

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

Meeting Date: March 13, 2018 **Consent** **Regular**
 Workshop **Public Hearing**

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

EXECUTIVE BRIEF

Motion and Title: **Staff recommends motion to approve:** a first amendment to the annual traffic loops contract R2017-0232, Project No. 2017050 dated March 14, 2017, with AUM Construction, Inc. (AUM), to increase the amount of the contract by \$350,000 and to extend the expiration date from March 13, 2018 to March 13, 2019.

SUMMARY: Approval of this first amendment will increase AUM’s contract from \$1,000,000 to \$1,350,000 and extend the expiration date from March 13, 2018 to March 13, 2019. The increased contract amount is based on updated estimates that exceed the current contract amounts to be expended throughout Palm Beach County (County). To date, tasks in the amount of \$310,360 have been authorized for AUM with 100% Small Business Enterprise (SBE) participation, which meets their commitment of 100%. The SBE goal for all contracts is 15%. AUM is a County based company and is a certified SBE company. 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 consists of the furnishing and installation of traffic signal loops throughout the County on an as needed basis. This first amendment will increase the spending limit of the contract from \$1,000,000 to \$1,350,000 and extend the expiration date from March 13, 2018 to March 13, 2019.

Attachments:

- 1. First Amendment to the Annual Traffic Loops Contract (2)

David F. ...
Recommended by: _____ **2/13/2018**
Department Director **Date**

Steve W. Johnson
Approved By: _____ **2/13/18**
Assistant County Administrator **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	\$ -0-	-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	\$ **	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)					

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

Budget Account No:

Fund Dept Unit Object

Recommended Sources of Funds/Summary of Fiscal Impact:

** Fiscal impact is indeterminable at this time. This contractor is authorized to provide services on a task order basis. Funding will be established by project as necessary.

C. Departmental Fiscal Review: Alicia Kovalainen

III. REVIEW COMMENTS

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

Lisa Pontz 2/7/18
 OFMB WAD 2/5/18
 2/5/18 (FA) 2/6/18

John J. Anderson 2/12/18
 Contract Dev. and Control 2/12/18 (TW)

B. Approved as to Form and Legal Sufficiency:

M. B. Kerman
 2/13/18 Assistant County Attorney

C. Other Department Review:

 Department Director

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

**FIRST AMENDMENT TO THE ANNUAL TRAFFIC LOOPS CONTRACT
PROJECT NO. 2017050
DATED MARCH 14, 2017 BY AND BETWEEN
AUM, CONSTRUCTION, INC.
AND PALM BEACH COUNTY**

THIS FIRST AMENDMENT to the ANNUAL TRAFFIC LOOPS Contract dated MARCH 14, 2017 (R2017-0232), hereinafter "CONTRACT" by and between AUM, CONSTRUCTION, INC., hereinafter "CONTRACTOR" and the Board of County Commissioners of 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 twelve month Annual Traffic Loops Contract for furnishing and installation of traffic signal loops 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 Commssioners; and

WHEREAS, by this amendment, the CONTRACTOR and the COUNTY mutually agree to amend the CONTRACT terms to extend the expiration date of the CONTRACT from March 13, 2018 to March 13, 2019 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 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.
3. The CONTRACT between the CONTRACTOR and the COUNTY is hereby amended to increase the amount by \$350,000 from \$1,000,000 to \$1,350,000.
4. It is the intent of the parties hereto that this Amendment shall not become binding until the date executed by the COUNTY.
5. All other provisions of the Annual Traffic Loops Contract (R2017-0232) dated March 14, 2017 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

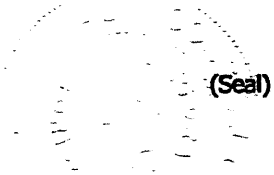
By: *Omello A. Fernandez*
Omello A. Fernandez, P.E.
Roadway Production Division

ATTEST:

AUM Construction, INC.
Contractor

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

By: *[Signature]*
(Signature)



Humberto C. Ortiz (president)
(Print Name and Title)