

Agenda Item is over 50 pages; may be
viewed in the Minutes Department

Agenda Item #: 3-C-5

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: August 16, 2016

☒ **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:

- A) a contract with R & D Paving, LLC (R&D) in the amount of \$454,770.85 for the construction of paving and drainage improvements for Penny Lane, Melaleuca Lane to the dead end (Project); and
- B) Change Order No. 1 to deduct the amount of \$92,451.90 from the contract with R&D for the construction of the Project.

SUMMARY: Approval of the construction contract will allow Palm Beach County (County) to issue a notice to proceed to R&D, a Palm Beach County based company, to construct the Project, which includes roadway pavement, driveway reconstruction and a new stormwater system. The County's Small Business Enterprise (SBE) goal for all projects is 15% overall. The SBE participation proposed for the Project by R&D is 27.39%. Approval of Change Order No. 1 will delete pavement components not required for construction from the contract.

District 3 (MRE)

Background and Justification: On April 16, 2013 the Board of County Commissioners (Board) approved a request from the Office of Community Revitalization (OCR) for funds totaling \$180,900 from the Countywide Community Revitalization Team (CCRT) reserve funding account, and an additional allocation of \$32,500 from the Municipal Service Taxing Unit (MSTU) account for the Project. On July 12, 2016, the Board adopted a resolution allowing the County to assess a fixed amount of \$25 per abutting footage to all benefitting property owners along the Project and approved a budget transfer from OCR in the amount of \$360,000, and a budget transfer of \$32,500 from the Unincorporated Improvement Fund Reserve to cover the full project costs.

Bids for the Project were received by the Engineering Department on January 19, 2016. R&D was the lowest responsive, responsible bidder. The Office of Small Business Assistance issued its evaluation on February 17, 2016. Time to complete all work under this contract shall be no more than 180 calendar days.

After the bidding process was complete, the County determined certain pavement components were not required for construction and will be deleted via Change Order No. 1.

Attachments:

- | | |
|-------------------------------|--|
| 1. Location Sketch | 5. Bid Tabulation |
| 2. Contracts | 6. Change Order No. 1 |
| 3. Contract Pages C-1 and C-2 | 7. Letter from R&D dated June 7, 2016 |
| 4. SBE Evaluation Letter | 8. Agreement with Palm Beach County Water Utilities dated March 11, 2016 |

Recommended by:

[Signature]
Department Director

7/18/16
Date

Approved By:

[Signature]
Assistant County Administrator

8/9/16
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	<u>\$453,435</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>\$453,435</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes X No

Budget Account No:

Fund 3511	Dept 366	Unit X169	Object 6551	\$ 28,924.00
Fund 3900	Dept 366	Unit X169	Object 6551	\$411,017.95
Fund 3900	Dept 366	Unit X169	Object 6555	\$ 3,000.00
Fund 4001	Dept 720	Unit 2521	Object 4615	\$ 10,493.00

Recommended Sources of Funds/Summary of Fiscal Impact:

Unincorporated Improvement Fund
Capital Outlay Fund
Penny Lane Paving & Drainage Improvements
WUD Operation and Maintenance
Line Crews North


Construction Contract	\$454,770.85
Change Order #1	(\$ 92,451.90)
Contract Total	<u>\$362,318.95</u>
Contingency	\$ 18,116.00
Traffic Signing & Striping	\$ 2,000.00
Staff Costs -	
Roadway Production	\$ 20,000.00
Construction Coordination	\$ 50,000.00
Traffic	<u>\$ 1,000.00</u>
Total Project Costs	\$453,434.95
Less Water Utilities	(\$ 10,493.00)
Fiscal Impact	<u>\$442,941.95</u>

Project funding is contingent on the approval of a budget transfer for \$360,000 from OCR and a budget transfer of \$32,500 from Unincorporated Fund Reserves by the Board of County Commissioners on July 12, 2016.

