

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

<b>Meeting Date:</b>	December 16, 2014	<b>Consent [X]</b>	<b>Regular [ ]</b>
		<b>Public Hearing [ ]</b>	
<b>Department:</b>	Water Utilities Department		


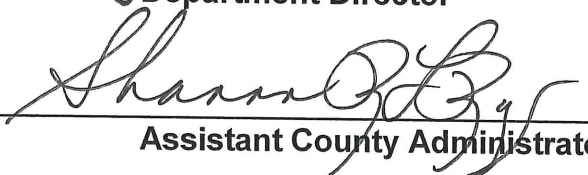
**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, Amending Resolution R2014-0352; Pertaining to the Special Assessment process for the 14th Road South Gravity Sewer Main Extension, reducing the individual assessment from \$24,944.26 to \$23,654.16 per acre.

**Summary:** On March 11, 2014, the Board of County Commissioners (Board) adopted Resolution R2014-0352 confirming the 14th Road South Gravity Sewer Main Extension. This project will extend gravity sewer main to five (5) residential properties. Pursuant to Section 9 of Ordinance No. 2001-0010, property owners are entitled to a reduction in their individual assessment if the final cost of the project falls below the original estimate. The assessment adopted by the Board was based upon an estimated cost of \$122,476.30, while the final assessable cost is \$116,141.92. As a result the individual cost to the property owners was reduced from \$24,944.26 to \$23,654.16 per acre. (WUD Project No. 13-084) District 2 (MJ)

**Background and Justification:** The estimated construction cost for 14th Road South was \$91,400.23. The final construction cost was \$93,662.85. This construction cost over-run (\$2,262.62), combined with decrease in contingencies (\$9,140.02), increase in Engineering fees (\$336.39), increase in inspection fees (\$90.50) and increase in administration fees (\$113.13), resulting in a total project assessable cost of \$116,141.92. Fees decreased the total assessable cost decreased by the net amount of \$6,334.38. All other portions of Resolution No. R2014-0352, remain in full force and effect.

- Attachments:**
- 1. One (1) Original Amending Resolution
  - 2. Location Map
  - 3. Special Assessment Roll – Amended
  - 4. Copy of Confirming Resolution No. R-2014-0352
  - 5. Report of Cost – Final
  - 6. Periodical Estimate for Partial Payment - Approved

<b>Recommended By:</b>	 Department Director	12-2-14	
		<b>Date</b>	
<b>Approved By:</b>	 Assistant County Administrator	12-8-14	
		<b>Date</b>	

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	(6,334)	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>	<b>(6,334)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
# ADDITIONAL FTE POSITIONS (Cumulative)	0	0	0	0	0

Budget Account No.: Fund 4013 Dept 721 Unit W021 Object 6543

Is Item Included in Current Budget? Yes  No

Reporting Category N/A

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

The reduction in the assessable cost is based on a reduction in the final constructed cost of the project. Pursuant to Section 11 of Ordinance No. 2001-0010 individual assessments plus accrued interest will be recovered over twenty (20) years.

C. Department Fiscal Review: Delva Moret

**III. REVIEW COMMENTS**

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

Susan Neay 11/25/14  
 11/24 11/24 OFMB

Jan S. Jacobant 12/31/14  
 Contract Development and Control  
 12-3-14 BLOHELL

**B. Legal Sufficiency:**

[Signature] 12/5/14  
 Assistant County Attorney

**C. Other Department Review:**

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

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

**RESOLUTION NO. R-2014-**

**RESOLUTION OF THE BOARD OF  
COUNTY COMMISSIONERS OF PALM  
BEACH COUNTY, FLORIDA,  
AMENDING RESOLUTION R-2014-  
0352; PERTAINING TO THE SPECIAL  
ASSESSMENT PROCESS FOR THE  
14TH ROAD SOUTH GRAVITY SEWER  
MAIN EXTENSION**

**WHEREAS**, on March 11, 2014, in accordance with the Palm Beach County Ordinance 2001-0010, the Board of County Commissioners, Palm Beach County, Florida, adopted Resolution No. R-2014-0352, confirming the special assessment process for the 14th Road South Gravity Sewer Main Extension; and,

**WHEREAS**, pursuant to Section 9 of Ordinance 2001-0010, the Board of County Commissioners may credit to each assessment the difference between the original assessment made, approved and confirmed and the proportionate part of the actual cost of the improvement to be paid by special assessments as determined upon completion of the project; and,

**WHEREAS**, construction of the 14th Road South Gravity Sewer Main Extension is complete (see Attachment "6" - "Final Authorization Summary"); and,

