PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

3H-8

AGENDA ITEM SUMMARY

Meeting Date: January 14, 2014	[X] Consent [] Regular [] Ordinance [] Public Hearing
Department: Facilities Development & Operation	s
I. EXECUTIVE	E BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 5 to Contract with Farmer and Irwin Corporation (R2010-0066) to implement the fourth and final renewal of the Annual HVAC Contract with a maximum value of \$2,000,000.

Summary: Amendment No. 5 is the final renewal to the Annual HVAC Contract which was awarded to Farmer and Irwin Corporation. The Contractor will continue to perform on HVAC projects for various facilities. The Annual HVAC Contract is an indefinite-quantity contract and this renewal has a maximum value of \$2,000,000. The capacity is shared and work orders are awarded based on competitive quotes/bids issued to all six (6) participating contractors. The renewal term is for twelve (12) months or until \$2,000,000 in work orders are issued in this term. Staff is bringing forward the amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the fourth and final renewal allowed by the contract. The goal for Small Business Enterprise (SBE) participation is 15% and will be tracked cumulatively for each work order issued. This is a bond wavier contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. Farmer and Irwin Corporation's SBE participation for work orders issued to date is 2.86%. Farmer and Irwin Corporation is a Palm Beach County company. (FD&O Admin) Countywide (JM)

Background and Justification: Amendment No. 5 is the fourth and final renewal to the Annual Contract - HVAC which was awarded to Farmer and Irwin Corporation on January 12, 2010 and renewed on January 11, 2013. The contractor will continue to perform as an Annual HVAC Contractor for installation, repair, and/or replacement of HVAC systems on an "as-needed" basis for projects typically under \$100,000 each. This annual HVAC contract is an indefinite-quantity contract and this renewal has a maximum value of \$2,000,000 among the pool of Annual HVAC Contractors. The renewal term is for twelve (12) months or until the renewal limit of \$2,000,000 is reached.

Attachments:		
Amendment No. 5	5	
Recommended by:	Annu Work	12/18/13
	Department Director	Date
Approved by:	Melly _	- 1/14
	County Administrator	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)	С	C	C	С	С
Is Item Included in Current Budget?	Yes X	No _			
Budget Account No:					
Reporting Category					

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

Potential maximum fiscal impact is \$2,000,000. 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:

III. REVIEW COMMENTS

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

OFMB A Star

Contract Dev. and Control
12-30 13 13 at Man

A. Legal Sufficiency:

Assistant County Attorney

A. Other Department Review:

Department Director

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

AMENDMENT No. 5 TO ANNUAL HVAC CONTRACT

This Agreement amends the Contract between Palm Beach County (County) and Farmer and Irwin Corporation (Contractor) authorized pursuant to Palm Beach County Resolution (R-2010-0066).

The Contract provided that the Contractor would act as an annual HVAC Contractor working within the annual capacity as established below:

	Effective Date	End Date	Capacity		
Original Contract	January 12, 2010	January 11, 2011	\$2,000,000		
Renewal #1	January 12, 2011	January 11, 2012	\$2,000,000		
Renewal #2	January 12, 2012	January 11, 2013	\$2,000,000		
Renewal #3	January 12, 2013	January 11, 2014	\$2,000,000		

Amendment No. 1 dated September 30, 2010, was approved by FD&O Director and amended the contract to include the Inspector General language.

Amendment No. 2 Renewal No. 1 extends the term of the original contract from January 12, 2011 through January 11, 2012. The renewal term is for twelve (12) months or until \$2,000,000 in work orders are issued.

Amendment No. 3 Renewal No. 2 extends the term of the original contract from January 12, 2012 through January 11, 2013. The renewal term is for twelve (12) months or until \$2,000,000 in work orders are issued.

Amendment No. 4 Renewal No. 3 extends the term of the original contract from January 12, 2013 through January 11, 2014. The renewal term is for twelve (12) months or until \$2,000,000 in work orders are issued.

Amendment No. 5 Renewal No. 4 extends the term of the original contract from January 12, 2014 through January 11, 2015. The renewal term is for twelve (12) months or until \$2,000,000 in work orders are issued.

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

ATTEST Sharon R. Bock, Clerk & Comptroller	BOARD OF COUNTY COMMISSIONERS
Deputy Clerk	
Witness:	Farmer and Lowin Corporation
ANDY ANDERSEN	Am h: h
Printed Name	Signature STEVEN R. IRWIN
Gudy anderson	PRESIDENT
Signature /	Title
APPROVED AS TO FORM	APPROVED AS TO TERMS
AND LEGAL SUFFICIENCY	AND CONDITIONS
Street Mire	O Anny Work
Qunty Attorney	Audrey Wolf, Director
V	Facilities Development & Operations

ACORD'

CERTIFICATE OF LIABILITY INSURANCE

LOKERB

DATE (MM/DD/YYYY) 12/16/2013

FARM&IR-01

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).

NAME: Betty Loker
PHONE
(A/C, No, Ext): (561) 776-0660
E-MAIL
ADDRESS: PRODUCER Insurance Office of America-JUP FAX (A/C, No): (561) 776-0670 Abacoa Town Center 1200 University Blvd, Suite 200 Jupiter, FL 33458 **INSURER(S) AFFORDING COVERAGE** NAIC# 36940 INSURER A : Indian Harbor Insurance Company INSURED INSURER B: Philadelphia Insurance Company NA INSURER C: North River Insurance Company 21105 Farmer & Irwin Corp. INSURER D: Comp Options Insurance Company 10834 3300 Ave K Riviera Beach, FL 33404 INSURER E: Lloyd's of London INSURER F: Rockhill Insurance Company 28053

COVERAGES

CERTIFICATE 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.

