

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | <u>2018</u> | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>2022</u> |
|--------------------------------------------------|--------------------------|------------------------------|---------------------------|-----------------------|-------------|
| Capital Expenditures | _____ | _____ | _____ | _____ | _____ |
| Operating Costs | \$872,838 | _____ | _____ | _____ | _____ |
| External Revenues | (\$427,691) | _____ | _____ | _____ | _____ |
| Program Income (County) | _____ | _____ | _____ | _____ | _____ |
| In-Kind Match (County) | _____ | _____ | _____ | _____ | _____ |
| NET FISCAL IMPACT | \$445,147 | _____ | _____ | _____ | _____ |
| # ADDITIONAL FTE POSITIONS (Cumulative) | _____ | _____ | _____ | _____ | _____ |
| Is Item Included in Current Budget? (Match) | | | Yes <u>X</u> | No _____ | |
| Does this item include the use of federal funds? | | | Yes _____ | No <u>X</u> | |
| Budget Account No.: | Fund <u>1226</u> 1229 | Department <u>380</u> 380 | Units <u>3010</u> 3010 | Object <u>various</u> | |

B. Recommended Sources of Funds/Summary of Fiscal Impact

| | |
|------------------------------|------------|
| Work Order # 0649-5 | |
| FDEP R2017-0082 | \$ 427,691 |
| Natural Areas Fund (Manatee) | \$ 445,147 |
| | \$ 872,838 |

C. Department Fiscal Review: *S. Neary*

III. REVIEW COMMENTS

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

Lisa Ponce 4/5/18
 OFMB *(initials) 4/4* *AK 4/5* *Contract Development and Control* *4/10/18* *(initials)*

B. Legal Sufficiency:

Anne Delgent 4/11/18
 Assistant County Attorney

C. Other Department Review:

 Department Director

R20150649
CONTRACTS 49

THIS CONTRACT, made and entered into this day of MAY 19 2015, 20 , between PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as the "County" and THE VANCE CONSTRUCTION CO., hereinafter referred to as the "Contractor".

WITNESSETH:

That the said Contractor having been awarded the Contract for the:

PROJECT NAME: Palm Beach County Artificial Reef & Breakwater Annual Contract
(Primary Contractor)
PROJECT NO.: 2015ERM01

in accordance with the Bid therefore and for and in consideration of the promises and of the covenants and agreements, and of the payments herein specified, to be made and performed by the Contractor and the County, the Contractor hereby covenants and agrees to and with the County to undertake and execute all of the said named work, in a good, substantial and workmanlike manner, and to furnish and pay for all materials, labor, supervision, equipment, supplies, fees, expertise, and services necessary to fully complete all work in accordance with all requirements of the Contract Documents and in accordance with all applicable codes and governing regulations, within the time limit specified in the Bid Form. The Contract Documents consist of the following documents which are incorporated herein by reference.

- A - Invitation for Bid, Instructions to Bidders, Bid Form and Attachments 1 through 15
- B - Completed Bonds and Insurance Forms
- C - General Conditions, Supplemental General Conditions and Appendices A, B
- D - Technical Specifications, including Figures, Tables, Attachments, Appendices
- E - Addenda
- F - Permits
- G - Drawings/Plans

The Contractor acknowledges that the Work described by this Agreement shall be authorized by Work Order(s) and no minimum number or dollar value of Work Order(s) is promised under this Contract. The Contractor agrees to perform each Work Order issued by the County hereunder for the fixed prices to be established in each Work Order, based on the unit prices set forth in the Contract Bid Schedule, up to a maximum amount for all Work Orders not to exceed One Million One Hundred Seventy-Eight Thousand Six Hundred Eighty-Four Dollars and Fifty Cents (\$1,178,684.50), except as may be increased according to Articles 42 and 43 of the General Conditions. Each Work Order shall establish a fixed price, a time for completion and applicable Liquidated Damages for delay in Substantial and Final Completion.