**WHEREAS**, the total assessable cost of the 14th Road South Gravity Sewer Main Extension has been reduced by \$6,334.38 from \$122,476.30 to \$116,141.92; and,

**WHEREAS**, pursuant to Section 9 of Ordinance 2001-0010 the Board of County Commissioners desires to amend Resolution No. R-2014-0352.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

1. Attachment "3" (Special Assessment Roll) to Resolution No. R-2014-0352 is hereby amended by reducing the total assessable cost of the 14th Road South Gravity Sewer Main Extension from \$122,476.30 to \$116,141.92, and reducing the individual assessment from \$24,944.26 per acre to \$23,654.16 per acre based on five (5) residential properties. The Special Assessment Roll, as hereby amended, is attached hereto, and incorporated herein as Attachment "3".

2. Paragraph Four (4) of Resolution No. R-2014-0352 is hereby amended by deleting "\$122,476.30" and inserting "\$116,141.92" in its place.

3. Attachment "5" (Report of Cost) to Resolution No. R-2014-0352 is hereby amended by changing the total assessable cost of the 14th Road South Gravity Sewer Main Extension to \$116,141.92. The Report of Cost as hereby amended is attached hereto and incorporated as Attachment "5".

4. Each and every other paragraph of Resolution No. R-2014-0352 shall remain in full force and effect and said Resolution is reaffirmed as modified herein.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote; the vote was as follows:

District 1 Hal R. Valeche  
District 2 Paulette Burdick  
District 3 Shelley Vana  
District 4 \_\_\_\_\_  
District 5 Mary Lou Berger  
District 6 \_\_\_\_\_  
District 7 Priscilla A. Taylor

The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_ day of \_\_\_\_\_, 2014.

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Sharon R. Bock  
Clerk and Comptroller

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By \_\_\_\_\_



# ATTACHMENT 2



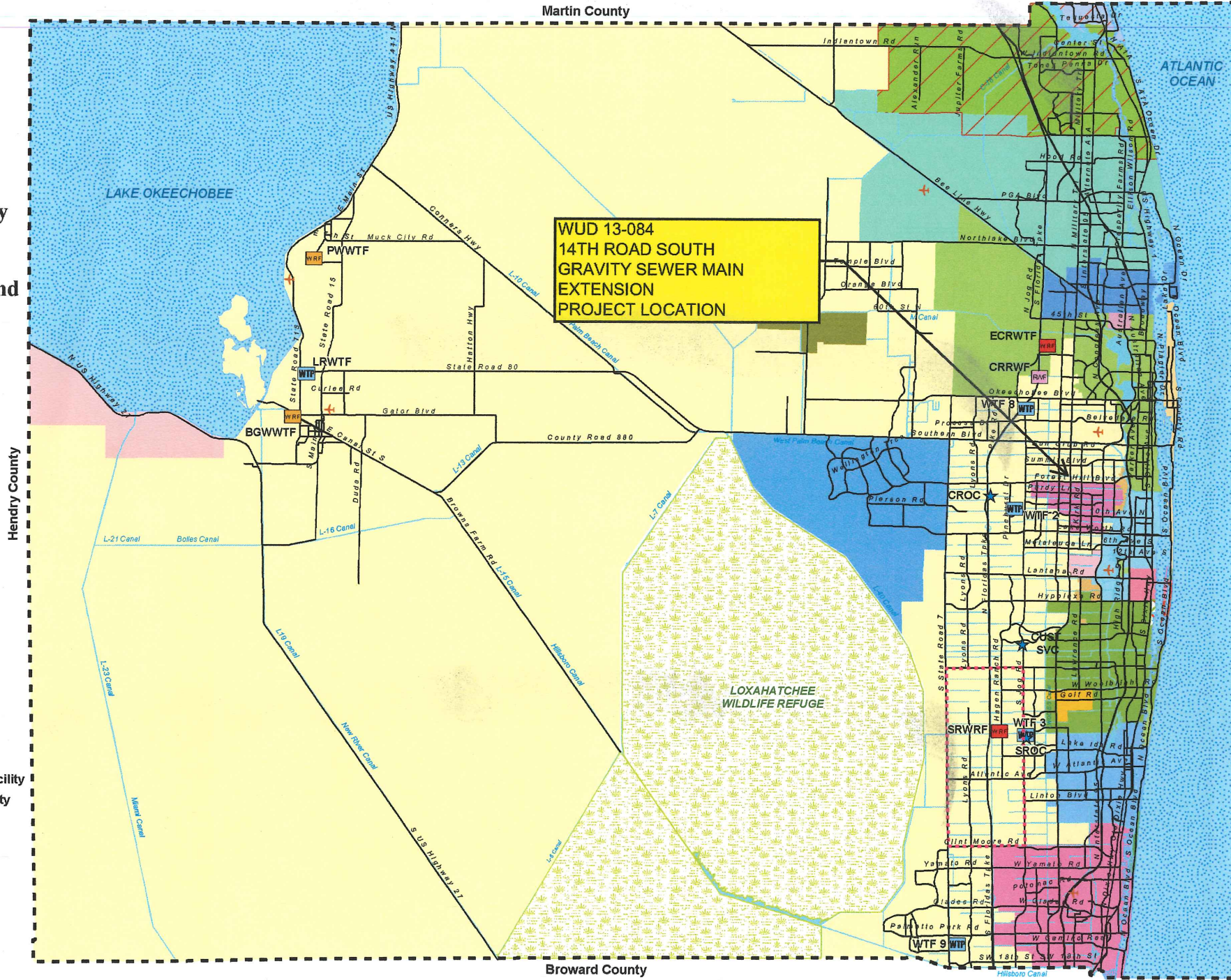
## Palm Beach County Water Utilities Department Service Area (SA) and Major Facilities