C. Departmental Fiscal Review: .

III. REVIEW COMMENTS

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

 7/25/14
 AND 7/25/14 OFMB

Joe J. [Signature]
Contract Dev. and Control
8/4/16 [Signature]

B. Approved as to Form and Legal Sufficiency:

Monica R. Little 8/9/14
Assistant County Attorney

C. Other Department Review:

Department Director

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

PROJECT LOCATION

Penny Lane, Melaleuca Lane to the Dead End
Project No. 2013131



LOCATION SKETCH

CONTRACT

STATE OF FLORIDA)

) SS

COUNTY OF PALM BEACH)

This Contract, made this ____ day of _____, A.D. 2016, by and between PALM BEACH COUNTY, a Political Subdivision of the State of Florida, (hereinafter "County"), and R & D Paving, LLC of West Palm Beach, Florida, and their heirs, executors, administrators and assigns, (hereinafter "Contractor"):

WITNESSETH: The Contractor agrees with the County, for the consideration herein mentioned at their own proper cost and expense to do all the work and furnish all necessary labor, materials, equipment, machinery, tools, apparatus, services, state workmen's compensation and unemployment compensation taxes incurred in the performance of the contract, and means of transportation for the complete construction of:

PROJECT NAME: PENNY LANE, MELALEUCA LANE TO DEAD END

PROJECT NO.: 2013131

IN THE AMOUNT OF:

FOUR HUNDRED FIFTY FOUR THOUSAND SEVEN HUNDRED SEVENTY DOLLARS 85/100
(IN WORDS)

\$454,770.85
(IN FIGURES)

in Palm Beach County, Florida, in the manner and to the full extent as set forth in the Contract Documents therefore and the Contract Documents relative thereto, are made a part of this Agreement as completely as if set forth herein, to the satisfaction of the County, or its duly authorized representative.

The Contractor further agrees for the consideration herein mentioned to commence the work with adequate forces and equipment within fourteen (14) calendar days of the date set forth in the "Notice to Proceed". The time limit for the completion of all work under this contract shall be (180) calendar days, (see Special Provisions). The date fixing this period upon the calendar shall be established and stated in the "Notice to Proceed". After commencement of the work, it shall be properly dispatched toward completion, to the satisfaction of the Engineer, and shall be fully completed within the time limit. It is understood and agreed that the time limit for completion of said work is the essence of the contract and should the Contractor fail to complete the work within the time limit, it is agreed that for such calendar day that any work provided for in these Contract Documents shall remain incomplete after the time limit has expired, including any official extension of the time limit; the sum per day given in the contained schedules shall be deducted from monies due the Contractor, not as a penalty, but as liquidated damages (in accordance with Section 8-10.2 of the Standard Specifications) and added expense for supervision.

The Contractor shall take into account all contingent work which has to be done by other parties arising from any cause whatsoever, and shall not plead his want of knowledge of such contingent work as an excuse for delay in his work, or for its non-performance.

IN WITNESS WHEREOF, the parties have caused this Contract to be executed and sealed the day and year first written above.

ATTEST:

SHARON R. BOCK,
Clerk & Comptroller

PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the
State of Florida

BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Mary Lou Berger, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(witness signature)
Yanitzza I Maldonado
(witness name printed)

(witness signature)
Matthew M. Donnell
(witness name printed)

* _____
APPROVED AS TO TERMS
AND CONDITIONS

R+D Paving LLC
(Corporate Name)
a Florida corporation
(insert state of incorporation)
By _____
(signature)
Nancy G. Rosso
(print signatory's name)
Its Owner
(print title)

(date)

(Corporate Seal)





Office of
Small Business Assistance
50 South Military Trail, Suite 202
West Palm Beach, FL 33415
(561) 616-6840
Fax: (561) 616-6850
www.pbcgov.com/osba



Palm Beach County
Board of County
Commissioners

Mary Lou Berger, Mayor
Hal R. Valeche, Vice Mayor

Paulette Burdick
Shelley Vana
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

County Administrator
Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"



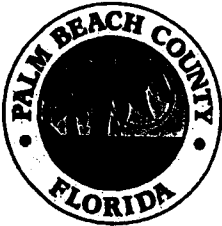
DATE: February 17, 2016
TO: Holly B. Knight, P.E., Contracts Section
Manager - Roadway Production Division
Through: Allen Gray, Manager - Office of Small
Business Assistance *AG*
FROM: Tanoy Williams, Small Business Development
Specialist II *TW*
SUBJECT: Compliance Review on Project No. 2013131
Penny Lane, Melaleuca Lane to Dead End

The following is Compliance Review of SBE
participation on the above-mentioned project. (Amount
- less contingency)

LOW BIDDER:	R & D PAVING, LLC
	1116 N. Lakeside Drive
	Lake Worth, FL 33460
Phone:	561-588-6681
Bid Opening:	01-09-2016
Bid Amount:	\$348,932.85
Goal:	15% Overall
Goal Achieved:	27.39%