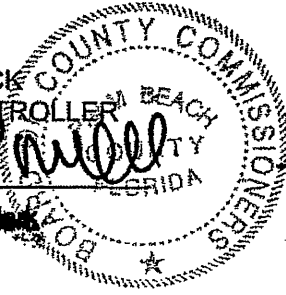
This Contract is for a term not-to-exceed twelve (12) months from the date set forth above, with an optional extension not to exceed thirty-six (36) months total contract time.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, has made and executed this Contract on behalf of the said County and caused the seal of the said County to be affixed hereto, and the Contractor has hereunto set its hand and seal the day and year written. The Contractor represents that it is authorized to execute this contract on behalf of itself and its Surety.

R2015 0649 MAY 19 2015

ATTEST:
SHARON R. BOCK
CLERK & COMPTROLLER

Sharon R. Bock
Deputy Clerk



PALM BEACH COUNTY, FLORIDA, A
Political Subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

By: *Shelley Vana*
Shelley Vana, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

James E. Vance III
Assistant County Attorney

(Corporate Seal)

APPROVED AS TO TERMS AND
CONDITIONS:

Daniel Bates
Daniel Bates, Deputy Director
Environmental Resources Management Department

CONTRACTOR:

The Vance Construction Co.
(Corporate Name)

a Florida corporation
(Insert state of corporation)

By: *James E. Vance Jr.*
(signatory)

James E. Vance Jr. President
(print signatory's name & title)

04/16, 20 15
(Contractor's signature date)

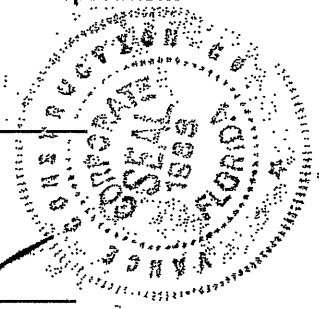
225 Southern Boulevard, Suite 201
(Contractor's Official Address)

West Palm Beach, FL 33405-2768
(Contractor's City, State, Zip Code)

65-0040853
(Federal Tax No.)

VC*13087
Palm Beach County Vendor #

Same as above
Payment Remittance Address



James E. Vance III
(witness signature)
James Edgson Vance III
(witness name printed)

**CERTIFICATE
(Corporation)**

The undersigned hereby certifies that the following are true and correct statements:

1. That he/she is the Secretary of The Vance Construction Co., a corporation organized and existing in good standing under the laws of the State of Florida hereinafter referred to as the "Corporation", and that the following Resolutions are true and correct copies of certain Resolutions adopted by the Board of Directors of the Corporation as the 22 day of February, 2015, in accordance with the laws of the State of the state of incorporation of the Corporation, the Articles of Incorporation and the By-laws of the Corporation.

RESOLVED, that the Corporation shall enter into that certain Agreement between Palm Beach County, a political subdivision of the State of Florida and the Corporation, a copy of which is attached hereto, and be it

FURTHER RESOLVED, that James E. Vance Jr. (name), the President (title) of the Corporation, is hereby authorized and instructed to execute such Agreement and such other instruments as may be necessary and appropriate for the Corporation to fulfill its obligations under the Agreement.

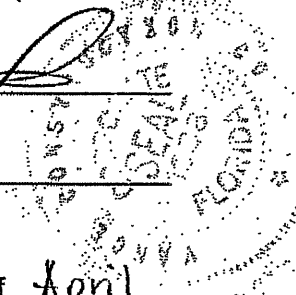
2. That the foregoing resolutions were passed with the required corporate formalities and have not been modified, amended, rescinded, revoked or otherwise changed and remain in full force and effect as of the date hereof.

3. That the Corporation is in good standing under the laws of the State of Florida or its state of incorporation, if other, and has qualified, if legally required, to do business in the State of Florida and has the full power and authority to enter into such Agreement.

IN WITNESS WHEREOF, the undersigned has set his hand and affixed the Corporate Seal of the Corporation the 16 day of April, 20 15.

(CORPORATE SEAL)

[Signature]
(Signature)
James E. Vance Jr.
(Print Signatory's name)
Its Secretary



SWORN TO AND SUBSCRIBED before me this 16th day of April, 20 15, by the Secretary of the aforesaid Corporation, who is personally known to me OR who produced _____ as identification and who did _____ take an oath.

