Agenda Item #: 3-C-10

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

			===	
Meeting Date: March 1	0, 2015	<pre>{X} Consent { } Workshop</pre>	_	RegularPublic Hearing
Department:				
Submitted By:	Engineering & Public Works			
Submitted For:	Roadway P	roduction Division		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

- A) A second amendment to the annual asphalt milling and resurfacing contract (Contract), Project No. 2013052, dated March 12, 2013, with Community Asphalt Corp., R2013-0235, to increase the amount of the Contract by \$2,000,000; and
- **B)** A second amendment to the annual asphalt milling and resurfacing contract (Contract), Project No. 2013052, dated March 12, 2013, with Ranger Construction Industries, Inc., R2013-0236, to increase the amount of the Contract by \$2,000,000.

SUMMARY: Approval of these amendments will increase these Contract amounts by \$2,000,000 from \$12,110,000 to \$14,110,000. The increased Contract amounts are based on estimated amounts to be expended throughout Palm Beach County by the Engineering and Public Works Department.

Countywide (MRE)

Background and Justification: The Contracts were approved on March 12, 2013, R2013-0235 and R2013-0236, and will expire on September 30, 2015. The contractors and Palm Beach County are desirous of increasing the Contract amount by \$2,000,000. The Contract amount was previously increased from \$8,110,000 to \$12,110,000 by approval of the First Amendment, dated September 9, 2014, R2014-1260 and R2014-1261. The Contracts consist of the milling and disposal of existing asphalt pavement, maintenance of traffic, cleaning of surfaces for finish applications, and furnishing, hauling, and placement of specified asphalt courses.

Attachments:

1. Second Amendment to the Annual Asphalt Milling and Resurfacing Contract with Community Asphalt Corp. (3)

2. Second Amendment to the Annual Asphalt Milling and Resurfacing Contract with Ranger Construction Industries, Inc. (3)

======= Recommended by	r:* Omelos O	1. Firmande	2/3/15 V/JUIJA)
	Division Director	Pate	1725 65 (70)
Approved By:	s, J. WM		1/10/15
	County Engineer	Date	é

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	\$2,000,000	-0-		0-	
Operating Costs		-0-	-0-	0-	
External Revenues	0-	-0-		0-	
Program Income (County)		-0-	0-	0	
In-Kind Match (County)		-0-			
NET FISCAL IMPACT	\$2,000,000			0-	
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget?

Yes X No

Budget Account No: Various

Recommended Sources of Funds/Summary of Fiscal Impact:

	Prior	Encumbered/		Total
	Allocation	Expended	New Allocation	Available
Airports	\$ 100,000	< 20,970>	0	\$ 79,030
Engineering Road & Bridge	\$11,000,000	<7,890,558>	2,000,000	\$5,109,442
Fire Rescue	\$ 10,000	0	0	\$ 10,000
Parks & Recreation	\$ 200,000	0	0	\$ 200,000
Water Utilities	\$ 800,000	< 33,700>	0	\$ 766,300
Total	\$12,110,000	<7,945,228>	2,000,000	\$6,164,772

Allocations are a not to exceed amount and can be expended from various accounting lines for various projects where budget is available. Work is to be performed on a task order basis.

C. Departmental Fiscal Review: _.

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Susu Near 2/10/15

HN ASD OFMB
2/10 2/10

Contract Dev. and Control

B. Approved as to Form and Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

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

SECOND AMENDMENT TO THE ANNUAL ASPHALT MILLING AND RESURFACING CONTRACT NO. 2013052 DATED MARCH 12, 2013, BY AND BETWEEN COMMUNITY ASHPALT CORP., AND PALM BEACH COUNTY

THIS SECOND AMENDMENT to the Annual Asphalt Milling and Resurfacing Contract dated March 12, 2013, (R2013-0235), hereinafter "CONTRACT" by and between Community Asphalt Corp., hereinafter "CONTRACTOR" and the Board of County Commissioners of Palm Beach County, a political subdivision of the state of Florida, hereinafter, "COUNTY".

