

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

Meeting Date: December 18, 2012

Consent  Regular   
Public Hearing

Department: Water Utilities Department

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: **A)** a First Amendment to Agreement with JLA Geosciences, Inc., for consulting and professional services; and **B)** a First Amendment to Agreement with Kimley-Horn and Associates, Inc., for consulting and professional services.

**Summary:** Palm Beach County Water Utilities Department (WUD) has requested that the Palm Beach County Attorney's Office (Attorney's) conduct a review of potential litigation issues relating to the design and construction of the wells and water treatment plant serving the Glades area. Geotechnical and engineering assistance is required to complete the County Attorney Office's review. The initial agreements with geotechnical consultants, JLA Geosciences, Inc., and engineering consultants, Kimley-Horn and Associates Inc., authorized consulting and professional services for a one (1) year period, with a not-to-exceed amount of \$49,500 for JLA Geosciences, Inc., and a not-to-exceed amount of \$100,000 for Kimley-Horn and Associates, Inc. The one (1) year time frame ended on September 7, 2012, however, consulting services are still required to complete the investigation. The First Amendments to the consulting and professional services agreements only extend the duration of the contracts for an additional year; the Amendments do not increase the not-to-exceed amounts. Countywide (ATP)

**Background and Justification:** The water treatment plant serving the Glades area has experienced premature well failures and operational difficulties. WUD has requested that the Attorney's Office conduct a review of potential litigation issues relating to design and construction of the wells and water treatment plant serving the Glades area. In order to complete its review, the Attorney's Office requires Geotechnical and engineering assistance, including additional well-field modeling and technical plan review. The initial agreements with hydrogeologic consultants, JLA Geosciences, Inc., and engineering consultants, Kimley-Horn and Associates Inc., authorized consulting and professional services for a one (1) year period, with a not-to-exceed amount of \$49,500 for JLA Geosciences, Inc., and a not-to-exceed amount of \$100,000, for Kimley-Horn and Associates, Inc. The one (1) year time frame ended on September 7, 2012, however, consulting services are still required to complete the investigation. The original Agreement with JLA Geosciences, Inc.'s Resolution No. is R2011-1741 and Kimley-Horn and Associates Inc.'s Resolution No. is R2011-1742.

**Attachments:**

1. Two (2) Original First Amendment with JLA Geosciences, Inc.
2. Two (2) Original First Amendment with Kimley-Horn and Associates, Inc.

Recommended by: Sharon Q. Brey 12-11-12  
Department Director Date

Approved by: Sharon Q. Brey 12-11-12  
Assistance County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2013	2014	2015	2016	2017
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)	0	0	0	0	0

Budget Account No.: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_

Reporting Category \_\_\_\_\_

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

No Fiscal Impact

C. Departmental Fiscal Review:                     *Debra M. West*                    

**III. REVIEW COMMENTS**

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

                    *N. Davis* 12/1/200                    *Don J. Jacobson* 12/12/12                      
 OFMB                      12/15                      Contract Development and Control  
*12/15/12*

**B. Legal Sufficiency:**

                    *Amber Taylor Powell*                      
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

**THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.**

**FIRST AMENDMENT TO CONTRACT  
FOR CONSULTING/PROFESSIONAL SERVICES**

This Contract is made as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, 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 JLA Geosciences, Inc. [ ] an individual, [ ] a partnership, [X] a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONSULTANT, whose Federal I.D. is 45-0496499.

In consideration of the mutual promises contained herein, the COUNTY and the CONSULTANT agree that the Contract for Consulting/Professional Services entered into by the parties on November 15, 2011, and referenced by County Resolution Number R-2011-1741 (hereinafter "the Agreement"), is amended as follows:

**ARTICLE 2 - SCHEDULE**

The CONSULTANT shall commence services on September 6, 2011, and complete all services by September 7, 2013.

All other provisions in the Agreement remain unchanged and in full force and effect.

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 CONSULTANT has hereunto set its hand the day and year above written.

ATTEST:  
SHARON R. BOCK  
CLERK AND COMPTROLLER

PALM BEACH COUNTY  
BOARD OF COUNTY  
COMMISSIONERS:

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

By: \_\_\_\_\_  
Steven L. Abrams, Chairman

WITNESS:  
\_\_\_\_\_  
Signature  
Maurice Tobar  
Name (type or print)

CONSULTANT:  
JLA Geosciences, Inc  
Company Name  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name (type or print)

James L. Andersen  
Typed Name  
\_\_\_\_\_  
President  
Title

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

(corp. seal)

By \_\_\_\_\_  
County Attorney

APPROVED AS TO TERMS  
AND CONDITIONS

By \_\_\_\_\_  
Department Director

**FIRST AMENDMENT TO CONTRACT  
FOR CONSULTING/PROFESSIONAL SERVICES**

This Contract is made as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, 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 Kimley Horn and Associates, Inc. [ ] an individual, [ ] a partnership, [X] a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONSULTANT, whose Federal I.D. is 56-0885615.

In consideration of the mutual promises contained herein, the COUNTY and the CONSULTANT agree that the Contract for Consulting/Professional Services entered into by the parties on November 15, 2011, and referenced by County Resolution Number R-2011-1742 (hereinafter "the Agreement"), is amended as follows:

**ARTICLE 2 - SCHEDULE**

The CONSULTANT shall commence services on September 6, 2011, and complete all services by September 7, 2013.

All other provisions in the Agreement shall remain unchanged and in full force and effect.

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 CONSULTANT has hereunto set its hand the day and year above written.

**ATTEST:**  
**SHARON R. BOCK**  
**CLERK AND COMPTROLLER**

**PALM BEACH COUNTY**  
**BOARD OF COUNTY COMMISSIONERS:**

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

By: \_\_\_\_\_  
Steven L. Abrams, Chairman

**WITNESS:**

Mark D. Miller  
Signature

MARK D. MILLER  
Name (type or print)

Sharda Dunne  
Signature

SHARDA DUNNE  
Name (type or print)

**CONSULTANT:**

KIMLEY-HORN AND ASSOCIATES, INC.  
Company Name

[Signature]  
Signature

KEVIN SCHANEN  
Typed Name

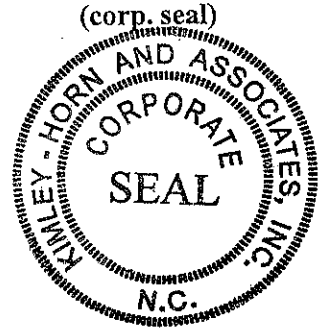
VICE PRESIDENT  
Title

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By \_\_\_\_\_  
County Attorney

APPROVED AS TO TERMS  
AND CONDITIONS

By *Burl Bennett*  
Department Director



**EXHIBIT "B"**

**BILLING RATE SCHEDULE  
KIMLEY-HORN AND ASSOCIATES, INC.  
HOURLY RATES**

**KEY STAFF**

**Mark D. Miller, PE \$210**

**John Potts, PE \$230**

**STAFF**

PRINCIPAL \$220 - \$230

SENIOR PROFESSIONAL \$180 - \$220

PROFESSIONAL \$85 - \$165

SENIOR TECHNICAL SUPPORT \$105 - \$120

TECHNICAL SUPPORT \$85 - \$105

SENIOR SUPPORT STAFF \$75 - \$105

SUPPORT STAFF \$50 - \$85