Attachment 2

- Legend**
- Administration
  - Water Treatment Facility
  - Reclamation Facility
  - Wastewater Reclamation Facility
  - Wastewater Treatment Facility
  - Mandatory Reclaimed SA
  - Palm Beach County Limits
  - P.B.C.W.U.D. Service Area



NOT TO SCALE





Palm Beach County  
Water Utilities  
SAS Coordinator

# ATTACHMENT No. 3

## Assessment Roll - Final

14TH ROAD SOUTH  
GRAVITY SEWER MAIN EXTENSION  
SPECIAL ASSESSMENT PROGRAM

Project#: 13-084

<b>FUND</b>	<b>AGENCY</b>	<b>ORG</b>	<b>COMMISSION DISTRICT</b>			<b>SECTION TOWNSHIP RANGE</b>		
4013	721	W021	2 PAULETTE BURDICK			12	44S	42E

No.	Homeowner	PCN/Legal Description	Acre	Cost/Per Acre	Total Assessment	Annual Cost/Per Acre	Annual Cost/Per Year	Notes
1	LIN, STEVE & MAY	00-42-44-12-00-000-147.0	1.01	\$23,654.16	\$23,890.70	1979.3642605	\$1,999.16	
	8681 EGRET ISLE TER LAKE WORTH, FL 33467-1727	12-44-42, W 264 FT OF E 528 FTOF S 1/2 OF S 1/4 OF SW 1/4 OF NE 1/4				<b>Initial</b>	<b>Final N</b>	<b>Petition</b>
2	SUN FLORIDA HOMES LLC C/O MARIANE SARAIVA	00-42-44-12-00-000-148.0	1.01	\$23,654.16	\$23,890.70	1979.3642605	\$1,999.16	
	3311 NE 17TH CT FORT LAUDERDALE, FL 33305-3718	12-44-42, E 264 FT OF S 1/2 OF S 1/4 OF SW 1/4 OF NE 1/4				<b>Initial</b>	<b>Final Y</b>	<b>Petition</b>
3	ZELAYA, TOMAS A	00-42-44-12-00-000-150.0	0.94	\$23,654.16	\$22,234.91	1979.3642605	\$1,860.60	
	4862 DELL AVE LAKE WORTH, FL 33461-5308	12-44-42, W 244 FT OF E 488 FTOF N 1/2 OF S 1/4 OF SW 1/4 OF NE 1/4				<b>Initial</b>	<b>Final Y</b>	<b>Petition</b>
4	HILL, GARY S & BEVERLY A TR	00-42-44-12-00-000-151.0	1.01	\$23,654.16	\$23,890.70	1979.3642605	\$1,999.16	
	81 CLEVELAND RD LAKE WORTH, FL 33467-3813	12-44-42, W 264 FT OF E 792 FTOF S 1/2 OF S 1/4 OF SW 1/4 OF NE 1/4				<b>Initial</b>	<b>Final N</b>	<b>Petition</b>

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of five and a half (5.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.



