

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

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| | | |
|---------------------------------------|---|---|
| Meeting Date: February 6, 2018 | <input checked="" type="checkbox"/> Consent | <input type="checkbox"/> Regular |
| | <input type="checkbox"/> Workshop | <input type="checkbox"/> Public Hearing |

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 landscaping contract R2016-0142, Project No. 2015054, dated February 9, 2016, with Arazoza Brothers, Corporation (Arazoza) to increase the amount of the contract by \$25,000 and to extend the expiration date from February 8, 2018 to February 8, 2019.

SUMMARY: Approval of this second amendment will increase Arazoza's contract from \$1,210,000 to \$1,235,000 and extend the expiration date from February 8, 2018 to February 8, 2019. The increased contract amount is based on estimated amounts for additional work required by Parks and Recreation. The Small Business Enterprise (SBE) goal for all contracts is 15%. Arazoza, the sole bidder, committed to 0% SBE participation. Arazoza has performed \$75,738.45 in task orders to date. This is the second of two allowable renewals for this contract. After this amendment, the contract will need to be rebid. Countywide (LBH)

Background and Justification: The contract consists of services for all labor, materials, equipment and incidentals required to prepare the landscape sites to final grade, install landscape trees, plants, sod and irrigation systems in accordance with plans and specifications by various County user department, on an as needed basis. The first amendment extended the expiration date of the contract from February 8, 2017 to February 8, 2018, but did not increase the amount of the contract, which was sufficient at the time for the projected second year. This second amendment will increase the contract amount from \$1,210,000 to \$1,235,000 and to extend the expiration date from February 8, 2018 to February 8, 2019. Arazoza's remaining available funds from the contract's original allocation are less than the projected need for the contract's third year allocation, therefore the contract amount needs to be increased.

Attachments:

1. Second Amendment to the Annual Landscaping Contract (2)

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Recommended by:   01/25/18

Department Director Date

Approved By:  1/25/18

Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2018 | 2019 | 2020 | 2021 | 2022 |
|---|------------------|------------|------------|------------|------------|
| Capital Expenditures | <u>\$ 25,000</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>\$ 25,000</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
 Does this item include the use of federal funds? Yes No

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

| | Prior Allocation | Encumbered/ Expended | New Allocation | Total Available |
|-----------------------------|------------------|----------------------|----------------|-----------------|
| Airports | \$ 50,000 | 0 | 0 | \$ 50,000 |
| County Cooperative Ext Serv | \$ 3,000 | 0 | 0 | \$ 3,000 |
| Engineering & Public Works | \$ 970,000 | < 3,700 > | 0 | \$ 966,300 |
| Environmental Resource Mgmt | \$ 50,000 | 0 | 0 | \$ 50,000 |
| Facilities Dev & Operations | \$ 30,000 | 0 | 0 | \$ 30,000 |
| Fire Rescue | \$ 2,000 | 0 | 0 | \$ 2,000 |
| Parks & Recreation | \$ 80,000 | <73,938 > | 25,000 | \$ 31,062 |
| Water Utilities | \$ 25,000 | 0 | 0 | \$ 25,000 |
| Total | \$1,210,000 | <77,638 > | 25,000 | \$1,157,362 |

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: Alicia Kovalainen

III. REVIEW COMMENTS

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

Joseph W. ... 1/18/18 J. S. ... 1/24/18
 OFMB Contract Dev. and Control
 1/17/18 1/24/18

B. Approved as to Form and Legal Sufficiency:

M. ...
 Assistant County Attorney
 1/25/18

C. Other Department Review:

 Department Director

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

**SECOND AMENDMENT TO THE ANNUAL ROADWAY LANDSCAPING CONTRACT
PROJECT NO. 2015054
DATED FEBRUARY 9, 2016, BY AND BETWEEN
ARAZOZA BROTHERS, CORPORATION AND PALM BEACH COUNTY**

THIS SECOND AMENDMENT to the Annual Landscaping Contract, dated February 9, 2016, (R2016-0142), hereinafter "CONTRACT" by and between Arazoza Brothers, Corporation, hereinafter "CONTRACTOR" and Palm Beach County, a political subdivision of the state of Florida, hereinafter, "COUNTY".

WITNESSETH

WHEREAS, on February 9, 2016, the CONTRACTOR and COUNTY entered into a CONTRACT for roadway landscaping 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.

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. It is the intent of the parties hereto that this Amendment shall not become binding until the date executed by the COUNTY.
3. The CONTRACT between the CONTRACTOR and the COUNTY is hereby amended to increase the amount by \$25,000, from \$1,210,000 to \$1,235,000.
4. The CONTRACT dated February 9, 2016, between the CONTRACTOR and the COUNTY, is hereby amended to extend the expiration date of the CONTRACT from FEBRUARY 8, 2018 to FEBRUARY 8, 2019.
5. The COUNTY requires the CONTRACTOR to track during the Project, and report at the end of the Project, on the county of residence of the CONTRACTOR'S employees and its subcontractors' employees. The CONTRACTOR agrees to prepare and provide the required report with its request for final payment.
6. Item 7 – Responsibilities After Contract Award (page SBE-3) shall include the following: Both SBE Schedule 1 (List of Proposed SBE and M/WBE Participation) and Schedule 2 (Letter of Intent to Perform as an SBE or M/WBE Subcontractor) shall be submitted with each task authorization.
7. All other provisions of the CONTRACT (R2016-0142) dated February 9, 2016, and the First Amendment (R2017-0023) dated January 10, 2017 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this second Amendment to be executed and sealed this _____ day of _____, 2018.

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: _____
Melissa McKinlay, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: _____
Yelizaveta B. Herman
Assistant County Attorney

By: _____
Omelio A. Fernandez, P.E.,
Director, Roadway Production

ATTEST:

ARAZOZA BROTHERS, CORPORATION

Contractor

By: _____
Secretary or Asst. Secretary

By: _____
(Signature)

(Seal)

(Print Name and Title)