PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: March 13, 2018

Consent [X]

Regular []

Public Hearing []

Department:

Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending Resolution No. R2017-0675 pertaining to the Special Assessment process for the 68th Street North Water Main Extension (Project), reducing the individual assessment from \$56.33 to \$49.84 per front-footage.

Summary: On May 16, 2017 the Palm Beach County Board of County Commissioners adopted Resolution R2017-0675 confirming the Project. Pursuant to Section 9 of Ordinance No. 2001-0010, property owners are entitled to a reduction in their individual assessment if the final cost of the project falls below the original estimate. The assessment adopted by the Board was based upon an estimated assessable cost of \$239,560.26 before construction. The actual assessable cost is \$211,959.50 after completion of construction. The Project is based on 18 residential properties with a total frontage of 4,252.80 feet. The individual cost to the property owners decreased from \$56.33 to \$49.84 utilizing the per front-footage. (WUD Project No. 16-079) District 6 (MJ).

Background and Justification: The estimated assessable cost of \$239,560.26 was adjusted by a decrease in fees totaling \$27,600.76 resulting in an actual assessable cost of \$211,959.50. The adjustment in fees are made up of decreases in construction costs (\$9,816.48), contingencies (\$19,951.25), inspection fees (\$392.66), administration fees (\$490.82), administrative adjustment (\$14.67) and a reduction of the 10% financial support (\$3,065.12) as per the agreement between the County and Indian Trails Improvement District, in which the County will provide for 10% of the total project cost, resulting in an actual project assessable cost of \$211,959.50. All other portions of Resolution No. R2017-0675, remain in full force and effect.

Attachments:

- 1. One (1) Original Amending Resolution
- 2. Location Map
- 3. Special Assessment Roll Final
- 4. Copy of Confirming Resolution No. R2017-0675
- 5. Report of Cost Final
- 6. Final Authorization Summary Approved

Recommended By:	Jim Stelos	2-12-18
	Operation of the contract o	Date
Approved By:		zhzlis
	Deputy County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

•		-1	,						
Fiscal Years	2018	2019	2020	2021	2022				
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match County	(\$27,601) <u>0</u> (\$27,601) <u>0</u> <u>0</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u>	. <u>0</u> <u>0</u> <u>0</u> <u>0</u> <u>0</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u>	<u>O</u>				
NET FISCAL IMPACT	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
Budget Account No.: Fu	nd <u>4011</u>	Dept	Unit _W	031 Obje	ect 6543				
Is Item Included in Current Budget? Yes X No Does this item include the use of federal funds? Yes No X									
Reporting Category <u>N/A</u>									
B. Recommended Sou	rces of Fun	ds/Summary	of Fiscal Im	ıpact:					
C. Department Fiscal Review:									
	III DE	\/IE\A/	IENTO						

III. REVIEW COMMENTS

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

	OFMB RD 214 GAMPH 9 2/15/18
B.	Legal Sufficiency;
	Assistant County Attorney Z/z z//8
C.	Other Department Review:
	Department Director

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

RESOLUTION NO. R-2018-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING RESOLUTION R-2017-0675; PERTAINING TO THE SPECIAL ASSESSMENT PROCESS FOR THE 68th STREET NORTH WATER MAIN EXTENSION

WHEREAS, on May 16, 2017, in accordance with the Palm Beach County Ordinance 2001-0010, the Board of County Commissioners, Palm Beach County, Florida, adopted Resolution No. R-2017-0675, confirming the special assessment process for the 68th Street North Water Main Extension; and

WHEREAS, pursuant to Section 9 of Ordinance 2001-0010, the Board of County Commissioners may credit to each assessment the difference between the original assessment made, approved and confirmed and the proportionate part of the actual cost of the improvement to be paid by special assessments as determined upon completion of the project; and

WHEREAS, construction of the 68th Street North Water Main Extension is complete (see Attachment "6" – "Final Authorization Summary"; and

WHEREAS, the total assessable cost of the 68^{tt} Street North Water Main Extension has been reduced by \$27,600.76 from \$239,560.26 to \$211,959.50; and

WHEREAS, pursuant to Section 9 of Ordinance 2001-0010 the Board of County Commissioners desires to amend Resolution No. R-2017-0675.