Mona M. Pierro
(Notary Signature)
Mona M. Pierro
(Print Notary's Name) **NOTARY PUBLIC**
State of Florida at Large
My Commission Expires: 9/21/17

END OF SECTION



ATTACHMENT 2

| 3/27/18 BID SCHEDULE - Vance Construction Work Order #0649-5 | | | | | |
|--------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|------------|-------------|----------------------------|---------------------|
| Palm Beach County Annual Artificial Reef & Breakwater Project Project No. 2015ERM01 | | | | Tarpon Cove Islands | |
| Bid Item | Description | Units | Unit Price | Total Amount | Total Price |
| General | | | | | |
| 1 | Turbidity Monitoring/Reporting | Day | \$ 90.00 | 60.00 | \$5,400.00 |
| 2 | Turbidity Curtain | Foot | \$ 6.50 | 2,000.00 | \$13,000.00 |
| 3 | Mobilization & Demobilization (1) | Work Order | \$ 9,000.00 | | |
| Materials Supply | | | | | |
| 4 | Supply Limestone Rock (3' to 4' diameter) | Ton | \$ 45.00 | | |
| 5 | Supply Limestone Rock (2' to 3' diameter) | Ton | \$ 50.00 | 6,300.00 | \$315,000.00 |
| 6 | Supply Bedding Stone | Ton | \$ 40.00 | 1,880.00 | \$75,200.00 |
| 7 | Supply Sand | Ton | \$ 9.90 | | |
| 8 | Supply Filter Fabric | SY | \$ 4.50 | 4,840.00 | \$21,780.00 |
| 8A | Supply Tailings | Ton | \$ 35.36 | | |
| Offshore Limestone Reef Construction | | | | | |
| 9 | Load/Install Rock | Ton | \$ 22.00 | | |
| 10 | Transport Rocks (2) | Ton-Mile | \$ 0.31 | | |
| Donated Reef Materials | | | | | |
| 11 | Load/Install Reef Materials | Ton | \$ 45.00 | | |
| 12 | Load/Install Reef Materials with Crane and Diver | Ton | \$ 45.00 | | |
| 13 | Transport Reef Materials (2) | Ton-Mile | \$ 0.75 | | |
| Inshore Breakwater/Reef Construction | | | | | |
| 14 | Load/Install Filter Fabric | SY | \$ 4.50 | 4,840.00 | \$21,780.00 |
| 15 | Load/Install Bedding Stone | Ton | \$ 35.00 | 1,880.00 | \$65,800.00 |
| 15A | Load/Install Tailings | Ton | \$ 45.00 | | |
| 16 | Load/Install Armor Stone | Ton | \$ 50.00 | 6,300.00 | \$315,000.00 |
| 17 | Transport All Materials (2) | Ton-Mile | \$ 0.75 | 53,170.00 | \$39,877.50 |
| Miscellaneous Inshore Construction | | | | | |
| 18 | Load/Install Sand | Ton | \$ 9.00 | | |
| 19 | Transport Sand | Ton-Mile | \$ 1.50 | | |
| Pilings | | | | | |
| 20 | Supply Prestressed 14" Square Concrete Piling | LF | \$ 17.00 | | |
| 21 | Load/Install Concrete Piling in Sand Substrate including 1 sign provided by County | Unit | \$ 2,500.00 | | |
| 22 | Load/Install Concrete Piling in Rock Substrate including 1 sign provided by County | Unit | \$ 3,500.00 | | |
| | | | | GRAND TOTAL: | \$872,837.50 |
| Ton-Milage distance = 6.5 miles | | | | | |

(1) Mobilization/demobilization costs shall be allowed once for Work Orders with overlapping construction schedules.

(2) Rock transport cost based on 6.5 miles distance from mouth of LW Inlet to Tarpon Cove project.

ATTACHMENT 3

CONTRACT HISTORY
Palm Beach County Artificial Reef & Breakwater Annual Contract (Primary Contractor)
Project Number 2015ERM01
The Vance Construction Co.