SBE Participation:

¹ (WB) R & D PAVING	\$95,589.00	27.39%
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2ND LOW BIDDER:

J. W. CHEATHAM

7396 WESTPORT PLACE

WEST PALM BEACH, FL 33413

Phone:

561-471-4100

Bid Amount:

\$645,798.55

Goal:

15% Overall

Goal Achieved:

24.94%

SBE Participation:

(SB) DS Eakins

\$161,065.92

24.94%

EVALUATION

The low bidder, **R & D PAVING, LLC**
has met the SBE goal for this project.

cc: Helene Hvizd, Assistant County Attorney
File

¹ The vendor only received credit for line items 1,2,5,6, and 7.

I deducted line items 18-20 and 23-24 because they included services the vendor is not SBE certified to perform and included contingency items.

I also deducted line items 8-17 and 25-29 because I could calculate (+ or - 10%) as represented on the Schedule 2. Additionally, those line items included services the vendor is not SBE certified to perform and included contingency items.

PENNY LANE, MELALEUCA LANE TO DEAD END
PBC PROJECT #2013131

ATTACHMENT 5
PAGE 1 OF 2

				ENGINEERS ESTIMATE	BID AVERAGE	R & D Paving, LLC		J.W. Cheatham, LLC	
ITEM #	DESCRIPTION	QTY	UNIT	UNIT PRICE	UNIT PRICE	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
ROADWAY REGULAR ITEMS									
1	MOBILIZATION	1	LS	\$14,280.13	\$ 43,200.00	\$ 42,200.00	\$ 42,200.00	\$ 44,200.00	\$ 44,200.00
2	MAINTENANCE OF TRAFFIC (INCL. PEDESTRIAN M.O.T.)	1	LS	\$14,280.13	\$ 33,636.00	\$ 8,272.00	\$ 8,272.00	\$ 59,000.00	\$ 59,000.00
3	CLEARING & GRUBBING	1	LS	\$18,800.00	\$ 69,587.50	\$ 19,000.00	\$ 19,000.00	\$ 120,175.00	\$ 120,175.00
4	REGULAR EXCAVATION	1,018	CY	\$11.07	\$ 28.83	\$ 19.65	\$ 20,003.70	\$ 38.00	\$ 38,684.00
5	EMBANKMENT (COMPACTED IN PLACE)	166	CY	\$14.61	\$ 33.63	\$ 29.25	\$ 4,855.50	\$ 38.00	\$ 6,308.00
6	OPTIONAL BASE GROUP 7 (INCL. ASPH. DRIVEWAYS)	1,959	SY	\$14.83	\$ 17.55	\$ 20.10	\$ 39,375.90	\$ 15.00	\$ 29,385.00
7	SUPERPAVE ASPHALT CONCRETE (TRAFFIC LEVEL C) (1.5") (INCL. ASPH. DRIVEWAYS)	156	TN	\$174.93	\$ 148.50	\$ 151.00	\$ 23,556.00	\$ 146.00	\$ 22,776.00
8	ASPH. CONCRETE FRICTION COURSE (1") (FC-9.5) RUBBER	144	TN	\$134.00	\$ 216.00	\$ 205.00	\$ 29,520.00	\$ 227.00	\$ 32,688.00
9	MILL EXISTING ASPHALT PAVEMENT (1.5" THICKNESS)	799	SY	\$25.42	\$ 13.08	\$ 8.15	\$ 6,511.85	\$ 18.00	\$ 14,382.00
10	CONC. SIDEWALK (6" THICK) (DRIVEWAYS) (INCL. TACTILE SURFACE)	642	SY	\$45.00	\$ 49.50	\$ 52.00	\$ 33,384.00	\$ 47.00	\$ 30,174.00
11	CONCRETE CURB & GUTTER (TYPE F)	130	LF	\$28.69	\$ 27.30	\$ 29.60	\$ 3,848.00	\$ 25.00	\$ 3,250.00
12	CONCRETE DROP CURB	40	LF	\$24.73	\$ 27.30	\$ 29.60	\$ 1,184.00	\$ 25.00	\$ 1,000.00
