

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

Meeting Date: May 7, 2013 Consent Regular
 Ordinance Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

- A) Amendment No. 4 increasing the term for one additional year to: All-Site Construction, Inc. (R2010-0751), F.H. Paschen, S.N. Nielsen & Associates, LLC. (R2010-0752), H.A. Contracting Corporation (R2010-0804), and M.A.C. Construction, Inc. (R2010-0776)
- B) Amendment No. 4 increasing the term for one additional year and increasing the maximum cumulative capacity from \$3M to \$4M to: Robling Architecture Construction, Inc. (R2010-0802)

Summary: Amendments No. 4 extend the term of five Job Order Contracts (JOC) for one year. The contractors will continue to perform as an annual general contractor for implementation of maintenance and capital projects. Amendment No. 4 provides for services during the third renewal period and continues the maximum cumulative capacity of the work orders of \$5,000,000 except Amendment No. 4 with Robling which increases the maximum cumulative capacity from \$3,000,000 to \$4,000,000. Pursuant to the terms and conditions of the JOC Contract to account for escalation, the contractor's initial adjustment factors from May 18, 2010, will be modified by 1.0854%. The Small Business Enterprise (SBE) goal established for this contract is 15% participation. The total cumulative SBE participation to date is 51.3%.

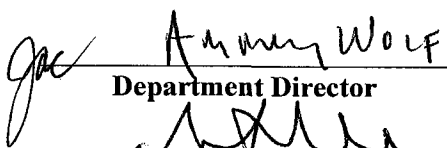
- All-Site Construction, Inc. SBE/Local, 81.3% SBE participation to date
- F.H. Paschen, S.N. Nielsen & Associates, LLC. Non SBE/Miami-Dade, 36.0% SBE participation to date
- H.A. Contracting Corporation (R2010-0804), Non SBE/Local, 33.0% SBE participation to date
- M.A.C. Construction, Inc. (R2010-0776), Central, Non SBE/Local, 44.1% SBE participation to date
- Robling Architecture Construction, Inc. SBE/Local, 62.2% SBE participation to date.

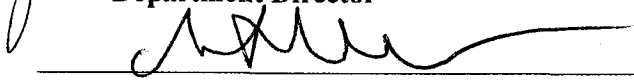
(Capital Improvements Division) Countywide (JM)

Background and Justification: Amendment No. 4 is a renewal to the Job Order Contracts. The contractors will continue to perform as an annual general contractor for implementation of maintenance and capital projects. The Job Order Contract is an indefinite-quantity, fixed unit price contract. The Board approved annual contracts on May 18, 2010, which provided for an initial one (1) year term with four (4) – one (1) year renewal options. Amendment No. 2 (R2011-0747,0748,0749,0751,0752) increased the term by one (1) year and increased the maximum cumulative capacity of work orders for each contractor from \$2,500,000 to \$5,000,000 (\$1,500,000 to \$3,000,000) for Robling. Amendment No. 3 (R2012-0705 to 0709) increased the term by one (1) year with no increase in the maximum cumulative capacity. The contracts provide for a price adjustment to the contractor's initial adjustment factors to account for construction escalation. 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:

- 1) All-Site Construction, Inc. Amendment #4
- 2) F.H. Paschen, S.N. Nielsen & Associates, LLC Amendment #4
- 3) H.A. Contracting, Inc. Amendment #4
- 4) M.A.C. Construction, Inc. Amendment #4
- 5) Robling Architecture Construction, Inc. Amendment #4

Recommended by:  4/5/13
 Department Director Date

Approved by:  4/27/13
 County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Year	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
NET FISCAL IMPACT	\$0	0	0	0	0
# Additional FTE Positions (Cumulative)	0	0	0	0	0

Is Item Included in Current Budget? Yes No ___

Budget Account No: _____

Reporting Category _____

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

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: *4-11-13*

III. REVIEW COMMENTS

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

 4/16/2013
OFMB *for 4-16-13 ems 4-15*

 4/19/13
Contract Dev. and Control *4-18-13 B. W. K.*

B. Legal Sufficiency:

 4/19/2013
Assistant County Attorney

C. Other Department Review:

Department Director

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

AMENDMENT #4 TO JOB ORDER CONTRACT

This Amendment No. 4 dated _____ to the Contract (R2010-0751) 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 **All-Site Construction, Inc.**, 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 capacity as stated in the Contract and modified by Amendment:

