

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

Meeting Date: 10/18/2011 ☒ Consent ☐ Regular
 ☐ Ordinance ☐ Public Hearing

Department:
 Submitted By: PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION
 Submitted For: PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

I. EXECUTIVE BRIEF

MOTION AND TITLE: Staff recommends motion to approve: the First Amendment to the Contract with Pride Integrated Services, Inc. (Pride), to extend the Contract for a maximum six-month term, from December 5, 2011, to June 5, 2012.

SUMMARY: The Misdemeanor Probation Services contract is in the Request for Proposal process. The purpose of the extension is to provide time for this process to be completed without a disruption of services. The term of the Contract is amended to provide that the Contract shall continue until June 5, 2012 or when the Request for Proposal selection and transition process is complete, whichever date is first. Upon execution of the First Amendment granting an extension of the contract term, there will not be a charge for the cost of contract monitoring and auditing Pride case files. Pride agrees to the termination of the contract upon completion of the selection and a sixty (60) day transition process if not selected. Countywide (GB)

BACKGROUND: On August 11, 2008, the CJC unanimously approved the recommendation of the Probation Advisory Board (PAB) that no RFP should be issued for the delivery of misdemeanor probation services to the County Court; and that the County contract with Pride for a three-year period effective December 6, 2008 through December 5, 2011. Pride has been the County's provider continuously since 1993, at no cost to the County. Services are covered by court ordered client fees. Under the current contract, Pride has paid the County \$5,000 each year to offset CJC costs associated with monitoring the contract and auditing Pride case files in the four Pride offices on an annual basis.

Upon recommendation from the Probation Advisory Board, the CJC and the Inspector General's Office, a Request for Proposals (RFP) for these services is in process. The Inspector General specifically recommended a fair and open competition. The Inspector General's recommendation was the result of a Management Review which was initiated at the request of the CJC Chair to investigate the handling of restitution payments by Pride. The RFP process was one of the recommendations in the Management Review.

ATTACHMENTS:

1. First Amendment to the Contract with Pride Integrated Services, Inc. (3 Originals)

RECOMMENDED BY: _____

DEPARTMENT DIRECTOR

DATE

APPROVED BY: _____

ASSISTANT COUNTY ADMINISTRATOR

DATE

10-5-11

10/11/11

II. FISCAL IMPACT ANALYSIS

A. FIVE YEAR SUMMARY OF FISCAL IMPACT

FISCAL YEAR	2012	2013	2014	2015	2016
CAPITAL EXPENDITURES	_____	_____	_____	_____	_____
OPERATING COSTS	_____	_____	_____	_____	_____
EXTERNAL REVENUES	_____	_____	_____	_____	_____
PROGRAM INCOME (County)	_____	_____	_____	_____	_____
IN-KIND MATCH (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	*				
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

IS ITEM IN ADOPTED BUDGET?	YES	NO
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BUDGET ACCOUNT NO: FUND	AGENCY	ORG	OBJECT
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B. RECOMMENDED SOURCES OF FUNDS/SUMMARY OF FISCAL IMPACT:

C. **DEPARTMENTAL FISCAL REVIEW:** *mg* 9/21/11

III. REVIEW COMMENTS

A. QFMB Fiscal and/or Contract development and Control Comments:

* No additional fiscal impact, time extension only.

OFMB

D. J. Gould 10/5/11
Contract Development & Control
10-4-11 *D. Gould*

B. LEGAL SUFFICIENCY:

LEGAL SUFFICIENCY:

[Signature] 10/7/11

Assistant County Attorney

This amendment complies with our review requirements.

C. OTHER DEPARTMENT REVIEW:

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

**FIRST AMENDMENT TO
CONTRACT FOR PROFESSIONAL SERVICES**

THIS FIRST AMENDMENT to the CONTRACT (R-2008-1566) is made as of the _____, 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 PRIDE INTEGRATED SERVICES, INC., a not-for-profit corporation authorized to do business in the State of Florida, hereinafter referred to as PRIDE, whose Federal I.D. is 23-7098114.