WITNESSETH

WHEREAS, on March 12, 2013, the CONTRACTOR and COUNTY entered into an Annual Asphalt Milling and Resurfacing Contract for milling and disposal of existing asphalt pavement, maintenance of traffic, cleaning of surfaces for finish applications, and furnishing, hauling, and placement of specified asphalt courses throughout Palm Beach County; and

WHEREAS, the COUNTY wishes to increase the amount of the CONTRACT; and

WHEREAS, by this amendment, the CONTRACTOR and the COUNTY mutually agree to amend the CONTRACT.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the parties agree as follows:

- 1. The above recitations are true and correct and incorporated herein.
- 2. The CONTRACT, dated March 12, 2013, between the CONTRACTOR and the COUNTY is hereby amended as follows:
 - A) The Contract (Page C-1) is amended to increase the amount of the Contract to \$14,110,000.
- 3. The Contract amount was previously increased via the First Amendment dated September 9, 2014 (R2014-1260 & R2014-1261) and increased the amount of the Contract to \$12,110,000.
- 4. It is the intent of the parties hereto that this Amendment shall not become binding until the date executed by the COUNTY.
- 5. All other provisions of the Annual Asphalt Milling and Resurfacing Contract dated March 12, 2013, shall remain in full force and effect.

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F-IRNANWAYIPRNIECT FILESI 2013/052-Annual Ashhalti Ammendmentsi SecondAmendment 2013/052 Community doc

sealed this day of	
ATTEST: SHARON R. BOCK Clerk and Comptroller	PALM BEACH COUNTY, a Political Subdivision of the State of Florida Board of County Commissioners
By: Deputy Clerk	By: Shelley Vana, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
By: County Attorney	By: Dmelo a. Frank Engineering
ATTEST:	COMMUNITY ASPHALT CORP. Contractor
Secretary of Asst. Secretary	By: Signature)
(Seal)	Paul Swellentrop, Vice President (Print Name and Title)

SECOND AMENDMENT TO THE ANNUAL ASPHALT MILLING AND RESURFACING CONTRACT NO. 2013052 DATED MARCH 12, 2013, BY AND BETWEEN RANGER CONSTRUCTION INDUSTRIES, INC., AND PALM BEACH COUNTY

THIS SECOND AMENDMENT to the Annual Asphalt Milling and Resurfacing Contract dated March 12, 2013, (R2013-0236), hereinafter "CONTRACT" by and between Ranger Construction Industries, Inc., hereinafter "CONTRACTOR" and the Board of County Commissioners of Palm Beach County, a political subdivision of the state of Florida, hereinafter, "COUNTY".

WITNESSETH

WHEREAS, on March 12, 2013, the CONTRACTOR and COUNTY entered into an Annual Asphalt Milling and Resurfacing Contract for milling and disposal of existing asphalt pavement, maintenance of traffic, cleaning of surfaces for finish applications, and furnishing, hauling, and placement of specified asphalt courses throughout Palm Beach County; and

WHEREAS, the COUNTY wishes to increase the amount of the CONTRACT; and

WHEREAS, by this amendment, the CONTRACTOR and the COUNTY mutually agree to amend the CONTRACT.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the parties agree as follows:

- 1. The above recitations are true and correct and incorporated herein.
- 2. The CONTRACT, dated March 12, 2013, between the CONTRACTOR and the COUNTY is hereby amended as follows:
 - A) The Contract (Page C-1) is amended to increase the amount of the Contract to \$14,110,000.
- 3. The Contract amount was previously increased via the First Amendment dated September 9, 2014 (R2014-1260 & R2014-1261) and increased the amount of the Contract to \$12,110,000.
- 4. It is the intent of the parties hereto that this Amendment shall not become binding until the date executed by the COUNTY.
- 5. All other provisions of the Annual Asphalt Milling and Resurfacing Contract dated March 12, 2013, shall remain in full force and effect.

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F: |ROADWAY|PROJECT FILES|2013052-Annual Asphalt|Ammendments|SecondAmendment_2013052_Ranger.doc

IN WITNESS WHEREOF, the parties have of sealed this day of	caused this Amendment to be executed and, 2015.
ATTEST: SHARON R. BOCK Clerk and Comptroller	PALM BEACH COUNTY, a Political Subdivision of the State of Florida Board of County Commissioners
By: Deputy Clerk	By: Shelley Vana, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
By: County Attorney	By: Domelis at round
ATTEST:	RANGER CONSTRUCTION INDUSTRIES, INC. Contractor
By: Jamps Maring Secretary or Asst. Secretary	By:(Signature)
(Seal)	Ponch S. Frank Vice President (Print Name and Title)