### Assessment Roll - Final

14TH ROAD SOUTH  
GRAVITY SEWER MAIN EXTENSION  
SPECIAL ASSESSMENT PROGRAM

<b>FUND</b>	<b>AGENCY</b>	<b>ORG</b>	<b>COMMISSION DISTRICT</b>			<b>SECTION TOWNSHIP RANGE</b>		
4013	721	W021	2 PAULETTE BURDICK			12	44S	42E

No.	Homeowner	PCN/Legal Description	Acre	Cost/Per Acre	Total Assessment	Annual Cost/Per Acre	Annual Cost/Per Year	Notes
5	SUN FLORIDA HOMES LLC C/O MARIANE SARAIVA 3311 NE 17TH CT FORT LAUDERDALE, FL 33305-3718	00-42-44-12-00-000-154.0  12-44-42, E 244 FT OF N 1/2 OF S 1/4 OF SW 1/4 OF NE 1/4	0.94	\$23,654.16	\$22,234.91	1979.3642605	\$1,860.60	

Initial	Final	Y	Petition
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Total: 4.91      Total: \$116,141.92

Note Description/Totals		
1	MODIFIED ASSIGNED FRONTAGE	0
2	CONFIDENTIAL RECORD	0
3	UNITY OF TITLE	0
4	TAX MAP FRONTAGE	0
5	SCALED FRONTAGE	0
6	SURVEY	0
7	PAPA FRONTAGE	0
8	VERIFY LEGAL, OWNER CONTESTING TAXES	0

Petition Response Summary						
		Initial		Final		
Homeowners	5	Voted Yes	0	0%	3	60%
Properties	5	Voted No	0	0%	2	40%
Needed	3	No Response	5	100%	0	0%

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of five and a half (5.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.



# ATTACHMENT No. 4

2

RESOLUTION NO. R-2014- 0352

## RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, CONFIRMING THE SPECIAL ASSESSMENT ROLL FOR THE 14th ROAD SOUTH GRAVITY SEWER MAIN EXTENSION

**WHEREAS**, pursuant to Section 8 of Ordinance 2001-0010, the Board of County Commissioners held a public hearing at 9:30 A.M. on the 11<sup>TH</sup> day of March, 2014, at the Commission Chambers of the Board of County Commissioners of Palm Beach County, Florida, so as to satisfy the requirements of Ordinance 2001-0010; and

**WHEREAS**, the Board of County Commissioners finds that the public notification and public hearing requirements of Ordinance 2001-0010 have been complied with; and

**WHEREAS**, the Board of County Commissioners intends to levy special assessment(s) upon certain properties located on 14th Road South for the purpose of funding a gravity sewer main extension; and

**WHEREAS**, the total assessable costs of the improvement project shall not exceed \$122,476.30; and

**WHEREAS**, the method of apportioning the assessable costs of the improvement project among the parcels of property located within the boundaries of the improvement project shall be by the acreage method; and

**WHEREAS**, the maximum dollar amount of each assessment unit shall be \$24,944.26 per acre; and

**WHEREAS**, the Board of County Commissioners finds that each parcel listed in the Special Assessment Roll, which is attached hereto and incorporated herein as Exhibit "A", will obtain a special benefit, that is at least equal to the amount of special assessment made against each such parcel; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

1. The Special Assessment Roll for the 14th Road South Gravity Sewer Main Extension Project (WUD 13-084) is hereby approved and confirmed, and the special assessments set forth therein shall be collected in accordance with the provisions of the Uniform Assessment Collection Act and Ordinance 2001-0010.

2. The special assessment(s) set forth in the Special Assessment Roll shall constitute a lien(s) against the assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien(s) shall be superior in dignity to all other liens, titles and claims, until paid.

3. Any and all special assessments made pursuant to this Resolution, which have not been paid in full within thirty (30) days after completion of the improvement project for which the assessments were made, shall be subject to interest at the rate of five and one half percent (5 ½ %) per year and shall be payable in twenty (20) equal installments of principal and interest.

4. If any special assessment made under this Resolution shall be either in whole or in part vacated or set aside by the judgment of any court, or if the Board of County Commissioners shall be satisfied that any such assessment is so irregular or defective that same cannot be enforced or collected, or if the Board shall have omitted to make such assessment when it might have done so, the Board of County Commissioners shall take all necessary steps to cause a new assessment to be made for any improvement and against any property specially benefited by such improvement, following the provisions of Ordinance 2001-0010. In case the second assessment shall also be invalid, the Board of County Commissioners may obtain and make other assessments until a valid assessment is made.




5. The Clerk of this Board shall cause this Resolution to be recorded in the Official Records of Palm Beach County, Florida, in the Office of the Clerk of the Circuit Court.

