

**PALM BEACH COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**AGENDA ITEM SUMMARY**

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Meeting Date: June 7, 2011	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
	<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing

Department:  
Submitted By: Engineering & Public Works  
Submitted For: Engineering Services Division

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**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: A Second Contract Amendment to the Annual Pavement Marking Contract (Contract), R2008-1423, Project No. 2009051, dated September 9, 2008, with Southwide Industries, Inc. (Contractor) to add Florida Department of Transportation (FDOT) pavement marking items.

**SUMMARY:** Approval of this Amendment to the Contract will add FDOT pavement marking items for State projects. The Contract amount will remain unchanged. Small Business Enterprise (SBE) goals were established at 15% of the overall Contract amount. The Contractor did not propose any SBE participation in the original Contract and no SBE participation has occurred.

Countywide (MRE)

**Background and Justification:** The original Contract was approved on September 9, 2008, R2008-1423, to expire on March 9, 2010. On January 12, 2010, R2010-0036, the Contract was extended to September 9, 2011. The Traffic Division has requested the addition of the FDOT pavement marking items to use on two projects taking place on FDOT roadways. The Contract includes furnishing and installing pavement marking material, raised reflectorized pavement markers, and traffic paint on Palm Beach County roadways. The FDOT, however, requires that markings on their roadways have double beading.

**Attachments:**

- 1. Second Amendment to the Annual Pavement Marking Contract w/Exhibit "A" (2)

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Recommended by: Charles Rich                                  5/17/11 *[Signature]*  
Division Director    Date

Approved By: S. J. Well    5/19/11  
County Engineer    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-
<b>NET FISCAL IMPACT</b>	* -0-	-0-	-0-	-0-	-0-

# ADDITIONAL FTE POSITIONS (Cumulative) \_\_\_\_\_

Is Item Included in Current Budget? Yes  x  No  .

Budget Acct No.: Fund \_\_\_\_ Dept. \_\_\_\_ Unit \_\_\_\_ Object  Various   
Program

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

\* There is no fiscal impact. Addition of additional pavement marking line items only. Allocations are a not to exceed amount and can be expended from various accounting lines for various projects where budget is available.

C. Departmental Fiscal Review:  *Alicia Koralaunen*

**III. REVIEW COMMENTS**

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

*N. Diaz* 5/24/2011   
OFMB *5/19/11 CC*

*Dr. J. Jacobson* 5/25/11   
Contract Dev. and Control

B. Approved as to Form and Legal Sufficiency: *SN 5/24/11*  
 *Monica*   
Assistant County Attorney

This amendment complies with our review requirements.

C. Other Department Review:  
\_\_\_\_\_  
Department Director

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

**SECOND AMENDMENT TO THE ANNUAL PAVEMENT  
MARKING CONTRACT NO. 2009051 DATED  
SEPTEMBER 9, 2008 BY AND BETWEEN SOUTHWIDE  
INDUSTRIES, INC., AND PALM BEACH COUNTY**

THIS SECOND AMENDMENT to the Annual Pavement Marking Contract dated September 9, 2008, (R-2008-1423), hereinafter "CONTRACT" by and between Southwide Industries, Inc., hereinafter "CONTRACTOR" and the BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter, "COUNTY".

**WITNESSETH**

WHEREAS, on September 9, 2008, the CONTRACTOR and COUNTY entered into an Annual Pavement Marking Contract, in the amount of \$1,070,000, for furnishing and installing pavement marking material, raised reflectorized pavement markers and traffic paint on roadways throughout Palm Beach County; and

WHEREAS, the Contract Review Committee approved Change Order No. 1 in the amount of \$95,000, increasing the total contract to \$1,165,000; and

WHEREAS, on January 12, 2010, the Board of County Commissioners approved an extension of the CONTRACT to September 9, 2011, (R-2010-0036), the revision of some unit prices, the addition of new items and an increase in the CONTRACT amount to \$2,665,000; and

WHEREAS, by this amendment, the CONTRACTOR and the COUNTY mutually agree to add Florida Department of Transportation pay items to the CONTRACT.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the parties agree as follows:

1. The above recitations are true and correct and incorporated herein. The CONTRACT, dated September 9, 2008, between the CONTRACTOR and the COUNTY is hereby amended to:

a. add to the CONTRACT, the Florida Department of Transportation only, pavement marking items as shown on the attached Exhibit "A".

2. The CONTRACT, Page C-1, dated September 9, 2008, between the CONTRACTOR and the COUNTY is hereby amended as follows:

WITNESSETH: The Contractor agrees with the County, for the consideration herein mentioned at his, its or their own proper cost and expense to do all the work and furnish all necessary labor, materials, equipment, machinery, tools, apparatus, services, state workmen's compensation and unemployment compensation taxes incurred in the performance of the contract, for the:

ANNUAL PAVEMENT MARKING CONTRACT, PALM BEACH COUNTY PROJECT NO. 2009051  
IN THE AMOUNTS specified in task orders which may be issued by the County under Section No. 23 and the other terms of the Contract Documents. The County is not required to issue any task orders hereunder. The maximum value of orders issued under the

existing Contract, together with the previous change order and Amendment, shall not, in any case, exceed Two Million Six Hundred Sixty-five Thousand and 00/100 Dollars (\$2,665,000) (except as may be increased according to Section #40 of the Contract Specifications). The Contract Documents relative hereto are made a part of this agreement as completely as if set forth herein to the satisfaction of the COUNTY or its' duly authorized representative.