13	PIPE CULVERT, CONCRETE (18")	276	LF	\$40.00	\$ 61.43	\$ 78.85	\$ 21,762.60	\$ 44.00	\$ 12,144.00
14	PIPE CULVERT, CONCRETE (24")	462	LF	\$54.00	\$ 161.50	\$ 103.00	\$ 47,586.00	\$ 220.00	\$ 101,640.00
15	INLETS, DITCH BOTTOM, TYPE C	5	EA	\$2,986.35	\$ 3,380.00	\$ 3,240.00	\$ 16,200.00	\$ 3,520.00	\$ 17,600.00
16	MANHOLE TYPE (J-7) <10'	1	EA	\$5,729.79	\$ 17,010.00	\$ 9,720.00	\$ 9,720.00	\$ 24,300.00	\$ 24,300.00
17	MANHOLE TYPE (P-7) <10'	1	EA	\$3,475.57	\$ 3,776.00	\$ 3,672.00	\$ 3,672.00	\$ 3,880.00	\$ 3,880.00
18	SODDING	1,997	SY	\$3.50	\$ 3.53	\$ 3.90	\$ 7,788.30	\$ 3.15	\$ 6,290.55
SUBTOTAL ROADWAY							\$ 338,439.85		\$ 567,876.55
CONTINGENCY ITEMS									
19	FLOWABLE FILL	10	CY	\$262.83	\$ 200.00	\$ 200.00	\$ 2,000.00	\$ 200.00	\$ 2,000.00
20	SUBSOIL EXCAVATION (SEE SP'S)	500	CY	\$17.51	\$ 22.50	\$ 25.00	\$ 12,500.00	\$ 20.00	\$ 10,000.00
21	STORM SEWER CLEANING (EXIST.) (>24" TO 48") (SEE SP'S)	2161	LF	\$5.76	\$ 12.25	\$ 5.50	\$ 11,885.50	\$ 19.00	\$ 41,059.00
22	STORM SEWER CLEANING (EXIST.) (>48") (SEE SP'S)	895	LF	\$21.47	\$ 23.15	\$ 14.30	\$ 12,798.50	\$ 32.00	\$ 28,640.00
23	1 1/2" SP STRUCTURAL COURSE	156	TN	\$136.40	\$ 148.50	\$ 151.00	\$ 23,556.00	\$ 146.00	\$ 22,776.00
24	OPTIONAL BASE GROUP 8	1959	SY	\$15.79	\$ 19.50	\$ 22.00	\$ 43,098.00	\$ 17.00	\$ 33,303.00
SUBTOTAL CONTINGENCY							\$ 105,838.00		\$ 137,778.00
PBC WATER UTILITY ITEMS									
25	DEFLECT EX. 6" PVC WM UNDER DRAINAGE PIPE w/ DIP (45° bends incl. see details 18W & 19W)	1	EA	\$3,699.16	\$ 11,842.50	\$ 8,085.00	\$ 8,085.00	\$ 15,600.00	\$ 15,600.00
26	RESTRAIN 6" WM PER PBCWUD DETAIL 34W	60	LF	\$11.66	\$ 18.40	\$ 19.80	\$ 1,188.00	\$ 17.00	\$ 1,020.00
27	PROTECT & ADJUST EXISTING WATER VALVE TO FINAL GRADE	1	EA	\$300.00	\$ 416.00	\$ 420.00	\$ 420.00	\$ 412.00	\$ 412.00
28	BACT. TESTING OF WM AFTER DEFLECTION	1	EA	\$875.00	\$ 680.00	\$ 470.00	\$ 470.00	\$ 890.00	\$ 890.00
29	PBCWUD RECORD DRAWING (give top & bottom of pipes with state plane coordinates)	60	LF	\$1.50	\$ 502.75	\$ 5.50	\$ 330.00	\$ 1,000.00	\$ 60,000.00
SUBTOTAL WATER UTILITY							\$ 10,493.00		\$ 77,922.00
TOTAL BID AMOUNT						\$ 454,770.85		\$ 783,576.55	

PENNY LANE, MELALEUCA LANE TO DEAD END
PBC PROJECT #2013131

ATTACHMENT 5
PAGE 2 OF 2

THE ITEMS AND QUANTITIES SHOWN, SHALL GOVERN OVER THE PLANS.

PAY ITEM FOOTNOTES IN CONSTRUCTION PLANS SHALL ALSO BE INCLUDED IN ITEM UNIT PRICE.

ITEM FOOTNOTES:

MOT SHALL INCLUDE THE COST OF ANY TEMPORARY PAVEMENT, TEMPORARY CONCRETE BARRIERS, TEMPORARY WIRE FACED WALL, ETC., AS REQUIRED.

