

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: February 6, 2018 Consent Regular
 Workshop Public Hearing

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

I. EXECUTIVE BRIEF

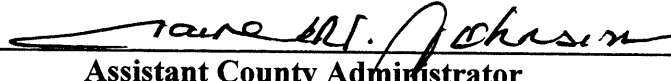
Motion and Title: Staff recommends motion to approve: a first amendment to the annual guardrail contract R2017-0233, Project No. 2017052, dated March 14, 2017, with Southeast Highway Guardrail and Attenuators, LLC (Southeast) to increase the amount of the contract by \$425,000 and to extend the expiration date from March 13, 2018 to March 13, 2019.

SUMMARY: Approval of this first amendment will increase Southeast’s contract amount from \$375,000 to \$800,000. This increase for \$425,000 is for the normal expected workload for the next 12 months. The original contract was increased from \$300,000 to \$375,000 by Change Order No. 1, which was approved on November 29, 2017 by the Contract Review Committee. This increase in the contract amount is based on the estimated additional amount to be expended for guardrail maintenance and replacement throughout Palm Beach County by the user departments. Southeast is a Palm Beach County based company. The Small Business enterprise (SBE) goal for all contracts is 15%. Southeast, the sole responsive bidder committed to 0% SBE participation. Southeast has performed \$251,942.16 in task orders to date. This is the first of two allowable renewals under this contract. After the second renewal, the contract will need to be rebid. Countywide (LBH)

Background and Justification: The contract facilitates the furnishing and installation of guardrail, furnishing of guardrail products, removal and disposal of “old” guardrail and/or resetting of existing guardrail. Southeast’s remaining available funds are less than the projected need for the contract’s second year allocation.

Attachments:
1. First Amendment to the Annual Guardrail Contract with Southeast (2)

Recommended by:  1/25/2018
 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	\$425,000	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$425,000	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes X No
 Does this item include the use of federal funds? Yes No X

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

	Prior Allocation	Encumbered/ Expended	New Allocation	Total Available
Airports	\$ 10,000	0	50,000	\$ 60,000
Engineering & Public Works	\$ 325,000	<269,357>	350,000	\$ 405,643
Fire Rescue	\$ 10,000	0	0	\$ 10,000
Parks & Recreation	\$ 25,000	< 3,300>	20,000	\$ 41,700
Water Utilities	\$ 5,000	0	5,000	\$ 10,000
Total	\$ 375,000	<272,657>	425,000	\$ 527,343

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 Kovalainen

III. REVIEW COMMENTS

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

 Julia L. L. 1/18/18
 ASD OFMB 1/17/18

 J. J. J. 1/24/18
 Contract Dev. and Control 1/24/18

B. Approved as to Form and Legal Sufficiency:

 M. Blerman
 Assistant County Attorney 4/25/18

C. Other Department Review:

 Department Director

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

**FIRST AMENDMENT TO THE ANNUAL GUARDRAIL CONTRACT
PROJECT NO. 2017052
DATED MARCH 14, 2017 BY AND BETWEEN
SOUTHEAST HIGHWAY GUARDRAIL AND ATTENUATORS, LLC
AND PALM BEACH COUNTY**

THIS FIRST AMENDMENT to the Annual Guardrail Contract dated February 6, 2018 (R2017-0233), hereinafter "CONTRACT" by and between Southeast Highway Guardrail and Attenuators, LLC, hereinafter "CONTRACTOR" and Palm Beach County, a political subdivision of the state of Florida, hereinafter, "COUNTY".

WITNESSETH

WHEREAS, on March 14, 2017, the CONTRACTOR and COUNTY entered into a CONTRACT for the furnishing and installation of guardrail, furnishing of guardrail products, removal and disposal of "old" guardrail, and/or resetting of existing guardrail 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 \$425,000 from \$375,000 to \$800,000.
4. The CONTRACT dated March 14, 2017, between the CONTRACTOR and the COUNTY, is hereby amended to extend the expiration date of the CONTRACT from March 13, 2018 to March 13, 2019.
5. All other provisions of the CONTRACT dated March 14, 2017 (R2017-0233) shall remain in full force and effect.
6. Item 7 – Responsibilities After Contract Award (page SBE-3) shall include the following: Both SBE Schedules 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. The COUNTY requires the CONTRACTOR to track during the Project, and report at the end of the Project, 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.

IN WITNESS WHEREOF, the parties have caused this first 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.
Roadway Production Division

ATTEST:

SOUTHEAST HIGHWAY GUARDRAIL
AND ATTENUATORS, LLC
(Contractor)

By: _____
Secretary or Asst. Secretary

By: _____
(Signature)

(Seal)

(Print Name and Title)