The foregoing Resolution was offered by Commissioner BERGER who moved its adoption. The motion was seconded by Commissioner VANA and upon being put to a vote; the vote was as follows:

Commissioner Priscilla A. Taylor, Mayor	-Aye
Commissioner Paulette Burdick, Vice Mayor	-Aye
Commissioner Hal R. Valeche	-Aye
Commissioner Shelley Vana	-Aye
Commissioner Steven L. Abrams	-Aye
Commissioner Mary Lou Berger	-Aye
Commissioner Jess R. Santamaria	-Aye

The Mayor thereupon declared the Resolution duly passed and adopted this 11 day of March, 2014.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

By:   
Sharon R. Bock, Clerk and Comptroller  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By 

**ATTACHMENT 5**

**REPORT OF COST - FINAL**

**14th ROAD SOUTH**

**GRAVITY SEWER MAIN EXTENSION**

**SPECIAL ASSESSMENT PROJECT**

**PROJECT NO. WUD 13-084**

**COMMISSION DISTRICT 2**

**SECTION 12 TOWNSHIP 44 SOUTH, RANGE 42 EAST**

**FUND 4013 DEPT 721 UNIT W021 OBJECT 6543**

	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>DIFFERENCE</u>
Construction Bid Price	\$91,400.23	\$93,662.85	\$2,262.62
Cost Over-run/Under-run			<u>\$2,262.62</u>
10% Financial Support	N/A		<u>\$0.00</u>
Assessable Construction Cost	\$91,400.23	\$93,662.85	\$2,262.62
Construction Contingency (10%)	\$9,140.02		(\$9,140.02)
Engineering Fee (1)	\$13,710.03	\$14,049.43	\$339.39
Inspection Fee (4%) (2)	\$3,656.01	\$3,746.51	\$90.50
Administration Fee (5%) (3)	\$4,570.01	\$4,683.14	\$113.13
Administrative Adjustment (4)	<u>(\$0.01)</u>	<u>(\$0.01)</u>	<u>\$0.00</u>
Total Project Cost	<u>\$122,476.30</u>	<u>\$116,141.92</u>	<u>(\$6,334.38)</u>
Total Assessable Cost	\$122,476.30	<u>\$116,141.92</u>	<u>(\$6,334.38)</u>
Total Acreage	4.91	4.91	
Cost per Acre	\$24,944.26	\$23,654.16	(\$1,290.10)

Notes:

1. Engineering Fee is of \$14,049.43 is for the cost of design/drafting from PBCWUD
2. Inspection Fee is 4% of the Assessable Construction Cost.
3. Administrative Fee is 5% of the Assessable Construction Cost.
4. Adjustment to administrative cost to round the cost per parcel to the nearest cent.

ATTACHMENT No. 6

PERIODICAL ESTIMATE FOR PARTIAL PAYMENT

PROJECT NAME: 14th Road South Sewer Main Extension
PROJECT NUMBER: WUD 13-084 CONTRACT NUMBER: WUD 13-020
CONTRACTOR: Johnson-Davis Inc.
ADDRESS: 604 Hillbrath Drive, Lantana, FL 33462
Application No.: Five-F Period 8-01-2014 to 9-30-2014
From:
Account Number: 4013-721-W021-6543

ANALYSIS OF ADJUSTED CONTRACT AMOUNT TO DATE:

Table with 2 columns: Description and Amount. Rows include Original Contract Amount (83,802.29), Change Order Additions (9,860.56), Change Order Deletions, and Adjusted Contract Amount (93,662.85).

ANALYSIS OF WORK PERFORMED TO DATE:

Table with 2 columns: Description and Amount. Rows include Original Contract Work Performed (83,802.29), Extra Work Performed (9,860.56), Total Value of Work Performed (93,662.85), Plus: % of Stored Material (0.00), Total Work Performed Plus Stored (93,662.85), Less: 5.0% Retainage (4,683.14), Net Amount Earned (88,979.71), Less: Previous Payments (79,612.18), Plus: Reduction in Retainage (4,683.14), and Balance Due (14,050.67).

CERTIFICATION OF CONTRACTOR:

I hereby certify that I have checked and verified this Periodical Estimate for Payment No. Five-F, for the period from 8-01-2014 to 9-30-2014, inclusive, and that it is a true and correct statement of all work performed, and/or any and all material and equipment supplied by this Contractor; that all work, materials, and equipment included in Periodical Estimate No. 05F have been performed and/or supplied in full accordance with the terms and conditions of the Contract Documents and/or duly authorized deviations, substitutions, alterations and/or additions; that all terms of Periodical Estimate No. 05F have been authenticated and approved by the authorized undersigned representative of the Contractor.

Johnson-Davis Inc.
(Contractor)
Title PRESIDENT

By [Signature]
(Authorized Representative)
SCOTT JOHNSON
Date 9/26/14