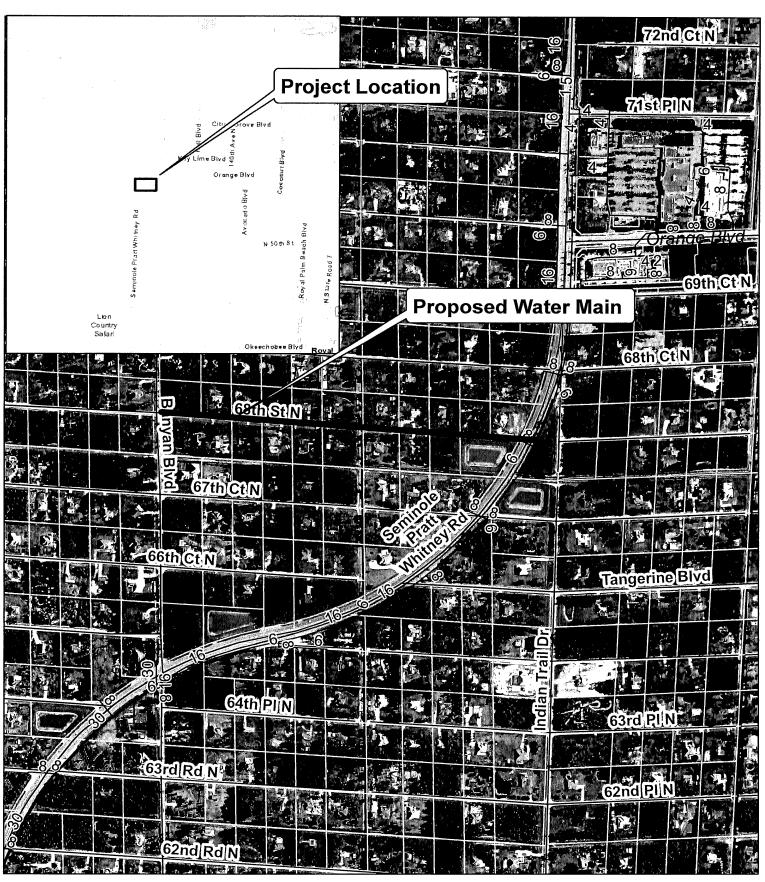
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

- 1. Attachment "3" (Special Assessment Roll) to Resolution No. R-2017-0675 is hereby amended by reducing the total assessable cost of the 68th Street North Water Main Extension from \$239,560.26 to \$211,959.50 and reducing the individual assessment from \$56.33 per front-footage to \$49.84 per front-footage based on eighteen (18) residential properties. The Special Assessment Roll, as hereby amended, is attached hereto, and incorporated herein as Attachment "3".
- 2. Paragraph Four (4) of Resolution No. R-2017-0675 is hereby amended by deleting "\$266,176.86" and inserting "\$235,510.98" in its place.
- 3. Attachment "5" (Report of Cost) to Resolution No. R-2017-0675 is hereby amended by changing the total assessable cost of the 68th Street North Water Main Extension to \$211,959.50 The Report of Cost as hereby amended is attached hereto and incorporated as Attachment "5".
- 4. Each and every other paragraph of Resolution No. R-2017-0675 shall remain in full force and effect and said Resolution is reaffirmed as modified herein.
- 5. The Clerk of this Board shall cause this Resolution to be recorded in the Official Records of Palm Beach County, Florida, in the Office of the Clerk of the Circuit Court.

The foregoing Resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote; the vote was as follows:
Commissioner Melissa McKinley, Mayor
Commissioner Mack Bernard, Vice Mayor
Commissioner Hal Valeche
Commissioner Paulette Burdick
Commissioner Dave Kerner
Commissioner Steven L. Abrams
Commissioner Mary Lou Berger
The Mayor thereupon declared the Resolution duly passed and adopted this day of
, 2018.
PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS
D
By: Sharon R. Bock, Clerk and Comptroller
Sharon R. Bock, Clerk and Comptioner
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY
By

ATTACHMENT 2 PROJECT LOCATION MAP WUD 16-079 68th Street North Water Main Extension





