

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

**Meeting Date:** June 2, 2015

(X) Consent                      ( ) Regular  
( ) Workshop                    ( ) Public Hearing

**Department:**

**Submitted By:** Environmental Resources Management

**Submitted For:** Environmental Resources Management

**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to: Receive and File:**

**A)** Amendment No. 3 to the Contract for Design, Fabrication, and Delivery of the Bryant Park Sculptural Living Shoreline Mangrove Planter (R2014-0154) with Michael Singer, Inc. (MSI) amends Article 2 of the Contract's expiration date from March 31, 2015 to May 31, 2015. Replaces Exhibit B (Schedule of Payments) with Exhibit B-4 Schedules of Payments. All other provision of the Contract shall remain in full force and effect.

**B)** Amendment No. 2 to Grant No. 13-4100-7090 (R2014-0153) with the National Endowment for the Arts (NEA) extends the time period of support from March 31, 2015 to September 30, 2015. All other provisions of the grant remain in effect.

**Summary:**

On February 4, 2014, the Board of County Commissioners approved the Professional Services Contract with MSI (2014-0154) for the design of a large-scale public art installation by environmental artist/designer Michael Singer. Delegation of authority to execute all forms associated with the Michael Singer, Inc Contract was approved at that time. District 7 (SF)

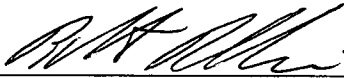
On February 4, 2014, the Board of County Commissioners approved the National Endowment for the Arts (NEA) Grant No. 13-4100-7090 (R2014-0153) supporting the design of a large-scale public art installation by environmental artist/designer Michael Singer. Delegation of authority to execute all forms associated with the NEA Grant Award was approved at that time. District 7 (SF)

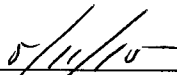
**Background and Justification:** N/A

**Attachments:**

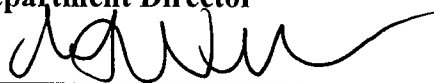
1. Amendment No. 3 to Contract with MSI
2. Delegations of Authority
3. Amehdment No. 2 to NEA Grant
4. Delegation of Authority

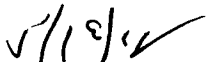
**Recommended by:**

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

  
\_\_\_\_\_  
**Date**

**Approved by:**

  
\_\_\_\_\_  
**County Administrator**

  
\_\_\_\_\_  
**Date**

## II. FISCAL IMPACT ANALYSIS

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

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

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_

Budget Account No.: Fund \_\_\_\_ Department \_\_\_\_ Unit \_\_\_\_ Object: \_\_\_\_

Program \_\_\_\_\_

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

No Fiscal Impact

### C. Department Fiscal Review:

*S. Neary*

## III. REVIEW COMMENTS

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

*S. Neary*  
OFMB 5/12/15  
AK 5/12/15

*Dr. J. Jacobson*  
Contract Development and Control  
5-18-15  
*Wheeler* 5/18/15

### B. Legal Sufficiency:

*[Signature]*  
Assistant County Attorney

### C. Other Department Review:

Department Director

**AMENDMENT NO. 3 TO THE CONTRACT FOR DESIGN, FABRICATION,  
AND DELIVERY OF THE BRYANT PARK SCULPTURAL LIVING  
SHORELINE MANGROVE PLANTER**

THIS AMENDMENT No. 3 to the Design, Fabrication, and Delivery of the Bryant Park Sculptural Living Shoreline Mangrove Planter Contract dated February 04, 2014 is made and entered into on this 25<sup>th</sup> day of March, 2015 by and between Michael Singer Inc., a corporation (hereinafter "CONSULTANT") and the Board of County Commissioners of Palm Beach County, a political subdivision of the State of Florida (hereinafter "COUNTY").

**W I T N E S E T H**

WHEREAS, on February 04, 2014, the CONSULTANT and COUNTY entered into a CONTRACT (R2014-0154) at a not-to-exceed amount of \$47,500 (hereinafter "CONTRACT PRICE"), to provide professional/consultation services to design, prototype, fabricate, and deliver the sculptural living shoreline planter elements of the Bryant Park Living Shoreline project; and

WHEREAS, the CONTRACT was amended on July 22, 2014 (R2014-1059) to increase the CONTRACT PRICE to a not-to-exceed amount of \$66,500; and

WHEREAS, the CONTRACT was amended on November 18, 2014 (R2014-1769) to extend the CONTRACT expiration date to March 31, 2015; and

WHEREAS, the additional time is needed to fabricate and deliver the sculptural living shoreline planter elements due to the limited availability of required construction materials; and

WHEREAS, by this AMENDMENT, the CONSULTANT and the COUNTY

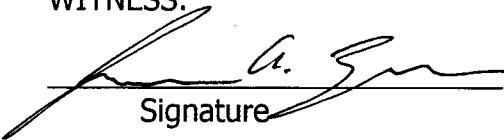
**IN WITNESS WHEREOF**, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Contract on behalf of the COUNTY and CONSULTANT has hereunto set its hand the day and year above written.