12" COMPACTED SUBGRADE IS INCIDENTAL TO THE PAY ITEM FOR BASEROCK AND/OR ASPHALT, AS REQUIRED.

SAW CUT & BUTT JOINT, AS REQUIRED. THE COST SHALL BE INCIDENTAL TO THE RELATED ASPHALT ITEM.

THE COSTS OF TRANSITION CURBS, FLARED END SECTIONS, STRAIGHT END SECTIONS AND SUBGRADE PREPARATION IS CONSIDERED INCIDENTAL TO CURB AND/OR GUTTER CONSTRUCTION.

PRIME AND TACK COATS ARE CONSIDERED INCIDENTAL TO ASPHALT CONSTRUCTION.

BERM CONSTRUCTION, SWALE CONSTRUCTION, RE-GRADING OF ROADWAYS, DRIVEWAYS, CANAL SECTIONS AND ALL OTHER ROUGH & FINISH EARTHWORK SHALL BE CONSIDERED INCIDENTAL TO THE BID ITEMS "EXCAVATION" AND "EMBANKMENT".

ALL STRUCTURE BOXES ARE 10 FEET OR LESS IN DEPTH, UNLESS OTHERWISE NOTED.

THE COST OF BREAKING INTO EXISTING STRUCTURES IS INCIDENTAL TO COST OF PIPE.

EXCAVATION AND BACKFILL FOR STRUCTURES INCLUDING COST OF ANY SELECT BEDDING MATERIAL THAT MAY BE NECESSARY FOR A SATISFACTORY INSTALLATION AS DIRECTED BY PALM BEACH COUNTY IS CONSIDERED INCIDENTAL TO THE COST OF THE STRUCTURES.

CONTRACTOR IS RESPONSIBLE FOR "TRENCH SAFETY COMPLIANCE" IN ACCORDANCE WITH THE SPECIAL PROVISIONS

SODDING-SHALL BE IN ACCORDANCE WITH SECTION 575 OF THE GENERAL PROVISIONS OF THIS SPECIFICATION AND SHALL INCLUDE COSTS FOR FERTILIZER AND WATER UNTIL FINAL ACCEPTANCE.

CONTINGENCY ITEMS MAY BE INCREASED, DECREASED OR DELETED AS DIRECTED BY THE ENGINEER.

SUBSOIL EXCAVATION SHALL INCLUDE THE REMOVAL OF UNSUITABLE SOILS AT THE VICINITY OF THE PROJECT AREA.

PREMIUM FOR CONFLICT CONDITION INCLUDES COSTS OF REQUIRED STEEL CASING, AS DIRECTED BY THE ENGINEER.

ALL DEFLECTIONS OF EXISTING PVC WATER MAIN TO BE PER PBCWUD DETAIL 19W.

PBCWUD MW RECORD DRAWINGS TO SHOW GRADE ELEVATION, TOP OF PIPE ELEVATIONS AND STATE PLANE COORDINATES AT FITTINGS.

Working days to complete project: 180 calendar days, (See Special Provisions).

Bids as read at opening on Tuesday, January 19, 2016; 2:00 PM

All bids subject to OSBA SBE compliance and Board Approval.

Prepared by: Donna Lewis, Technical Assistant III

Checked by: Holly B. Knight, P.E., Contracts Section Manager

CHANGE ORDER

ORIGINAL

ATTACHMENT 6

- ☒ Owner Initiated
- ☐ Differing Site Conditions
- ☐ Zoning/Code/Ordinance Changes
- ☐ Errors/Omissions/In Design
- ☐ Quantity Overruns/Underruns
- ☐ Request By Another Agency/Outside Party
- ☐ A. Reimbursable ☐ B. Non-Reimbursable
- ☐ Other

PROJECT: PENNY LANE
MELALEUCA LANE TO DEAD END

TO: R&D PAVING

CHANGE ORDER NO: 1 (one)
COUNTY PROJECT NO: 2013131
CONTRACT DATE: Pending
RESOLUTION NO: Pending
DISTRICT NO: 3

You are directed to make the following changes in this Contract:

Delete:

Item No. 6	Optional Base Group 7 – SY	\$ (39,375.90)
Item No. 8	Asphalt Concrete Friction Course (1”) (FC 9.5) Rubber - TN	\$ (29,520.00)
Item No. 23	1 ½” SP Structural Course – TN	\$ (23,556.00)
TOTAL		\$ (92,451.90)