Palm Beach County Water Utilities SAS Coordinator

ATTACHMENT 3

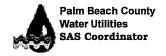
Project#: 16-079

Assessment Roll - Final

68TH STREET NORTH WATER MAIN EXTENSION

FUND AGENCY ORG	COMMISSION DISTRICT	SECTION	TOWNSHI	P RANGE
	6 MELISSA MCKINLAY	36	428	40E

No.	Homeowner	P	CN/Legal Description	Feet	Cost/Per Foot	Total Assessment	Annual Cost/Per Foot	Annual Cost/Per Year	Notes
1	DE AMINI EVA KOVES	00-40-42-36-00-000-137.0		275.90	\$49.84	\$13,750.86	4.1705778	\$1,150.66	
	10978 NW 43RD TER MIAMI, FL 33178-1813	36-42-40, S 242.9 FT OF N 3016.5 FT A/K/A M-201	981.6 FT OF E 275.9 FT OF W			Init	ial Final	Petition	
2	CARDONA CESAR	00-40-42-36-00-000-138.0		204.60	\$49.84	\$10,197.26 	4.1705778	\$853.30	
	16417 68TH ST N LOXAHATCHEE, FL 33470-3334	36-42-40, S 242.9 FT OF N 3221.1 FT A/K/A M-171	981.6 FT OF E 204.6 FT OF W			Init	ial Final	Petition	
3	HUNTER, EDWARD & DENISE	00-40-42-36-00-000-139.0		204.60	\$49.84	\$10,197.26	4.1705778	\$853.30	
	**Confidential Record **	36-42-40, S 242.9 FT OF N 3425.7 FT A/K/A M-164	981.6 FT OF E 204.6 FT OF W			INIC	ial Final	/ Petition	
4	CARPINO, MICHAEL	00-40-42-36-00-000-140.0		204.60	\$49.84	\$10,197.26	4.1705778	\$853.30	
	16343 68TH ST N LOXAHATCHEE, FL 33470-6012	36-42-40, S 242.9 FT OF N 3630.3 FT A/K/A M-132	981.6 FT OF E 204.6 FT OF W			Init	ial Final	Petition	
5	RODRIGUEZ, WILLIAM	00-40-42-36-00-000-141.0		204.60	\$49.84	\$10,197.26	4.1705778	\$853.30	
	16303 68TH ST N LOXAHATCHEE, FL 33470-6012	36-42-40, S 242.9 FT OF N 3834.9 FT A/K/A M-125	981.6 FT OF E 204.6 FT OF W			Init	ial Final	Petition	



Assessment Roll - Final

68TH STREET NORTH WATER MAIN EXTENSION Project#: 16-079

FUND AGENCY ORG	COMMISSION DISTRICT	SECTION	TOWNSHI	IP RANGE
	6 MELISSA MCKINLAY	36	428	40E
		ıÌ		j

No.	Homeowner	P	CN/Legal Description	Feet	Cost/Per Foot	Total Assessment	Annual Cost/Per Foot	Annual Cost/Per Year	Notes
6	VALENTINE RICHARD D	00-40-42-36-00-000-142.0		276.00	\$49.84	\$13,755.84	4.1705778	\$1,151.08	
	16267 68TH ST N LOXAHATCHEE, FL 33470-3469	36-42-40, S 242.9 FT OF N 4110.9 FT A/K/A M-94	981.6 FT OF E 276 FT OF W			Init	ial Final	Petition	
7	PAIGE, PATRICIA A	00-40-42-36-00-000-143.0		244.60	\$49.84	\$12,190.86	4.1705778	\$1,020.12	
	16229 68TH ST N LOXAHATCHEE, FL 33470-3469	36-42-40, S 242.9 FT OF N 4355.5 FT A/K/A M-87	981.6 FT OF E 244.6 FT OF W			Init	ial Final `	Y Petition	
8	GOOSSENS, CHAD	00-40-42-36-00-000-144.0		204.60	\$49.84	\$10,197.26	4.1705778	\$853.30	
	16191 68TH ST N LOXAHATCHEE, FL 33470-3469	36-42-40, S 242.9 FT OF N 4560.1 FT A/K/A M-80	981.6 FT OF E 204.6 FT OF W			l init	ial Final `	Y Petition	
9 1	EIKOV, MATTHEW	00-40-42-36-00-000-145.0		204.60	\$49.84	\$10,197.26	4.1705778	\$853.30	
	16153 68TH ST N LOXAHATCHEE, FL 33470-3469	36-42-40, S 242.9 FT OF N 4764.7 A/K/A M-53	981.6 FT OF E 204.6 FT OF W			[init	ial Final `	Y Petition	
10	KOHL MICHAEL W &	00-40-42-36-00-000-146.0		204.60	\$49.84	\$10,197.26	4.1705778	\$853.30	
	16117 68TH ST N	36-42-40, S 242.9 FT OF N	981.6 FT OF E 204.6 FT OF W			New Owner Init		Petition	
	LOXAHATCHEE, FL 33470-3469	4969.3 FT A/K/A M-46				Prev Owner Init	ial Final	Y Petition	



