

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

Meeting Date: January 14, 2014 Consent Regular
 Ordinance Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 3 to annual minor construction contracts extending the term for one (1) year and increasing the maximum dollar value by \$1,500,000.

	Original Contract	SBE or Non SBE	Work Orders during 3 rd term	Total SBE Participation to Date
<u>Contractor</u>	<u>Resolution #</u>			
A) All-Site Construction, Inc.	R2011-1599	SBE	\$291,967	42.6%
B) Andrea Construction, Inc.	R2011-1601	SBE	\$162,575	61.2%
C) Coral-Tech Associates, Inc.	R2011-1603	Non SBE	\$0	4.8%
D) Ralph Della-Pietra, Inc.	R2011-1610	SBE	\$193,171	33.4%
E) Robling Architecture Construction, Inc.	R2011-1611	SBE	\$0	84.7%
F) Joe Schmidt Construction, Inc.	R2011-1612	SBE	\$188,805	89.9%
G) Triton Associates, Inc.	R2011-1614	SBE	\$6,200	82.8%

Summary: This annual Minor Construction contract is an indefinite-quantity contract with a maximum cumulative value per year. Projects are bid among the pre-qualified participants. This amendment is a renewal to the contract. The original contracts provided for an initial one (1) year term with four (4) - one (1) year renewal options. Staff is bringing forward Amendment No. 3 at this time because the contract has reached its maximum dollar value within this renewal period as the use of this competitive bidding process continues to increase versus using the job order contracting method as in the past. During the third term of this contract, the County awarded \$842,718.04 in work orders. In addition, Staff is requesting the cumulative limit be increased by \$1,500,000 and the contract extended for one year or when the contract value is reached, whichever comes first. This would be the last renewal with the contract re-bid at the end of this term. All contractors are Palm Beach County companies with the exception of Coral-Tech Associates, Inc. who is a Broward County company. The Small Business Enterprise (SBE) participation goals for the minor construction contracts are 15%. The cumulative SBE participation for all work orders to date is 48%. (Capital Improvements Division) Countywide (JM)

Background and Justification: (on page 3)

Attachments:

- A) 13-001 All-Site Construction Inc., Amendment #3
- B) 13-002 Andrea Construction, Inc., Amendment #3
- C) 13-003 Coral-Tech Associates, Inc., Amendment #3
- D) 13-007 Ralph Della-Pietra, Inc., Amendment #3
- E) 13-008 Robling Architecture Construction, Inc., Amendment #3
- F) 13-009 Joe Schmidt Construction, Inc., Amendment #3
- G) 13-010 Triton Associates, Inc., Amendment #3

Recommended by: [Signature] Department Director 12/16/13 Date

Approved by: [Signature] County Administrator 1/3/14 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Year	2014	2015	2016	2017	2018
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

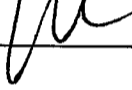
Is Item Included in Current Budget? Yes No

Budget Account No: **Not applicable**

Reporting Category

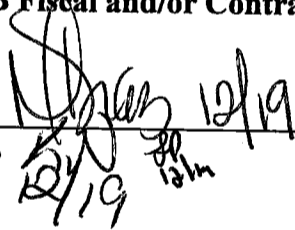
B. Recommended Sources of Funds/Summary of Fiscal Impact:

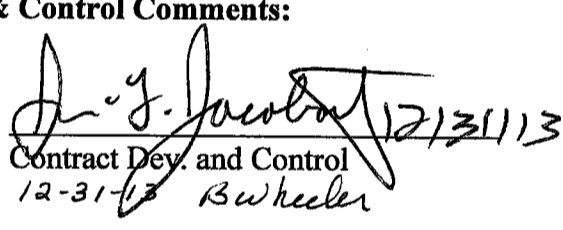
* Work Orders requiring BCC approval will be brought to the Board and fiscal impact will be addressed at that time; otherwise, funding will come from previously approved BCC projects.