The original Contract sum was	\$454,770.85
Net change by previous Change Orders.	\$ -0-
The Contract Sum prior to this Change Order was	\$454,770.85
The Contract Sum will be decreased by this Change Order	\$ (92,451.90)
The new Contract Sum including this Change Order will be	\$362,318.95
The Contract Time will be unchanged by	(0) Days
The Date of Completion as of the date of this Change Order therefore is	Pending

EXECUTION OF THIS CHANGE ORDER ACKNOWLEDGES FINAL SETTLEMENT OF, AND RELEASES ALL CLAIMS FOR, COSTS AND TIME ASSOCIATED, DIRECTLY OR INDIRECTLY, WITH THE ABOVE-STATED MODIFICATION(S), INCLUDING ALL CLAIMS FOR CUMULATIVE DELAYS OR DISRUPTIONS RESULTING FROM, CAUSED BY, OR INCIDENT TO, SUCH MODIFICATION(S), AND INCLUDING ANY CLAIM THAT THE ABOVE-STATED MODIFICATION(S) CONSTITUTES, IN WHOLE OR PART, A CARDINAL CHANGE TO THE CONTRACT.

ENGINEER (If Applicable)

Address

BY

DATE

ATTEST: Sharon R. Bock,
Clerk & Comptroller

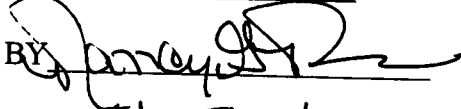
R&D Paving, LLC

CONTRACTOR

1116 N. Lakeside Dr

Address

Lake Worth, Florida 33460

BY 

DATE 6-7-16

P.B.Co. Board of Co. Commissioner

OWNER

P. O. Box 21229

Address

West Palm Beach, FL 33416-1229

BY

DATE

Approved as to Form and Legal Sufficiency:

(Deputy Clerk) Date

(County Attorney)



ATTACHMENT 7

June 7, 2016

VIA E-MAIL AND US MAIL

**Department of Engineering
and Public Works**

P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

**Palm Beach County
Board of County
Commissioners**

Mary Lou Berger, Mayor
Hal R. Valeche, Vice Mayor
Paulette Burdick
Shelley Vana
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

printed on recycled paper

R&D Paving, LLC
1116 North Lakeside Drive
Lake Worth, Florida 33460
ATTN: NANCY G. ROSSO - OWNER

**RE: PENNY LANE, MELALEUCA LANE TO THE DEAD END CONTRACT
PALM BEACH COUNTY PROJECT NO. 2013131**

Dear Ms. Rosso:

By way of this letter, we are requesting (by mutual consent) an extension of the one hundred eighty (180) day time limit regarding the award of the above referenced project to two hundred forty (240) days.

The award of this contract has taken longer than anticipated. Nevertheless, in consideration of Palm Beach County's anticipated award of the contract on or before August 16, 2016, R&D Paving, LLC reconfirms its offer to perform the contract using the same unit prices, for the bid amount, and within the time set forth in the contract documents. By signing below, R&D Paving LLC agrees that its ability to perform this contract for the contract amount and on schedule has not been, and will not be, impacted if the contract is awarded on or before August 16, 2016.

Please sign and date below agreeing to the above and return to our office within five (5) working days.

Thank you for your cooperation.

Sincerely,

Omelio A. Fernandez, P.E., Director
Roadway Production Division

cc: Tanya N. McConnell, P.E., Deputy County Engineer
Marlene Everitt, Assistant County Attorney
Morton Rose, P.E., Assistant Director, Roadway Production Division
Kristine Frazell-Smith, P.E., Local Roads Section Manager
Holly Knight, P.E., Contracts Section Manager
Sandra M. Ospina, P.E., Project Engineer, Local Road Sections

I, NANCY G. ROSSO, agree to the above on this 7 day of
JUNE, 2016.