Assessment Roll - Final

68TH STREET NORTH WATER MAIN EXTENSION Project#: 16-079

FUND AGENCY ORG	COMMISSION DISTRICT	SECTION	TOWNSHIP	RANGE
	6 MELISSA MCKINLAY	36	42S	40E

No.	Homeowner	P	CN/Legal Description	Feet	Cost/Per Foot	Total Assessment	Annual Cost/Per Foot	Annual Cost/Per Year	Notes
11 PHAM, CUON	G & NGUYEN DUNG	00-40-42-36-00-000-152.0		204.60	\$49.84	\$10,197.26	4.1705778	\$853.30	
4214 HOLLY I PALM BEACH	DR GARDENS, FL 33410-5504	36-42-40, S 272.9 FT OF N 4764.7 FT A/K/A M-54	1254.5 FT OF E 204.6 FT OF W			Initi	al Final	Y Petition	
12 PAIGE, THOM	IAS R JR & KAREN L	00-40-42-36-00-000-153.0		204.60	\$49.84	\$10,197.26	4.1705778	\$853.30	
16190 68TH S LOXAHATCHI	ST N SE, FL 33470-3468	36-42-40, S 272.9 FT OF N 4560.1 FT A/K/A M-79	1254.5 FT OF E 204.6 FT OF W			Initi	al Final `	Y Petition	
13 SENISE FRAN	ICESCO G	00-40-42-36-00-000-155.0		276.00	\$49.84	\$13,755.84	4.1705778	\$1,151.08	
16266 68TH S LOXAHATCHE	ET N EE, FL 33470-3468	36-42-40, S 272.9 FT OF N 4110.9 FT A/K/A M-95	1254.5 FT OF E 276 FT OF W			New Owner Init		Petition Y Petition	
14 JUSTIN, ERIC	& TRACEY	00-40-42-36-00-000-156.0		204.60	\$49.84	\$10,197.26	4.1705778	\$853.30	
16304 68TH S LOXAHATCHE	ST N SE, FL 33470-6011	36-42-40, S 272.9 FT OF N 3834.9 FT A/K/A M-124	1254.5 FT OF E 204.6 FT OF W			[Initi	ial Final	Y Petition	
15 HARRIS, THO	MAS	00-40-42-36-00-000-157.0		204.60	\$49.84	\$10,197.26	4.1705778	\$853.30	
16342 68TH S LOXAHATCHE	ST N SE, FL 33470-6011	36-42-40, S 272.9 FT OF N 3630.3 FT A/K/A M-133	1254.5 FT OF E 204.6 FT OF W			[Init	ial Final	N Petition	



Assessment Roll - Final

68TH STREET NORTH WATER MAIN EXTENSION Project#: 16-079

6 40E
S

No. Hom	eowner	PCN/Legal Description	n Feet	Cost/Per Foot	Total Assessment	Annual Cost/Per Foot	Annual Cost/Per Year	Notes
16 HARRIS CLINTON M &	00-40-42-3	6-00-000-158.0	204.60	\$49.84	\$10,197.26	4.1705778	\$853.30	
16378 68TH ST N LOXAHATCHEE, FL 33		S 272.9 FT OF N 1254.5 FT OF E 20 A/K/A M-163	4.6 FT OF W		Init	ial Final	Petition	
17 BOLLINE, DANIEL & JO	DELLE 00-40-42-3	6-00-000-159.0	480.50	\$49.84	\$23,948.12	4.1705778	\$2,003.96	
16456 68TH ST N LOXAHATCHEE, FL 33		S 272.9 FT OF N 1254.5 FT OF E 48 A/K/A M-172 & M-200	0.5 FT OF W		Init essential	ial Final I	N Petition	
18 PEDROSA, AMADEU &	LINDA 00-40-42-3	6-00-000-167.0	244.60	\$49.84	\$12,190.86	4.1705778	\$1,020.12	
16230 68TH ST N		S 272.9 FT OF N 1254.5 FT OF E 24	4.6 FT OF W		Init	ial Final I	N Petition	