C. Departmental Fiscal Review:  12/9/13

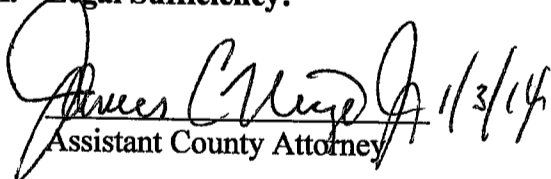
III. REVIEW COMMENTS

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

 12/19
OFMB 12/19
12/19

 12/31/13
Contract Dev. and Control
12-31-13 B Wheeler

A. Legal Sufficiency:

 11/3/14
Assistant County Attorney

A. Other Department Review:

Department Director

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

Background and Justification: Sixteen (16) contractors were originally prequalified to provide general construction services associated with repairs, improvements and renovations to County properties. The original list of sixteen approved participants has been reduced to seven due to non-participation in bidding projects. Work is awarded as work orders on a lump-sum, competitively quoted basis among the pool of pre-qualified general contractors. The original contract term was for one (1) year and the original Board action allowed for four (4) additional one (1) year renewals. This Amendment would provide services for the third renewal period. Due to the increased dollar volume assigned to this contract and the reduction in the number of active prequalified bidders, staff will be re-advertising the contract at the end of this term. It is the consensus of Facilities Development and Operations that these seven contractors have successfully provided the services required by the County in a timely manner. They are in good standing and wish to continue to provide services.

	Effective Date	End Date	Total Capacity	Cumulative
Original Contract	October 18, 2011	October 17, 2012		\$500,000
Amendment No. 1	October 18, 2012	October 17, 2013		\$1,000,000
Amendment No. 2	April 16, 2013	April 15, 2014		\$2,000,000
Amendment No. 3	January 14, 2014	January 13, 2015		\$3,500,000

AMENDMENT #3 TO ANNUAL MINOR CONTRACT

This Amendment No. 3 dated _____, 2014, to the Contract (R2011-1599) dated October 18, 2011, 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 one (1) out of a pool of annual general building minor construction services contractors working within the annual capacity as established below:

	Effective Date	End Date	Total Cumulative Capacity
Original Contract	October 18, 2011	October 17, 2012	\$500,000
Amendment No. 1	October 18, 2012	October 17, 2013	\$1,000,000
Amendment No. 2	April 16, 2013	April 15, 2014	\$2,000,000
Amendment No. 3	January 14, 2014	January 13, 2015	\$3,500,000

Amendment No. 3: increases the capacity by \$1,500,000 and extends the term of the original contract through January 13, 2015.

The Contract is modified as follows – add the following to the end of General Condition GC2:

“Except as specifically and expressly provided for herein, no provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement”.

Except as amended herein, all provisions of the existing contract shall remain in full force and effect.

ATTEST:

Witness:

Cathy K Choban
 Signature
Cathy K Choban
 Printed Name

All-Site Construction, Inc.
[Signature]
 Signature
Tommy S. Fields
 Printed Name and Title

APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY

[Signature]
 Assistant County Attorney

APPROVED AS TO TERMS
 AND CONDITIONS

[Signature]
 Audrey Wolf, Director
 Facilities Development & Operations

ATTEST:
 SHARON R. BOCK,
 CLERK & COMPTROLLER

Deputy Clerk

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

Priscilla A. Taylor, Mayor

AMENDMENT #3 TO ANNUAL MINOR CONTRACT

This Amendment No. 3 dated _____, 2014, to the Contract (R2011-1601) dated October 18, 2011, 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 **Andrea 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 one (1) out of a pool of annual general building minor construction services contractors working within the annual capacity as established below:

	Effective Date	End Date	Total Cumulative Capacity
Original Contract	October 18, 2011	October 17, 2012	\$500,000
Amendment No. 1	October 18, 2012	October 17, 2013	\$1,000,000
Amendment No. 2	April 16, 2013	April 15, 2014	\$2,000,000
Amendment No. 3	January 14, 2014	January 13, 2015	\$3,500,000

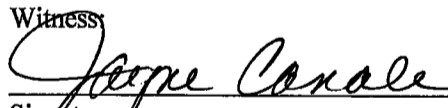
Amendment No. 3: increases the capacity by \$1,500,000 and extends the term of the original contract through January 13, 2015.

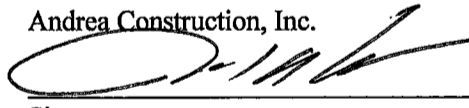
The Contract is modified as follows – add the following to the end of General Condition GC2:

“Except as specifically and expressly provided for herein, no provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement”.

Except as amended herein, all provisions of the existing contract shall remain in full force and effect.


ATTEST:

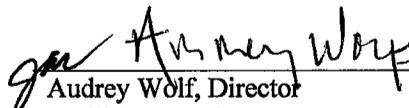
Witness

 Signature
JAYNE CANALE
 Printed Name

Andrea Construction, Inc.

