

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: July 7, 2015 [X] Consent [] Regular
[] Workshop [] Public Hearing

Department:
Submitted By: Engineering & Public Works
Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve the first amendment to the traffic signal design annual contracts with:

- A) McMahon Associates, Inc. Transportation Engineers (McMahon), R2014-1120, whose original contract was dated August 19, 2014; and
- B) Simmons & White, Inc. (S&W), R2014-1121, whose original contract was dated August 19, 2014.

SUMMARY: Approval of these first amendments to the traffic signal design annual contracts will extend the required professional services for one year, on a task order basis, from August 18, 2015 to August 18, 2016. These amendments are the first renewals of two possible one year renewals contemplated in the original contracts. To date, one task in the amount of \$102,499.11 has been authorized for McMahon with 42.58% Small Business Enterprise (SBE) participation which exceeds their commitment of 20%. To date, no tasks have been authorized for S&W. The consultants are both Palm Beach County companies. S&W is certified as an SBE.

Countywide (MRE)

Background and Justification: In accordance with Board of County Commissioners adopted procedures pursuant to Florida Statutes 287.055 Consultants Competitive Negotiations Act, these consultants were selected to perform professional services relative to Palm Beach County (County) needs, and are presently under contract with the County, on an annual contractual basis. It is the consensus of the user departments that these consultants have, within the provisions of their contracts, provided the professional services requested by the County. Since the consultants remain in good standing and wish to continue to provide the professional services as indicated in their contracts, the County agrees to renew their contracts for one year.

These first amendments to the contracts have been reviewed with McMahon and S&W, and staff recommends the first renewal of the attached consultant annual contracts. This transaction will maintain the continuous process of professional services required by the County.

Attachments:

- 1. First Amendment Contract with McMahon
- 2. First Amendment Contract with S&W

Recommended By: *Daniel A. Fernandez* 5/20/15 *[Signature]*
 Division Director Date

Approved By: *A. T. Webb* 6/3/15
 County Engineer Date

**FIRST AMENDMENT TO THE ANNUAL TRAFFIC SIGNAL DESIGN
CONTRACT NO. R2014-1120
DATED AUGUST 19, 2014, BY AND BETWEEN
McMAHON ASSOCIATES, INC. TRANSPORTATION ENGINEERS
AND PALM BEACH COUNTY**

THIS FIRST AMENDMENT to the Annual Traffic Signal Design Contract dated August 19, 2014, (R2014-1120), hereinafter "CONTRACT" by and between McMahon Associates, Inc. Transportation Engineers, hereinafter "CONSULTANT" and the Board of County Commissioners of Palm Beach County, a political subdivision of the state of Florida, hereinafter, "COUNTY".

WITNESSETH

WHEREAS, on August 19, 2014, the CONSULTANT and COUNTY entered into a twelve month Annual Traffic Signal Design Contract for engineering services and other related tasks throughout Palm Beach County; and

WHEREAS, the CONTRACT provides that the contract may be extended, at the COUNTY's option for a defined period of time, not to exceed thirty-six months total contract time, upon approval of the Board of County Commissioners; and

WHEREAS, this is the first of the two allowable one (1) year term CONTRACT extensions per section 4.1; and

WHEREAS, by this amendment, the CONSULTANT and the COUNTY mutually agree to amend the CONTRACT terms to extend the expiration date of the CONTRACT from August 18, 2015 to August 18, 2016, with all original terms, conditions and unit prices adhered to.

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 August 19, 2014, between the CONSULTANT and the COUNTY is hereby amended to extend the expiration date of the CONTRACT from August 18, 2015 to August 18, 2016.
3. It is the intent of the parties hereto that this Amendment shall not become binding until the date executed by the COUNTY.
4. All other provisions of the Annual Traffic Signal Design Contract dated August 19, 2014, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed and sealed this _____ day of _____, 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

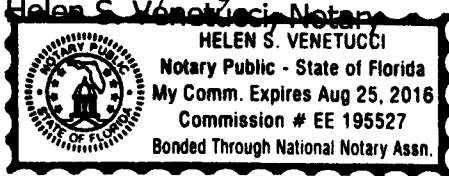
By: *Donna A. Fernandez*
Engineering

ATTEST:

McMahon Associates, Inc.
Transportation Engineers
Consultant

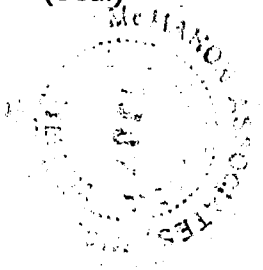
By: *Helen S. Venetucci*
Helen S. Venetucci, Notary

By: *[Signature]*
(Signature)



John S. DePalma, Principal/Vice President
(Print Name and Title)

(Seal)



**FIRST AMENDMENT TO THE ANNUAL TRAFFIC SIGNAL DESIGN
CONTRACT NO. R2014-1121
DATED AUGUST 19, 2014, BY AND BETWEEN
SIMMONS & WHITE, INC. AND PALM BEACH COUNTY**

THIS FIRST AMENDMENT to the Annual Traffic Signal Design Contract dated August 19, 2014, (R2014-1121), hereinafter "CONTRACT" by and between Simmons & White, Inc., 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 S E T H

WHEREAS, on August 19, 2014, the CONSULTANT and COUNTY entered into a twelve month Annual Traffic Signal Design Contract for engineering services and other related tasks throughout Palm Beach County; and

WHEREAS, the CONTRACT provides that the contract may be extended, at the COUNTY's option for a defined period of time, not to exceed thirty-six months total contract time, upon approval of the Board of County Commissioners; and

WHEREAS, this is the first of the two allowable one (1) year term CONTRACT extensions per section 4.1; and

WHEREAS, by this amendment, the CONSULTANT and the COUNTY mutually agree to amend the CONTRACT terms to extend the expiration date of the CONTRACT from August 18, 2015 to August 18, 2016, with all original terms, conditions and unit prices adhered to.

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 August 19, 2014, between the CONSULTANT and the COUNTY is hereby amended to extend the expiration date of the CONTRACT from August 18, 2015 to August 18, 2016.
3. It is the intent of the parties hereto that this Amendment shall not become binding until the date executed by the COUNTY.
4. All other provisions of the Annual Traffic Signal Design Contract dated August 19, 2014, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed and sealed this _____ day of _____, 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

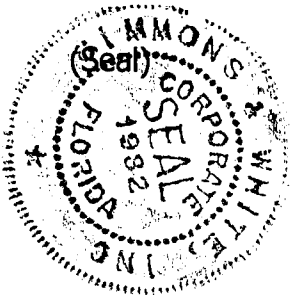
By: *[Signature]*
Engineering

ATTEST:

Simmons & White, Inc.
Consultant

By: *[Signature]*
Secretary or Asst. Secretary

By: *[Signature]*
(Signature)



Robert F. Rennebaum, P.E., President
(Print Name and Title)