	Effective Date	End Date	Added Capacity	Cumulative Capacity
Original Contract	May 18, 2010	May 17, 2011		\$2,500,000
Amendment #1	September 30, 2010		Amended the contract to include the Inspector General Language	
Amendment #2	May 18, 2011	May 17, 2012	\$2,500,000	\$5,000,000
Amendment #3	May 18, 2012	May 17, 2013	\$0	\$5,000,000
Amendment #4	May 18, 2013	May 17, 2014	\$0	\$5,000,000

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 1.0854% to the Contractor's Adjustment Factors pursuant to Special Conditions, Article 7 of the Terms and Conditions of the JOC Contract.

Amendment No. 4 extends the term of the original contract through May 17, 2014.

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:

Damianis Valentin
Signature

Damianis Valentin
Printed Name

All-Site Construction, Inc.
Ezra Saffold
Signature

Ezra Saffold, President
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

Steven L. Abrams, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

James Collins
Assistant County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

Audrey Wolf
Audrey Wolf, Director
Facilities Development & Operations

AMENDMENT #4 TO JOB ORDER CONTRACT

This Amendment No. 4 dated __ __ 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 company 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 capacity as stated in the Contract and modified by Amendment:

	Effective Date	End Date	Added Capacity	Cumulative Capacity
Original Contract	May 18, 2010	May 17, 2011		\$2,500,000
Amendment #1	September 30, 2010		Amended the contract to include the Inspector General Language	
Amendment #2	May 18, 2011	May 17, 2012	\$2,500,000	\$5,000,000
Amendment #3	May 18, 2012	May 17, 2013	\$0	\$5,000,000
Amendment #4	May 18, 2013	May 17, 2014	\$0	\$5,000,000

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 1.0854% to the Contractor's Adjustment Factors pursuant to Special Conditions, Article 7 of the Terms and Conditions of the JOC Contract.

Amendment No. 4 extends the term of the contract through May 17, 2014.

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:

Vaniqua T. Lee
Signature

Vaniqua T. Lee
Printed Name

F.H. Paschen, S.N. Nielsen & Associates,
LLC

[Signature]
Signature

David P. Roy, Senior Project Manager
Printed Name and Title

ATTEST:
SHARON R. BOCK,
CLERK & COMPTROLLER

Deputy Clerk

PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

Steven L. Abrams, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
Assistant County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

[Signature]
Audrey Wolf, Director
Facilities Development & Operations

AMENDMENT #4 TO JOB ORDER CONTRACT

This Amendment No. 4 dated _____ to the Contract (R2010-0804) 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 **HA Contracting Corp.**, 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 capacity as stated in the Contract and modified by Amendment:

	Effective Date	End Date	Added Capacity	Cumulative Capacity
Original Contract	May 18, 2010	May 17, 2011		\$2,500,000
Amendment #1	September 30, 2010		Amended the contract to include the Inspector General Language	
Amendment #2	May 18, 2011	May 17, 2012	\$2,500,000	\$5,000,000
Amendment #3	May 18, 2012	May 17, 2013	\$0	\$5,000,000
Amendment #4	May 18, 2013	May 17, 2014	\$0	\$5,000,000

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 1.0854% to the Contractor's Adjustment Factors pursuant to Special Conditions, Article 7 of the Terms and Conditions of the JOC Contract.


Amendment No. 4 extends the term of the original contract through May 17, 2014.

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:

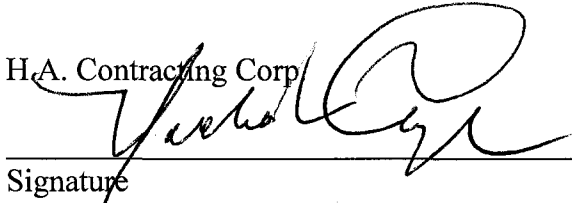
Signature


Samantha Panagos

Printed Name

H.A. Contracting Corp

Signature


Nicholas Angelo V.P.