Contract R2015-0649 dated May 19, 2015 for initial 1 year Term expires on May 18, 2016 for \$1,178,684.50
 Amendment No. 1 (R2016-0641) increases Contract for 2nd Year by \$1,178,684.50.
 Amendment No. 1 (R2016-0641) extends the Contract for 1 year, expiring on May 18, 2017.
 Change Order No. 1 increases Contract for 2nd Year by \$22,260.00.
 Amendment No. 2 (R2017-0648) increases Contract for 3rd Year by \$1,200,944.50.
 Amendment No. 2 (R2017-0648) extends the Contract for 1 year, expiring on May 18, 2018.
 Change Order No. 2 increases Contract for 3rd Year by \$69,196.60.
 Contract Not To Exceed: \$3,649,770.10
 SBE Goal: 54.94%

Work Order Summary:

| WORK ORDER NUMBER | TOTAL/ SBE AMOUNT | ACTUAL* TOTAL/SBE AMOUNT | WORK ORDER DESCRIPTION | DATE / APPROVED BY | COMMENCEMENT DATE |
|--------------------|--------------------------------|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------|
| Amendment No. 1 | | | Increase Contract by \$1,178,684.50 and Extend Contract by 1 Year | 5/17/2016 BCC | |
| 0649-1 | \$117,498.00 \$99,498.00 | \$116,269.00 \$112,219.00 | Peanut Island Park | 6/8/2016 CRC | 6/8/2016 |
| 0649-2 | \$1,004,073.38 \$812,483.38 | \$944,255.46 \$922,335.46 | Torry Island and Pahokee Marina Artificial Reefs | 8/16/2016 BCC | 10/19/2016 |
| 0649-3 | \$149,988.82 \$131,000.82 | \$137,488.82 \$125,257.53 | Phil Foster and Sugar Sands Reefs | 11/9/2016 CRC | 11/16/2016 |
| 0649-3A | -\$71.08 \$474.20 | -71.08 474.20 | Phil Foster and Sugar Sands Reefs / 21 day Work Time Extension | 2/16/2017 ERM | 11/16/2016 |
| 0649-2A | \$19,080.00 -\$61,966.90 | \$19,080.00 \$19,080.00 | Torry Island and Pahokee Marina Artificial Reefs / 30 day Work Time Extension, Replace USACE Permit, and Add Pilings | 3/8/2017 ERM | 10/19/2016 |
| 0649-3B | \$17,500.00 -\$10,475.71 | 17,500.00 -10,475.71 | Phil Foster and Sugar Sands Reefs / 9 day Work Time Extension and Piling Rock Installation | 3/6/2017 ERM | 11/16/2016 |
| Change Order No. 1 | | | Increase Contract by \$22,260.00 for Steel Piling Line Items and Revise Contract Bid Form and Technical Specifications | 4/5/2017 ERM | |
| 0649-2B | \$0.00 \$0.00 | \$0.00 \$0.00 | Torry Island and Pahokee Marina Artificial Reefs / Replace Concrete Pilings with Steel Pilings | 4/5/2017 ERM | 10/19/2016 |
| Amendment No. 2 | | | Increase Contract by \$1,200,944.50 and Extend Contract by 1 Year | 5/16/2017 BCC | |
| Change Order No. 2 | | | Increase Contract by \$69,196.60 for Tailings and #57 Limestone Line Items, Revise Contract Bid Form and Technical Specifications | 1/3/2018 CRC | |
| 0649-4 | \$473,489.10 \$423,199.10 | | Grassy Flats Islands/Bryant Park Islands/Snook Islands II | 2/6/2018 BCC | 2/7/2018 |
| 0649-5 | \$872,837.50 \$717,417.50 | | Tarpon Cove Islands; BCC Delegation 5/1/18 | ERM | |
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Total: \$2,580,848.80
 SBE: \$2,309,507.08
 SBE Participation: 89.48%

Contract Balance: \$1,068,921.30
 Report Date: 3/28/2018

* Actual amount expended for completed Work Orders and approved for closeout by Contract Review Committee.