Total: 4,252.80 Total: \$211,959.50

1	MODIFIED ASSIGNED FRONTAGE	0
2	CONFIDENTIAL RECORD	0
3	UNITY OF TITLE	0
4	TAX MAP FRONTAGE	0
5	SCALED FRONTAGE	0
6	SURVEY	0
7	PAPA FRONTAGE	0
8	VERIFY LEGAL, OWNER CONTESTING TAXES	0

		Initial	Final
Homeowners	18 Voted Yes	0 09	6 9 50%
Properties	18 Voted No	0 09	6 3 1 17%
Needed	10 No Response	18 1009	6 6 33%

RESOLUTION NO. R-2017- 0675

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, CONFIRMING THE SPECIAL ASSESSMENT ROLL FOR THE 68th ST. NORTH WATER MAIN EXTENSION

WHEREAS, pursuant to Section 8 of Ordinance 2001-0010, the Board of County Commissioners held a public hearing at 9:30 A.M. on the 16TH day of May, 2017, at the Commission Chambers of the Board of County Commissioners of Palm Beach County, Florida, so as to satisfy the requirements of Ordinance 2001-0010; and

WHEREAS, the Board of County Commissioners finds that the public notification and public hearing requirements of Ordinance 2001-0010 have been complied with; and

WHEREAS, the Board of County Commissioners intends to levy special assessment(s) upon certain properties located on 68th St. North for the purpose of funding a water main extension; and

WHEREAS, the total assessable cost of the improvement project shall not exceed \$266,176.86; and

WHEREAS, the method of apportioning the assessable costs of the improvement project among the parcels of property located within the boundaries of the improvement project shall be by the front-footage method; and

WHEREAS, the maximum dollar amount of each assessment unit shall be between \$11,525.12 to \$27,066.57 per parcel; and

WHEREAS, the Board of County Commissioners finds that each parcel listed in the Special Assessment Roll, which is attached hereto and incorporated herein as Exhibit "A", will obtain a special benefit, that is at least equal to the amount of special assessment made against each such parcel; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

- 1. The Special Assessment Roll for the 68th St. North Water Main Extension Project (WUD 16-079) is hereby approved and confirmed, and the special assessments set forth therein shall be collected in accordance with the provisions of the Uniform Assessment Collection Act and Ordinance 2001-0010.
- 2. The special assessment(s) set forth in the Special Assessment Roll shall constitute a lien(s) against the assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien(s) shall be superior in dignity to all other liens, titles and claims, until paid.
- 3. Any and all special assessments made pursuant to this Resolution, which have not been paid in full within thirty (30) days after completion of the improvement project for which the assessments were made, shall be subject to interest at the rate of five and one half percent (5 $\frac{1}{2}$ %) per year and shall be payable in twenty (20) equal installments of principal and interest.
- 4. If any special assessment made under this Resolution shall be either in whole or in part vacated or set aside by the judgment of any court, or if the Board of County Commissioners shall be satisfied that any such assessment is so irregular or defective that same cannot be enforced or collected, or if the Board shall have omitted to make such assessment when it might have done so, the Board of County Commissioners shall take all necessary steps to cause a new assessment to be made for any improvement and against any property specially benefited by such improvement, following the provisions of Ordinance 2001-0010. In case the second assessment shall also be invalid, the Board of County Commissioners may obtain and make other assessments until a valid assessment is made.

5. The Clerk of this Board shall cause this Resolution to be recorded in the Official Records of Palm Beach County, Florida, in the Office of the Clerk of the Circuit Court.

The foregoing Resolution was offered by Commissioner Valeche who moved its adoption. The motion was seconded by Commissioner Berger and upon being put to a vote; the vote was as follows:

Commissioner Paulette Burdick, Mayor Commissioner Melissa McKinlay, Vice Mayor	Ауе Ауе
Commissioner Hal Valeche	Aye
Commissioner Dave Kerner	Absent
Commissioner Steven L. Abrams	Aye
Commissioner Mary Lou Berger	Aye
Commissioner Mack Bernard	Aye

The Mayor thereupon declared the Resolution duly passed and adopted this <u>16th</u>day of ______, 2017.