3. It is the intent of the parties hereto that this Agreement shall not become binding until the date executed by the COUNTY.

4. All other provisions of the Annual Pavement Marking Contract dated September 9, 2008, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Contract to be executed and sealed as of the day and year first written above.

ATTEST:  
SHARON R. BOCK  
Clerk and Comptroller

PALM BEACH COUNTY, a Political  
Subdivision of the State of Florida  
Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Karen T. Marcus, Chair

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

\_\_\_\_\_  
COUNTY ATTORNEY

*Charles Rich*  
\_\_\_\_\_  
ENGINEERING

ATTEST:

SOUTHWIDE INDUSTRIES, INC.  
Contractor

*[Signature]*  
\_\_\_\_\_  
Secretary or Asst. Secretary

By: *[Signature]*  
\_\_\_\_\_  
(Signature)

*Melissa Holmes, Secretary*  
\_\_\_\_\_  
(Print Name & Title)

JOHN BIERMANN PRESIDENT  
\_\_\_\_\_  
(Print Name & Title)

(Seal)

**PROJECT NAME: ANNUAL PAVEMENT MARKING CONTRACT**

**PROJECT NUMBER: 2009051**

**AMENDMENT 2 - SOUTHWIDE INDUSTRIES, INC.**

**FLORIDA DEPARTMENT OF TRANSPORTATION PAY ITEMS ONLY**

	ITEM	QTY	UNIT	UNIT PRICE	TOTAL
1	6" SOLID WHITE PAINT	14.885	NM	\$844.86	\$12,575.74
2	6" SOLID WHITE THERMOPLASTIC	14.885	NM	\$3,273.60	\$48,727.54
3	8" SOLID YELLOW PAINT	8089	LF	\$0.14	\$1,132.46
4	8" SOLID YELLOW THERMOPLASTIC	8089	LF	\$0.80	\$6,471.20
5	12" SOLID WHITE PAINT	10506	LF	\$0.40	\$4,202.40
6	12" SOLID WHITE THERMOPLASTIC	10506	LF	\$1.22	\$12,817.32
7	18" SOLID WHITE PAINT	1290	LF	\$0.40	\$516.00
8	18" SOLID WHITE THERMOPLASTIC	1290	LF	\$1.80	\$2,322.00
9	24" SOLID WHITE PAINT	3476	LF	\$0.95	\$3,302.20
10	24" SOLID WHITE THERMOPLASTIC	3476	LF	\$2.50	\$8,690.00
11	6" SOLID YELLOW PAINT	9.68	NM	\$844.86	\$8,178.24
12	6" SOLID YELLOW THERMOPLASTIC	9.68	NM	\$3,273.60	\$31,688.45
13	18" SOLID YELLOW PAINT	784	LF	\$0.70	\$548.80
14	18" SOLID YELLOW THERMOPLASTIC	784	LF	\$1.80	\$1,411.20
15	2X4 SKIPS WHITE PAINT	2956	LF	\$0.16	\$472.96
16	2X4 SKIPS WHITE THERMOPLASTIC	2956	LF	\$0.62	\$1,832.72
17	6X10 SKIPS WHITE PAINT	4111	LF	\$0.16	\$657.76
18	6X10 SKIPS WHITE THERMOPLASTIC	4111	LF	\$0.62	\$2,548.82
19	10X30 SKIPS WHITE PAINT	43946	LF	\$0.16	\$7,031.36
20	10X30 SKIPS WHITE THERMOPLASTIC	43946	LF	\$0.62	\$27,246.52
21	2X4 SKIPS YELLOW PAINT	48	LF	\$0.16	\$7.68
22	2X4 SKIPS YELLOW THERMOPLASTIC	48	LF	\$0.62	\$29.76
23	6X10 SKIPS YELLOW PAINT	175	LF	\$0.16	\$28.00
24	6X10 SKIPS YELLOW THERMOPLASTIC	175	LF	\$0.62	\$108.50
25	REFLECTIVE PAVEMENT MARKERS	5949	EA	\$3.25	\$19,334.25
26	DIRECTIONAL ARROWS PAINT	446	EA	\$15.00	\$6,690.00
27	DIRECTIONAL ARROWS THERMO	446	EA	\$60.00	\$26,760.00
28	BIKE & ARROWS THERMOPLASTIC	25	SETS	\$175.00	\$4,375.00
29	PAVEMENT MESSAGES PAINT	46	EA	\$30.00	\$1,380.00
30	PAVEMENT MESSAGES THERMO	46	EA	\$110.00	\$5,060.00
31	8" SOLID YELLOW PAINT	915	LF	\$0.24	\$219.60
32	8" SOLID YELLOW THERMOPLASTIC	947	LF	\$0.80	\$757.60
33	REFLECTIVE PAINT - ISLAND NOSE -WHITE	0.82	SY	\$3.00	\$2.46
34	REFLECTIVE PAINT - ISLAND NOSE - YELLOW	0.82	SY	\$3.00	\$2.46
35	DIRECTIONAL ARROW THERMOPLASTIC (U-TURN)	8	EA	\$22.00	\$176.00
36	BICYCLE LANE PAVEMENT MARKING	90	LF	\$0.45	\$40.50

NM = NET MILES

247345