 Signature
Richard Andrea, President
 Printed Name and Title

APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
 AND CONDITIONS


 Assistant County Attorney


 Audrey Wolf, Director
 Facilities Development & Operations

ATTEST:
 SHARON R. BOCK,
 CLERK & COMPTROLLER

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

 Deputy Clerk

 Priscilla A. Taylor, Mayor

AMENDMENT #3 TO ANNUAL MINOR CONTRACT

This Amendment No. 3 dated _____, 2014, to the Contract (R2011-1603) dated October 18, 2011, 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 Coral-Tech Associates, 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 one (1) out of a pool of annual general building minor construction services contractors working within the annual capacity as established below:

	Effective Date	End Date	Total Cumulative Capacity
Original Contract	October 18, 2011	October 17, 2012	\$500,000
Amendment No. 1	October 18, 2012	October 17, 2013	\$1,000,000
Amendment No. 2	April 16, 2013	April 15, 2014	\$2,000,000
Amendment No. 3	January 14, 2014	January 13, 2015	\$3,500,000

Amendment No. 3: increases the capacity by \$1,500,000 and extends the term of the original contract through January 13, 2015.

The Contract is modified as follows – add the following to the end of General Condition GC2:

“Except as specifically and expressly provided for herein, no provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement”.

Except as amended herein, all provisions of the existing contract shall remain in full force and effect.

ATTEST:

Witness:

Laurie L. Flynn
Signature

Laurie L. Flynn
Printed Name

John J. Yanoviak
Signature
Coral Tech Associates, Inc.

John J. Yanoviak, President
Printed Name and Title

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

James C. [Signature]
Assistant County Attorney

Audrey Wolf
Audrey Wolf, Director
Facilities Development & Operations

ATTEST:
SHARON R. BOCK,
CLERK & COMPROLLER

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

Deputy Clerk

Priscilla A. Taylor, Mayor

AMENDMENT #3 TO ANNUAL MINOR CONTRACT

This Amendment No. 3 dated _____, 2014, to the Contract (R2011-1610) dated October 18, 2011, 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 **Ralph Della-Pietra, 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 one (1) out of a pool of annual general building minor construction services contractors working within the annual capacity as established below:

	Effective Date	End Date	Total Cumulative Capacity
Original Contract	October 18, 2011	October 17, 2012	\$500,000
Amendment No. 1	October 18, 2012	October 17, 2013	\$1,000,000
Amendment No. 2	April 16, 2013	April 15, 2014	\$2,000,000
Amendment No. 3	January 14, 2014	January 13, 2015	\$3,500,000

Amendment No. 3: increases the capacity by \$1,500,000 and extends the term of the original contract through January 13, 2015.

The Contract is modified as follows – add the following to the end of General Condition GC2:

“Except as specifically and expressly provided for herein, no provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement”.

Except as amended herein, all provisions of the existing contract shall remain in full force and effect.

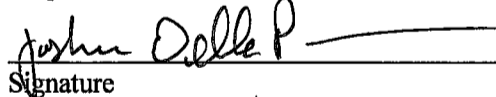
ATTEST:

Witness:


Signature

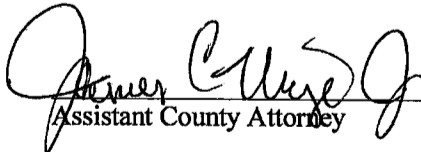
JAYNE CANALE
Printed Name

Ralph Della-Pietra, Inc.

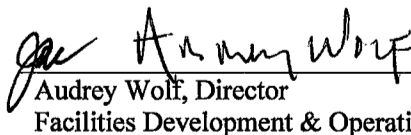

Signature

Joshua Della Pietra Construction Manager
Printed Name and Title

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


Assistant County Attorney

APPROVED AS TO TERMS
AND CONDITIONS


Audrey Wolf, Director
Facilities Development & Operations

ATTEST:
SHARON R. BOCK,
CLERK & COMPTROLLER

Deputy Clerk

PALM BEACH COUNTY, FLORIDA, a
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BOARD OF COUNTY COMMISSIONERS

Priscilla A. Taylor, Mayor

AMENDMENT #3 TO ANNUAL MINOR CONTRACT

This Amendment No. 3 dated _____, 2014, to the Contract (R2011-1611) dated October 18, 2011, 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 one (1) out of a pool of annual general building minor construction services contractors working within the annual capacity as established below:

	Effective Date	End Date	Total Cumulative Capacity
Original Contract	October 18, 2011	October 17, 2012	\$500,000
Amendment No. 1	October 18, 2012	October 17, 2013	\$1,000,000
Amendment No. 2	April 16, 2013	April 15, 2014	\$2,000,000
Amendment No. 3	January 14, 2014	January 13, 2015	\$3,500,000

Amendment No. 3: increases the capacity by \$1,500,000 and extends the term of the original contract through January 13, 2015.

