renewals at the sole option of the County. This renewal is the first of four extensions allowed by the Contract. The Small Business Enterprise (SBE) goal established for this contract is 15%. F.H. Paschen's current participation is 15%. F.H. Paschen is a Palm Beach County based company. (FDO Admin) Countywide (JM)

Background and Justification: Amendment No. 2 is a renewal to the Job Order Contract – Central which was awarded to F.H. Paschen. The contractor will continue to perform as an annual general contractor for implementation of maintenance and capital projects. The Job Order Contract – Central is an indefinite-quantity, fixed unit price contract and this renewal has a maximum value of \$2,500,000. The contract will terminate when a total of \$2,500,000 in work orders is issued or when the one-year time period has expired, whichever comes first. An Economic Price Adjustment of 1.0288% has been applied to to the Contractor's Adjustment Factors pursuant to Special Conditions, Article 7 - Terms and Conditions of the JOC Contract. The Contractor's Adjustment Factors shall be adjusted on each anniversary date of the contract or the renewal date, whichever comes first to account for construction escalation or deescalation. The current year index is calculated by averaging the twelve (12) month Construction Cost Indices (CCI) for the U.S. Twenty City Index published in the Engineering News Record for the twelve (12) months immediately prior to the month of the annual contract anniversary.

Attachments:

Amendment No. 2

Recommended by:	Department Director	પ 25(1) Date
Approved by:	County Administrator	5/4/11 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Year	2011	2012	2013	2014	2015
Capital Expenditures	\$0	0	0	0	0
Operating Costs	0	0	0	Õ	ő
External Revenues	0	0	0	Ö	ő
Program Income (County)	0	0	0	0	Ŏ
In-Kind Match (County)	0	0	0	0	0
NET FISCAL IMPACT	BK.	0	0	0	0
# Additional FTE Positions (Cumulative)	_	_	_		
Is Item Included in Current Budget? Yes No					
Budget Account No:					
Reporting Category					

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

Potential maximum fiscal impact is \$2,500,000. Work Orders requiring BCC approval will be brought to the Board and fiscal impact will be addressed at that time; otherwise, funding will come from previously approved BCC projects.

C. Departmental Fiscal Review:	/N	4.2811
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III. REVIEW COMMENTS

A. OF WID FISCAL	and/or Contract Development &	Control Comments:
OFMB	Sun 4/28/11	Luni S. Saevanits/E.J. 4/29/) Contract Dev. and Control
A. Legal Sufficier Assistant Coun	Men 5/3/4	This amendment complies with our review requirements.

A.	Other Department Review:		
	Department Director		

AMENDMENT #2 TO JOB ORDER CONTRACT

This Amendment No. 2 dated May 17, 2011 to the Contract (R2010-0752) dated May 18, 2010, 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 F.H. Paschen, S.N. Nielsen & Associates, 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 an annual general contractor working within the annual capacity as established below:

	Effective Date	End Date	Added Capacity	Cumulative Capacity
Original Contract	May 18, 2010	May 17, 2011		\$2,500,000.00

The County is extending the contract for a period of twelve (12) months based on expiration of the term and applying an Economic Price Adjustment of 1.0288% to the Contractor's Adjustment Factors pursuant to Special Conditions, Article 7 of the Terms and Conditions of the JOC Contract.

Amendment No. 2: 1) extends the term of the original contract through May 17, 2012; and 2) increases the total dollar value by \$2,500,000.00 for a new total contract value of \$5,000,000.00.

Except as specifically modified above, the terms and conditions of the Contract are hereby confirmed and remain in full force and effect.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the COUNTY and CONTRACTOR has hereto set its hand the day and year above written.

Witness:	F.H. Paschen, S.N. Nielsen & Associates,
June M. Partre	Signature
NINA M. CASTRO	DAVID P. ROY, Senior Project MANAGE
Printed Name	Printed Name and Title
ATTEST: SHARON R. BOCK, CLERK & COMPTROLLER	PALM BEACH COUNTY, FLORIDA, a Political Subdivision of the State of Florida BOARD OF COUNTY COMMISSIONERS
Deputy Clerk	Karen T. Marcus, Chair
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
Assistant County Attorney	Audrey Wolf, Director
	Facilities Development & Operations