

**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. a first amendment to the annual traffic signal contract R2017-0234, Project No. 2017051, dated March 14, 2017, with Gerelco Traffic Controls, Inc. (Gerelco), to increase the amount of the contract by \$1,000,000 and to extend the expiration date from March 13, 2018 to March 13, 2019; and
- B. a first amendment to the annual traffic signal contract R2017-0235, Project No. 2017051, dated March 14, 2017, with Valiant Power South, LLC (Valiant), to increase the amount of the contract by \$1,000,000 and to extend the expiration date from March 13, 2018 to March 13, 2019.

SUMMARY: Approval of these first amendments will increase Gerelco's and Valiant's contracts from \$3,000,000 to \$4,000,000 and extend the expiration dates from March 13, 2018 to March 13, 2019. The increased contract amounts are based on updated estimates that exceed the current contract amounts to be expended throughout Palm Beach County. The Palm Beach County Small Business Enterprise (SBE) goal for all contracts is 15%. To date, tasks in the amount of \$628,674 have been authorized for Gerelco, with a contract goal of 23.1%. Tasks in the amount of \$179,587 have been authorized for Valiant, with a contract goal of 0.79%. Valiant had failed to meet the SBE goal, and the next lowest bidder, Horsepower Electric, Inc., had met the SBE requirement, but fell outside the limit of ranking for consideration. This is the first of two allowable renewals under these contracts. After the second renewal, the contracts will need to be rebid. Countywide (LBH)

Background and Justification: These contracts consist of the furnishing and installation of signals, removal and disposal of "old" signals, and/or the resetting of existing signals on an as needed basis. These first amendments will increase the spending limit of the contract from \$3,000,000 to \$4,000,000 and extend the expiration date from March 13, 2018 to March 13, 2019.

Attachments:

1. Gerelco First Amendment to the Annual Traffic Signal Contract (2)
 2. Valiant First Amendment to the Annual Traffic Signal Contract (2)
-
-

Recommended by:  3/17/2018
Department Director **Date**

Approved By:  3/7/18
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. These contractors are authorized to provide services on a task order basis. Funding will be established by project as necessary.

C. Departmental Fiscal Review: Alii Kovalainen

III. REVIEW COMMENTS

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

Sharon 2/13/18
 OFMB (PK) 2/13 2/21/18

Ann J. J... 2/14/18
 Contract Dev. and Control 2/14/18

B. Approved as to Form and Legal Sufficiency:

M. Herman
 2/22/2018 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 SIGNAL CONTRACT
PROJECT NO. 2017051
DATED MARCH 14, 2017 BY AND BETWEEN
GERELCO TRAFFIC CONTROLS, INC.
AND PALM BEACH COUNTY**

THIS FIRST AMENDMENT to the ANNUAL TRAFFIC SIGNAL Contract dated MARCH 14, 2017 (R2017-0234), hereinafter "CONTRACT" by and between GERELCO TRAFFIC CONTROLS, 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 Signal Contract for furnishing and installation of traffic signals 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 Commissioners.

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, except as hereby amended.

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 \$1,000,000 from \$3,000,000 to \$4,000,000.
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 Signal Contract (R2017-0234) dated March 14, 2017 shall remain in full force and effect, except as hereby amended.

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:

Gerelco Traffic Controls, Inc.
 Contractor

By: 
 Secretary or Asst. Secretary

By: 
 (Signature)

(Seal)

Kenneth A. Geremia Jr President
 (Print Name and Title)

**FIRST AMENDMENT TO THE ANNUAL TRAFFIC SIGNAL CONTRACT
PROJECT NO. 2017051
DATED MARCH 14, 2017 BY AND BETWEEN
VALIANT POWER SOUTH, LLC
AND PALM BEACH COUNTY**

THIS FIRST AMENDMENT to the ANNUAL TRAFFIC SIGNAL Contract dated MARCH 14, 2017 (R2017-0235), hereinafter "CONTRACT" by and between VALIANT POWER SOUTH, LLC, 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 Signal Contract for furnishing and installation of traffic signals 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 Commissioners.

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, except as hereby amended.

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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 Signal Contract (R2017-0235) dated March 14, 2017 shall remain in full force and effect, except as hereby amended.

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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: *Y. Berman*
 Yelzaveta B. Herman,
 Assistant County Attorney

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

ATTEST:

Valiant Power South, LLC
 Contractor

By: *Amanda Tussock*
 Secretary or Asst. Secretary

By: *Robert M. Higginbotham*
 (Signature)

Robert Higginbotham, Vice Pres.
 (Print Name and Title)

