

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

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<b>Meeting Date:</b> June 6, 2017	<input checked="" type="checkbox"/> <b>Consent</b>	<input type="checkbox"/> <b>Regular</b>
	<input type="checkbox"/> <b>Workshop</b>	<input type="checkbox"/> <b>Public Hearing</b>

**Department:** Engineering & Public Works  
**Submitted by:** Engineering & Public Works  
**Submitted for:** Roadway Production Division

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**I. EXECUTIVE BRIEF**

**Motion and Title:** **Staff recommends motion to approve:** a second amendment to the annual roadway pathway & minor construction contract R2016-0230, Project No. 2015055, dated March 1, 2016, with Wynn & Sons Environmental Construction Company, Inc. (Wynn & Sons) to increase the amount of the contract by \$3,500,000.

**SUMMARY:** Approval of this second amendment will increase Wynn & Sons' contract from \$7,365,000 to \$10,865,000. The increased contract amount is based on updated estimates that exceed the current contract amounts to be expended throughout Palm Beach County by the user departments. The increase is needed for miscellaneous minor roadway projects not anticipated in the original projections (these are generally smaller projects in nature that may need to be expedited) and additional work funded through the infrastructure sales tax for the Parks Department. To date, Wynn & Sons has performed \$5,492,073 in task orders. The Small Business Enterprise (SBE) goal for all contracts is 15%. Wynn & Sons committed to 95% and has achieved that to date for the Engineering related projects. Wynn and Sons is an SBE company and a Palm Beach County based company. Countywide (LBH)

**Background and Justification:** The contract provides services for roadway and pathway construction, and other minor construction projects, on an as needed basis. Wynn & Sons' remaining available funds from the contract's previous allocation are less than the projected need. The first amendment increased the contract amount from \$5,765,000 to \$7,365,000 and extended the expiration date to February 28, 2018. This second amendment will increase the spending limit of the contract from \$7,365,000 to \$10,865,000. The Engineering Department recommends increasing the contract by \$3,500,000.

**Attachments:**

1. Second Amendment to the Annual Roadway Pathway & Minor Construction (2)

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<b>Recommended by:</b> <u><i>S. T. Webb</i></u>	<u>5/18/17</u>
<b>Department Director</b>	<b>Date</b>

<b>Approved by:</b> <u><i>Paul Johnson</i></u>	<u>6/1/17</u>
<b>Assistant County Administrator</b>	<b>Date</b>

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	<u>\$3,500,000</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>\$3,500,000</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes  No

Budget Account No: Various  
Recommended Sources of Funds/Summary of Fiscal Impact:

	Prior Allocation	Encumbered/ Expended	New Allocation	Total Available
Airports	\$ 100,000	0	0	\$ 100,000
County Cooperative Ext Serv	\$ 5,000	0	0	\$ 5,000
Engineering	\$ 2,800,000	<2,797,931>	2,500,000	\$2,502,069
Environmental Resource Mgmt	\$ 80,000	<17,210>	0	\$ 62,790
Facilities Dev & Operations	\$ 50,000	<36,724>	0	\$ 13,276
Parks & Recreation	\$ 1,270,000	<1,155,638>	1,000,000	\$1,114,362
Water Utilities	\$ 3,060,000	<1,771,099>	0	\$1,288,901
Total	\$ 7,365,000	<5,778,602>	3,500,000	\$5,086,398

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: Alice Kovalevich

**III. REVIEW COMMENTS**

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

[Signature] 5/23/17  
OFMB ST 5/18

[Signature] 5/31/17  
Contract Dev. and Control  
5/31/17 RD

**B. Approved as to Form and Legal Sufficiency:**

[Signature]  
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 ROADWAY PATHWAY & MINOR  
CONSTRUCTION CONTRACT PROJECT NO. 2015055  
DATED MARCH 1, 2016, BY AND BETWEEN  
WYNN & SONS ENVIRONMENTAL CONSTRUCTION COMPANY, INC.  
AND PALM BEACH COUNTY**

THIS SECOND AMENDMENT to the Annual Roadway Pathway & Minor Construction Contract, dated March 1, 2016, (R2016-0230) hereinafter "CONTRACT" by and between Wynn & Sons Environmental Construction Company, Incorporated, hereinafter "CONTRACTOR" and 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 March 1, 2016 the CONTRACTOR and COUNTY entered into a CONTRACT for roadway pathway and minor construction projects and other related tasks throughout Palm Beach County; and

WHEREAS, the CONTRACT provides that it may be amended, at the COUNTY'S option, upon approval of the Board of County Commissioners; and

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, between the CONTRACTOR and the COUNTY is hereby amended to increase the amount by \$3,500,000, from \$7,365,000 to \$10,865,000.
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 CONTRACT dated March 1, 2016 (R2016-0230) and the First Amendment (R2017-0021), dated January 10, 2017, shall remain in full force and effect.

*Attachment 1*

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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: \_\_\_\_\_  
Paulette Burdick, Mayor

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

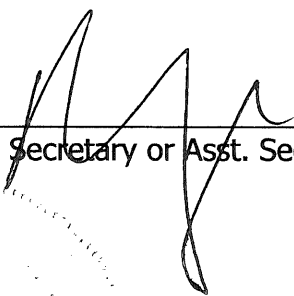
APPROVED AS TO TERMS  
AND CONDITIONS

By: \_\_\_\_\_  
County Attorney

By:   
Engineering

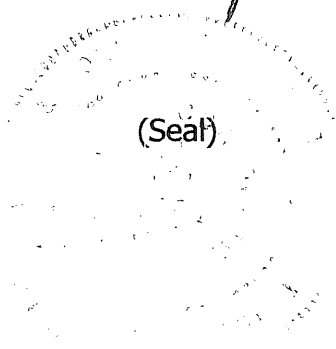
ATTEST:

Wynn & Sons Environmental  
Construction Company, Incorporated

By:   
Secretary or Asst. Secretary

By:   
(Signature)

DANIEL P. WYNN president  
(Print Name and Title)



(Seal)