PALM BEACH COUNTY TO THE BY ITS BOARD OF COUNTY TO MISSIONERS

Sharon R/Book Clerk and Comptroller

Deputy Cler

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

FINAL REPORT OF COST 68TH STREET NORTH WATER MAIN EXTENSION SPECIAL ASSESSMENT PROJECT PROJECT NO. WUD 16-079 COMMISSION DISTRICT 6

SECTION 36, TOWNSHIP 42 SOUTH, RANGE 40 EAST FUND 4011 DEPT. 721 ORG. W031 OBJECT 6543

	ESTIMATED	ACTUAL	<u>DIFFERENCE</u>
Construction Bid Price	\$199,512.45	\$189,695.97	(\$9,816.48)
Construction Contingency (10%) (1)	\$19,951.25	\$0.00	(\$19,951.25)
Inspection Fee (4%) (2)	\$7,980.50	\$7,587.84	(\$392.66)
Engineering Fee (3)	\$28,746.20	\$28,746.20	\$0.00
Administration Fee (5%) (4)	\$9,975.62	\$9,484.80	(\$490.82)
Administrative Adjustment (5)	\$10.84	-\$3.83	(\$14.67)
Total Project Cost	\$266,176.86	\$235,510.98	(\$30,665.88)
Financial Support Discount	\$26,616.60	\$23,551.48	(\$3,065.12)
Total Assessable Cost	\$239,560.26	\$211,959.50	(\$27,600.76)
Total Frontage	4,252.80	4,252.80	4,252.80
Cost Per Property	\$56.33	\$49.84	(\$6.49)

Notes:

- 1. Construction Contingency is 10% of the Construction Cost
- 2. Inspection fee is 4% of the Construction Cost.
- 3. Engineering Fee of \$28,746.20 is for the cost of survey, design and permitting from Holtz Consulting Engineer.
- 4. Administrative Fee is 5% of the Construction Cost.
- 5. Administrative Adjustment is used to round the cost per frontage to the nearest cent.

FINAL AUTHORIZATION SUMMARY

Submitted by: WATER UTILITIES DEPARTMENT (Engineering Division)

Final Acceptance and Final Payment in the amount of \$18,969.59 to Johnson-Davis Inc., for the construction of 2,255 ft of 8" PVC water main along 68th St North, No. WUD16-079, Work Authorization No. 9, Account No. 4011-721-W031-6543

District 6

SUMMARY: On May 16, 2017 the Board of County Commissioners approved Work Authorization No 9, WUD 16-079, (R2017-0676) to the Pipeline Continuing Construction Contract (R2016-0902) with Johnson-Davis for construction of 2,255 ft of 8" PVC water main along 68th Street North. The final payment includes the final quantity adjustment in the amount of (\$9,816.48).

SBE PARTICIPATION SUMMARY:

Master Contract SBE Participation Goal: 3.28%
This Work Authorization SBE Quoted Goal: 13.59%
Actual Authorization SBE Achieved: 15.20%
Master Contract SBE Cumulative Achieved: 20.18%

Background and Justification: The Water Utilities Department compiled the documentation necessary for Final Acceptance and Final Payment of the contract with Johnson-Davis.

- \$ 199,512.45 Original Authorization Amount
- \$ (9,816.48) Final Quantity Adjustment
- \$ 189,695.97 Final Authorization Amount
- \$ <u>170,726.38</u> Previous Payments
- \$ 18,969.59 Final Payment

Attachments for Committee:

- 1. Project Location Map.
- 2. Payment Application No.4, Final.
- 3. Final Warranty of Title.
- 4. SBE Construction Activity Report, Payment Certifications and Approval.
- 5. Contractor's Certification of Final Completion.
- 6. Consent of Surety to Final Payment.

7. Work Authorization History

7. Work Authorization History	<u> </u>
Recommended By: 4 WOTH BOTA	# II-20-2017
Director of Engineering Division	
Recommended By:	Date 11-21-17
Director of Water Utilities Pepartment	Date
APPROVED BY:	(# 11)39115
Contract Review Committee	Date
	APPROVED BY.
	PROV
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