ATTEST:

PALM BEACH COUNTY:

By   
Robert Robbins, Director  
Department of Environmental Resources Management

WITNESS:

  
Signature

Jason Bragman  
Name (type or print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (type or print)

CONSULTANT:

Michael Singer Inc.  
Company Name

  
Signature

Michael Singer  
Typed Name

President  
Title

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By   
Assistant County Attorney

**SCHEDULE OF PAYMENTS**

The Scope of Work to be completed by CONSULTANT as defined in Exhibit "A" consists of specific completion phases which shall be clearly identified on a phase-by-phase basis upon submission to the COUNTY of certain "deliverables" as expressly indicated below. Compensation for the work tasks stated herein shall be in accordance with the following Schedule of Payments:

**PHASE 1 - Completed**

Task(s) to be Completed: Design for the *Living Shoreline* planter

Completion Time: Mid-April, 2014

Compensation for Phase 1: \$8,500.00

Deliverable(s) Required:

- Conceptual 3D Model Studies
- Meeting to review conceptual models
- Final conceptual design and cost estimate
- Meeting to approve final concept, cost estimate, and size of project

**PHASE 2-Completed**

Task(s) to be Completed: Design Package and Shop Drawings for *Living Shoreline* planter

Completion Time: Mid-October, 2014

Compensation for Phase 2: \$20,000.00

Deliverable(s) Required:

- Design Package
- Supplier List
- Shop Drawings

**PHASE 3 - Ongoing**

Task(s) to be Completed: Fabricate the *Living Shoreline* Sculptural Elements

Completion Time: Mid-October 2014 through Mid- April 2015

Compensation for Phase 3: \$22,300.00

Deliverable(s) Required:

- Fabrication of sculptural elements

**PHASE 4 - Ongoing**

Task(s) to be Completed: Deliver the *Living Shoreline* Sculptural Elements

Completion Time: May 2015

Compensation for Phase 4: \$15,000.00

Deliverable(s) Required:

- Delivery of sculptural elements

**PHASE 5 - Ongoing**

Task(s) to be Completed: Assist with *Living Shoreline* Descriptive Report

Completion Time: May 31, 2015

Compensation for Phase 5: \$700.00

Deliverable(s) Required:

- Text and image support for descriptive report



FEB 21 2014

INTEROFFICE MEMORANDUM  
Palm Beach County  
Environmental Resources Management

DATE: February 20, 2014

TO: Robert Weisman  
County Administrator

FROM: *RR* Robert Robbins, Director  
Environmental Resources Management

SUBJECT: REQUEST FOR DELEGATION OF APPROVAL AUTHORITY:  
Documents associated with National Endowment for the Arts  
(NEA) Grant 13-4100-7090 and the Michael Singer, Inc (MSI)  
Contract.

On February 4, 2013 agenda item 3L1 the County Commission approved the County Administrator or his designee to sign all future time extensions, certifications, and other forms associated with the NEA Grant Award # 13-4100-7090 and Michael Singer, Inc. Contract that do not change the scope of work or terms and conditions.

This memorandum is my formal request for delegation of signatory authority for the Director or Deputy Director of Environmental Resources Management (ERM) to sign any necessary amendments for the above mentioned Agreement. If you agree, please sign below and return this memorandum. I am available to answer any questions you may have concerning this request. Thank you in advance for your consideration.

APPROVED: *[Signature]*

Robert Weisman, County Administrator

DATE: 2/24/14

RR:mc  
Attachment



March 12, 2015

Mr. Robert Robbins  
Palm Beach County Board of County Commissioners  
2300 North Jog Rd, 4th Floor  
West Palm Beach, FL 33411

Re: Grant Number 13-4100-7090

Dear Mr. Robbins:

An amendment request for the above-referenced grant has been reviewed by National Endowment for the Arts staff. The following changes to the grant are approved:

Time: The period of support is extended to September 30, 2015.

All other provisions of the grant remain in effect.

To obtain online information about any of your grants, please go to [www.arts.gov/mygrant](http://www.arts.gov/mygrant).

Sincerely,

Nicki Jacobs  
Director, Grants & Contracts Office

Ref: 3/5/15 e-mail correspondence, J. Bregman to M. Kowalik.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY   
County Attorney

  
Robert Robbins,  
Director

Amendment # 2.



ATTACHMENT 4

FEB 21 2014

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**Palm Beach County**  
**Environmental Resources Management**

**DATE:** February 20, 2014

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County Administrator

**FROM:** *MR* Robert Robbins, Director  
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**APPROVED:**

*[Signature]*  
Robert Weisman, County Administrator

**DATE:** 2/24/14

RR:mc  
Attachment