WITNESSETH:

WHEREAS, the COUNTY has a contract with PRIDE for Misdemeanor Probation services for a three-year period effective December 6, 2008 through December 5, 2011; and

WHEREAS, the COUNTY'S Criminal Justice Commission (CJC), has recommended to continue the contract with PRIDE to provide professional/consultation services in the area of Misdemeanor Probation; and

WHEREAS, the parties mutually desire to extend the Contract until June 5, 2012 or until the Request for Proposal selection and transition process has been completed, whichever date is first; and

WHEREAS, upon execution of this First amendment granting an extension of the contract term, there will not be an additional charge for the CJC costs associated with monitoring the contract and auditing PRIDE case files on an annual basis; and

NOW THEREFORE, in consideration of the mutual promises contained herein, the COUNTY and PRIDE agree as follows:

1. The above recitals are true, correct and incorporated herein.
2. The term of the Contract is amended to provide that the Contract shall continue until June 5, 2012 or the Request for Proposal selection and transition process is complete, whichever date is first.
3. The transition process shall be sixty days (60) to run concurrently with the term of the First Amendment and shall be a transition wherein PRIDE shall transfer all cases and for all current clients to be notified of the change.
4. Upon execution of this First amendment granting an extension of the contract term, there will not be an additional charge for the CJC costs associated with monitoring the contract and auditing PRIDE case files on an annual basis.

5. PRIDE agrees to the termination of the contract upon completion of the selection and transition process.
6. Palm Beach County has established the Office of the Inspector General in Palm Beach County Code, Section 2-421 - 2-440, 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 to audit, investigate, monitor, and inspect the activities of the CONSULTANT, its officers, agents, employees, and lobbyists in order to ensure compliance with contract requirements and detect corruption and fraud.

Failure to cooperate with the Inspector General or interfering with or impeding any investigation shall be in violation of Palm Beach County Code, Section 2-421 - 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

All other provisions of said Contract are hereby confirmed, and except as provided herein are not otherwise altered or amended and remain in full force and effect.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

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

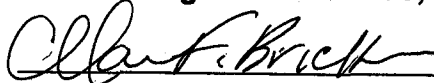
ATTEST:
SHARON R. BOCK, Clerk & Comptroller

PALM BEACH COUNTY
BOARD OF
COMMISSIONERS:

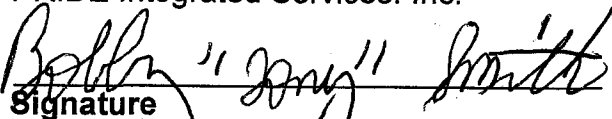
By: _____
Deputy Clerk

By: _____
Karen T. Marcus, Chair

PRIDE
PRIDE Integrated Services, Inc.


Signature

Maureen F. Brickous
Chief Executive Officer
PRIDE Integrated Services, Inc.


Signature

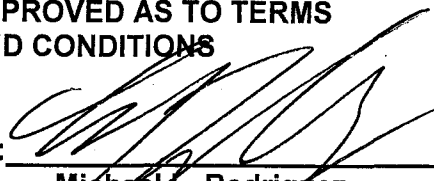
(corp. seal)

Chair, Board of Directors

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

By: 
Michael L. Rodriguez
Executive Director



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
9/13/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Wells Fargo Insurance Services USA Inc 2054 Vista Parkway, Suite 400 West Palm Beach FL 33411-2718	CONTACT NAME: PHONE (A/C No, Ext): (561) 655-5500 FAX (A/C No): (561) 655-5509 E-MAIL ADDRESS:														
INSURED Pride Integrated Services Inc 1310 N Congress Avenue West Palm Beach FL 33409 (561) 586-6432	<table><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A: National Union Fire Ins Co of Fi</td><td>19445</td></tr><tr><td>INSURER B: Alliance of Nonprofits for Ins,</td><td>10023</td></tr><tr><td>INSURER C: Alliance of Nonprofits for Ins,</td><td>10023</td></tr><tr><td>INSURER D: Fidelity & Deposit</td><td></td></tr><tr><td>INSURER E:</td><td></td></tr><tr><td>INSURER F:</td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: National Union Fire Ins Co of Fi	19445	INSURER B: Alliance of Nonprofits for Ins,	10023	INSURER C: Alliance of Nonprofits for Ins,	10023	INSURER D: Fidelity & Deposit		INSURER E:		INSURER F:	
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INSURER E:															
INSURER F:															

COVERAGES

CERTIFICATE NUMBER: Cert ID 229781

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL (SUBR) INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC		201131113	9/6/2011	9/6/2012	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 20,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000
C	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		201131113	9/6/2011	9/6/2012	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in IN) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N N/A	WC009868927	4/6/2011	4/6/2012	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
B	Professional E&O		201131113	9/6/2011	9/6/2011	\$1,000,0000 \$ 3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Palm Beach County Board of County Commissioners, a Political Subdivision of the State of Florida, its officers, employees and agents are named as additional insured per form CG2026 (form attached)

CERTIFICATE HOLDER

Palm Beach County Board of Commissioners
301 N Olive
12th floor
West Palm Beach FL 33401

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Rich Baines

DATE (MM/DD/YYYY)
9/13/2011

ADDITIONAL COVERAGES **CERTIFICATE NUMBER: Cert ID 229781** **REVISION NUMBER:**

Certificate Coverages Overflow (11/2010)