GEN		INSK	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
	ERAL LIABILITY				,	(EACH OCCURRENCE	\$	1,000,000
X	COMMERCIAL GENERAL LIABILITY	X	X	ESG0040533	4/10/2013	4/10/2014	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	100,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person)	\$	
			İ				PERSONAL & ADV INJURY	\$	1,000,000
X	Contractual Liab.						GENERAL AGGREGATE	\$	2,000,000
GEN							PRODUCTS - COMP/OP AGG	\$	2,000,000
	POLICY X PRO-						Deductible	\$	15,000
AUTO	OMOBILE LIABILITY			100			COMBINED SINGLE LIMIT (Ea accident)	\$	1,000,000
	ANY AUTO	X		PHPK1004945	4/10/2013	4/10/2014	BODILY INJURY (Per person)	\$	
	AUTOS AUTOS						BODILY INJURY (Per accident)	\$	
X	HIRED AUTOS X NON-OWNED AUTOS						PROPERTY DAMAGE (PER ACCIDENT)	\$	
								\$	
X	UMBRELLA LIAB X OCCUR						EACH OCCURRENCE	\$	5,000,000
	EXCESS LIAB CLAIMS-MADE			582101112-6	4/10/2013	4/10/2014	AGGREGATE	\$	5,000,000
								\$	
	EMBI OVERS LIADILITY						X WC STATU- OTH- TORY LIMITS ER		
	PROPRIETOR/PARTNER/EXECUTIVE	N/A	X	WC0006244	4/10/2013	4/10/2014	E.L. EACH ACCIDENT	\$	1,000,000
(Man	idatory in NH)						E.L. DISEASE - EA EMPLOYEE	\$	1,000,000
							E.L. DISEASE POLICY LIMIT	\$	1,000,000
Prof	essional Liab			AE131437	8/9/2013	8/9/2014	Deductible \$25,000		2,000,000
Polit	ution			ENVP000800-01	4/8/2013	4/8/2014	Liability		2,000,000
Ì	X X X X X X X X X X X X X X X X X X X	X Contractual Liab. GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X JECT LOC AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS X HIRED AUTOS X NON-OWNED AUTOS X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE	X Contractual Liab. GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO POLICY X PRO AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS X HIRED AUTOS X HIRED AUTOS X HIRED AUTOS X CCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION \$ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTHER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Professional Liab	X Contractual Liab. GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO- JECT LOC AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS X HIRED AUTOS X HIRED AUTOS X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION \$ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE N OFFICER/MEMBER EXCLUDED? (Mandator) in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Professional Liab	X Contractual Liab. GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PROJECT LOC AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS X HIRED AUTOS X NON-OWNED AUTOS X HIRED AUTOS X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION \$ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE N N/A WC0006244 Professional Liab Professional Liab AE131437	X Contractual Liab. GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PROJECT LOC AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS NON-OWNED AUTOS X HIRED AUTOS X NON-OWNED AUTOS X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION \$ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE N OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Professional Liab AL10/2013 X PHPK1004945 4/10/2013 X WC0006244 4/10/2013	X Contractual Liab. GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X JECT LOC AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS X HIRED AUTOS X NON-OWNED AUTOS X HIRED AUTOS X NON-OWNED AUTOS X HORED AUTOS X NON-OWNED AUTOS X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION \$ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/JEXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under liability of person of the property of the person of the per	PERSONAL & ADV INJURY CONTractual Liab. GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO POLICY X JECT LOC AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS X HIRED AUTOS X UMBRELLA LIAB X OCCUR EXCESS LIAB DED RETENTION \$ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY X ANY PROPERTION \$ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY X WC0006244 X WC0006244 X WC0006244 AL10/2013 PERSONAL & ADV INJURY GENERAL AGGREGATE COMBINED SINGLE LIMIT (Ea excident) BODILY INJURY (Per person) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (PER ACCIDENT) EACH OCCURRENCE AGGREGATE A/10/2013 A/10/2014 AGGREGATE X WC STATU- OTH- TORY LIMITS ER- AL10/2013 A/10/2014 A/10/2014 ACCIDENT EL EACH ACCIDENT EL EACH ACCIDENT EL DISEASE - BA EMPLOYEE EL DISEASE - POLICY LIMIT Professional Liab AE131437 A/9/2013 B/9/2013 B/9/2014 Deductible \$25,000	X Contractual Liab. GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRODUCTS - COMP/OP AGG \$ Deductible \$ POLICY X PRODUCTS - COMP/OP AGG \$ Deductible \$ COMBINED SINGLE LIMIT (Per person) \$ AUTOS \$ X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION \$ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE N/N PROPRIETOR/PARTNER/EXECUTIVE N/N N/A PROPRIETOR/PARTNER/EXECUTIVE N/N N/A SOCIETA AUTOS AU

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Certificate holder, Palm Beach County a Political Subdivision of the State of Fiorida, its officers, agents and employees and those Parties listed in said contract are additional insureds with respects to general liability as per form GC 2033 07 04 when required by written contract and auto liability per form CA00010306 as required by written contract. The general liability policy is primary & non-contributory per form ESL471 0107 when required by written contract. Waiver of subrogation in favor of certificate holder for geneal liability per form CG2404 1093 and work comp per form WC000313.

CERTIFICATE HOLDER

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.

Palm Beach County Board of County Commissioners c/o Facilities Services 2633 Vista Pkwy West Palm Beach, FL 33411

AUTHORIZED REPRESENTATIVE

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