Printed Name and Title

ATTEST:

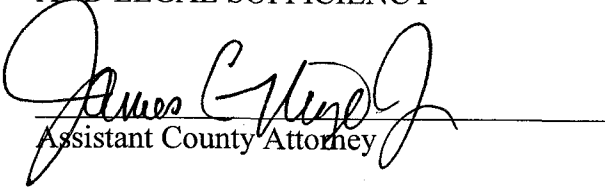
SHARON R. BOCK,
CLERK & COMPTROLLER

Deputy Clerk

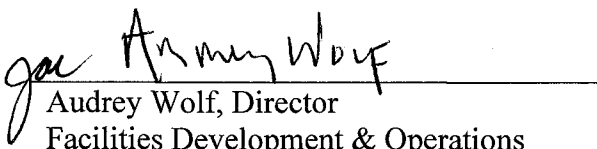
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BOARD OF COUNTY COMMISSIONERS

Steven L. Abrams, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


Assistant County Attorney

APPROVED AS TO TERMS
AND CONDITIONS


Audrey Wolf, Director
Facilities Development & Operations

AMENDMENT #4 TO JOB ORDER CONTRACT

This Amendment No. 4 dated _____ to the Contract (R2010-0776) 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 **M.A.C. Construction, Inc.**, 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 capacity as stated in the Contract and modified by Amendment:

	Effective Date	End Date	Added Capacity	Cumulative Capacity
Original Contract	May 18, 2010	May 17, 2011		\$2,500,000
Amendment #1	September 30, 2010		Amended the contract to include the Inspector General Language	
Amendment #2	May 18, 2011	May 17, 2012	\$2,500,000	\$5,000,000
Amendment #3	May 18, 2012	May 17, 2013	\$0	\$5,000,000
Amendment #4	May 18, 2013	May 17, 2014	\$0	\$5,000,000

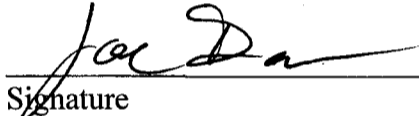
The County is extending the contract for a period of twelve (12) months based on expiration of the term and applying an Economic Price Adjustment of 1.0854% to the Contractor's Adjustment Factors pursuant to Special Conditions, Article 7 of the Terms and Conditions of the JOC Contract.

Amendment No. 4 extends the term of the original contract through May 17, 2014.

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:


Signature

JOE DARA
Printed Name

M.A.C. Construction, Inc.


Signature

Kelli Erbs, Vice President
Printed Name and Title

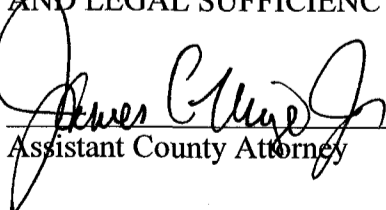
ATTEST:
SHARON R. BOCK,
CLERK & COMPTROLLER

Deputy Clerk

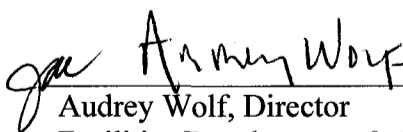
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Assistant County Attorney

APPROVED AS TO TERMS
AND CONDITIONS


Audrey Wolf, Director
Facilities Development & Operations

AMENDMENT #4 TO JOB ORDER CONTRACT

This Amendment No. 4 dated _____ to the Contract (R2010-0802) 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 **Robling Architecture Construction, Inc.**, 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 stated in the Contract and modified by Amendment:

	Effective Date	End Date	Added Capacity	Cumulative Capacity
Original Contract	May 18, 2010	May 17, 2011		\$1,500,000
Amendment #1	September 30, 2010		Amended the contract to include the Inspector General Language	
Amendment #2	May 18, 2011	May 17, 2012	\$1,500,000	\$3,000,000
Amendment #3	May 18, 2012	May 17, 2013	\$0	\$3,000,000
Amendment #4	May 18, 2013	May 17, 2014	\$1,000,000	\$4,000,000

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 1.0854% to the Contractor's Adjustment Factors pursuant to Special Conditions, Article 7 of the Terms and Conditions of the JOC Contract.

Amendment No. 4: 1) extends the term of the original contract through May 17, 2014.
2) increases the total dollar value by \$1,000,000 for a new total contract value of \$4,000,000.

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.

ATTEST:

Witness:

Holly M Perez
Signature

Holly M Perez
Printed Name

Robling Architecture Construction, Inc.

[Signature]
Signature

Damon A Robling, President
Printed Name and Title

ATTEST:

SHARON R. BOCK,
CLERK & COMPTROLLER

Deputy Clerk

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[Signature]
Assistant County Attorney

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AND CONDITIONS

[Signature]
Audrey Wolf, Director
Facilities Development & Operations