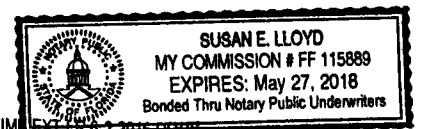
NANCY G ROSSO
Print Name

Signature/Title/Date

Owner

Susan E Lloyd 6/7/2016
Notary Signature/Date

SEAL:



PRODUCED DRIVERS LICENSE

N:\ROADWAY\LOCAL_ROADS_SECTION\IMSTU\PROJECTS\2013131 - PENNY LANE\CONTRACTOR TIM



**Department of Engineering
and Public Works**

P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Mary Lou Berger, Mayor
Hal R. Valeche, Vice Mayor
Paulette Burdick
Shelley Vana
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

County Administrator

Verdenia C. Baker

MAR 21 2016

March 11, 2016

Ms. Jackie Michels, P.E.
Palm Beach County Water Utilities Department
8100 Forest Hill Boulevard
West Palm Beach, FL 33413-3336

**RE: Agreement with Palm Beach County Water Utilities Department
For Funding of Utility Construction
Penny Ln. from Melaleuca Ln. to End
Palm Beach County Project No. 2013131**

Dear Ms. Michels:

The following letter of agreement is to confirm and document the understandings of our previous discussions regarding the above referenced project.

Water Utilities Department has agreed to jointly participate with Palm Beach County Engineering in the construction of Penny Ln. from Melaleuca Ln. to End, R & D Paving, LLC. was the lowest responsive, responsible bidder. The contract for \$454,770.85 is anticipated to be awarded by the Board of County Commissioners on May 3, 2016.

Specifically, the Water Utilities budget account noted on page 2 will reflect a total encumbrance of \$10,493.00 which is the summation of the utility construction costs as noted on Attachments A & B. During construction, Water Utilities account will be charged directly by Engineering based on approved pay applications affecting their account. When the project is completed and "As Built" quantities are established, a final settlement will be made by direct charge or credit by Engineering following specific approval by Water Utilities. *Please note that when the Water Utilities Department decides to complete any of the subject work with its own forces, this same work must be completed in a timely fashion that will not result in any delays to the contractor for the subject project.*



PAGE 2 PROJECT NO. 2013131 WUD

If the foregoing is acceptable, please indicate acceptance by signing below and returning the original to our office for processing.

Sincerely,

Omelio A. Fernandez
Omelio A. Fernandez, P.E., Director
Roadway Production Division

Tanya N. McConnell
Tanya N. McConnell, P.E., 3/14/16
Deputy County Engineer

Accepted and approved by Palm Beach County Water Utilities this

17th day of May, 2016.

Water Utilities account # 4001-720-2521-4615

By: J. Michels
(SIGNATURE)

Plan Review Mgr.
(TITLE)

As Authorized Representative for
Palm Beach County Water Utilities

JACKIE MICHELS, PE
(PRINTED NAME)

SR
OAF:DLY:SR:

Enclosure: Attachment "A" and "B"

- pc: Tanya N. McConnell, P.E., Deputy County Engineer
Marlene R. Everitt, Assistant County Attorney
Alice Kovalainen, Fiscal Manager - Administrative Services Division
Mark Tomlinson, Director, Construction Coordination Division
- cc: Omelio A. Fernandez, P.E., Director- Roadway Production Division
Morton Rose, P.E., Assistant Director - Roadway Production Division
David L. Young, P.E., Special Project Manager - Roadway Production Division
Kristine Frazell-Smith, P.E., Local Roads Section Manager-Rdwy. Production Division
Sandra Ospina, P.E., Project Manager - Roadway Production Division

File: Project # 2013131

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EXHIBIT "B"

Water Utilities Department

PROJECT NAME: Penny Ln. from Melaleuca Ln. to End

PROJECT NUMBER: 2013131

CONTRACTOR: R & D Paving, LLC.

ITEM	QUANTITY /UNITS	UNIT PRICE	AMOUNT
PBC WATER UTILITY ITEMS			
25 DEFLECT EX. 6" PVC WM UNDER DRAINAGE PIPE w/ DIP (45° bends incl. see details 18W & 19W)	1 EA	8,085.00	\$8,085.00
26 RESTRAIN 6" WM PER PBC WUD DETAIL 34W	60 LF	\$19.80	\$1,188.00
27 PROTECT & ADJUST EXISTING WATER VALVE TO FINAL GRADE	1 EA	\$420.00	\$420.00
28 BACT. TESTING OF WM AFTER DEFLECTION	1 EA	\$470.00	\$470.00
29 PBC WUD RECORD DRAWING (give top & bottom of pipes with state plane coordinates)	60 LF	\$5.50	\$330.00
TOTAL WATER UTILITY			\$10,493.00