The Contract is modified as follows – add the following to the end of General Condition GC2:

“Except as specifically and expressly provided for herein, no provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement”.

Except as amended herein, all provisions of the existing contract shall remain in full force and effect.

ATTEST:

Witness:

Jayne Canale
Signature

JAYNE CANALE
Printed Name

Robling Architecture Construction, Inc.

Holly M Serrano
Signature

Holly M Serrano PM
Printed Name and Title

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

James C. [Signature]
Assistant County Attorney

Audrey Wolf
Audrey Wolf, Director
Facilities Development & Operations

ATTEST:
SHARON R. BOCK,
CLERK & COMPTROLLER

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

Deputy Clerk

Priscilla A. Taylor, Mayor

AMENDMENT #3 TO ANNUAL MINOR CONTRACT

This Amendment No. 3 dated _____, 2014, to the Contract (R2011-1612) dated October 18, 2011, 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 **Joe Schmidt 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 one (1) out of a pool of annual general building minor construction services contractors working within the annual capacity as established below:

	Effective Date	End Date	Total Cumulative Capacity
Original Contract	October 18, 2011	October 17, 2012	\$500,000
Amendment No. 1	October 18, 2012	October 17, 2013	\$1,000,000
Amendment No. 2	April 16, 2013	April 15, 2014	\$2,000,000
Amendment No. 3	January 14, 2014	January 13, 2015	\$3,500,000

Amendment No. 3: increases the capacity by \$1,500,000 and extends the term of the original contract through January 13, 2015.

The Contract is modified as follows – add the following to the end of General Condition GC2:

“Except as specifically and expressly provided for herein, no provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement”.

Except as amended herein, all provisions of the existing contract shall remain in full force and effect.

ATTEST:

Witness:

Ashley Adams
Signature

ASHLEY ADAMS
Printed Name

Joe Schmidt Construction, Inc.
[Signature]
Signature

JOE SCHMIDT / PRESIDENT
Printed Name and Title

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
Assistant County Attorney

APPROVED AS TO TERMS AND CONDITIONS

[Signature]
Audrey Wolf, Director
Facilities Development & Operations

ATTEST:

SHARON R. BOCK,
CLERK & COMPTROLLER

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

Deputy Clerk

Priscilla A. Taylor, Mayor

AMENDMENT #3 TO ANNUAL MINOR CONTRACT

This Amendment No. 3 dated _____, 2014, to the Contract (R2011-1614) dated October 18, 2011, 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 **Triton Associates, 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 one (1) out of a pool of annual general building minor construction services contractors working within the annual capacity as established below:

	Effective Date	End Date	Total Cumulative Capacity
Original Contract	October 18, 2011	October 17, 2012	\$500,000
Amendment No. 1	October 18, 2012	October 17, 2013	\$1,000,000
Amendment No. 2	April 16, 2013	April 15, 2014	\$2,000,000
Amendment No. 3	January 14, 2014	January 13, 2015	\$3,500,000

Amendment No. 3: increases the capacity by \$1,500,000 and extends the term of the original contract through January 13, 2015.

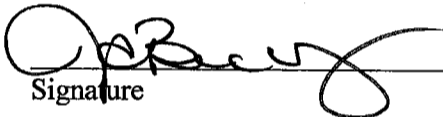
The Contract is modified as follows – add the following to the end of General Condition GC2:

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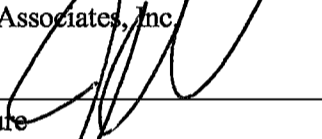
Except as amended herein, all provisions of the existing contract shall remain in full force and effect.

ATTEST:

Witness:


Signature

Jennifer Buckley
Printed Name

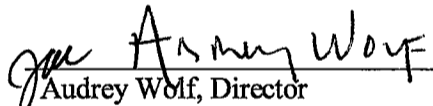
Triton Associates, Inc.

Signature

Jasper Pastorius, Owner
Printed Name and Title

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


Assistant County Attorney

APPROVED AS TO TERMS
AND CONDITIONS


Audrey Wolf, Director
Facilities Development & Operations

ATTEST:
SHARON R. BOCK,
CLERK & COMPTROLLER

Deputy Clerk

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

Priscilla A. Taylor, Mayor