

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 14, 2018

Consent ☒ 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 (BCC) of Palm Beach County, Florida amending Resolution No. R2017-1943 pertaining to the Special Assessment process for the 52nd Court North Water Main Extension (Project), reducing the individual assessment from \$11,990.76 to \$10,248.63 per parcel.

Summary: On December 19, 2017, the BCC adopted Resolution R2017-1943 authorizing 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 BCC was based upon an estimated assessable cost of \$143,889.12 before construction. The actual assessable cost is \$122,983.56 after completion of construction. The individual cost to the property owners decreased from \$11,990.76 to \$10,248.63 per parcel. The Project is based on the assessment of 12 residential properties. (WUD Project No. 17-012) District 6 (MJ).

Background and Justification: The estimated assessable cost of \$143,889.12 was adjusted by a decrease in fees totaling \$20,905.56, resulting in an actual cost of \$122,983.56. The adjustment in fees are made up of decreases in construction costs (\$10,624.20) combined with decreases in contingencies (\$11,648.05), inspection fees (\$424.97), and administration fees (\$531.21), as well as, an administration adjustment (\$0.03). The decrease in actual costs also resulted in a reduction of (\$2,322.84) of the 10% financial support required per the agreement between the County and Indian Trails Improvement District, in which the County will provide for 10% of the total project cost. All other portions of Resolution No. R2017-1943 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. R2017-1943
5. Report of Cost – Final
6. Final Authorization Summary - Approved

Recommended By:



Department Director

7-20-18

Date

Approved By:



Assistant County Administrator

8/6/18

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	(\$20,906)	0	0	0	0
Operating Costs	0	0	0	0	0
External Revenues	\$20,906,	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	0
# ADDITIONAL FTE POSITIONS (Cumulative)	0	0	0	0	0
Budget Account No.:	Fund 4011	Dept 721	Unit W031	Object 6543	

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

Reporting Category N/A

B. Recommended Sources of Funds/Summary of Fiscal Impact:

This item has no fiscal impact.

C. Department Fiscal Review:

III. REVIEW COMMENTS

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

OFMB 7/24/18 7/24/18 SP 7/23
Contract Development and Control 8/3/18

B. Legal Sufficiency
Assistant County Attorney 8/3/18

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-2017-1943; PERTAINING TO THE SPECIAL ASSESSMENT PROCESS FOR THE 52nd COURT NORTH WATER MAIN EXTENSION

WHEREAS, on December 19, 2017 in accordance with the Palm Beach County Ordinance 2001-0010, the Board of County Commissioners, Palm Beach County, Florida, adopted Resolution No. R-2017-1943, confirming the special assessment process for the 52nd Court 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 52nd Court North Water Main Extension is complete (see Attachment "6" – "Final Authorization Summary"; and

WHEREAS, the total assessable cost of the 52nd Court North Water Main Extension has been reduced by \$20,905.56 from \$143,889.12 to \$122,983.56; and

WHEREAS, pursuant to Section 9 of Ordinance 2001-0010 the Board of County Commissioners desires to amend Resolution No. R-2017-1943.

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-2017-1943 is hereby amended by reducing the total assessable cost of the 52nd Court North Water Main Extension from \$143,889.12 to \$122,983.56 and reducing the individual assessment from \$11,990.76 per parcel to \$10,248.63 per parcel based on twelve (12) 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-2017-1943 is hereby amended by deleting "\$159,876.82" and inserting "\$136,648.39" in its place.

3. Attachment "5" (Report of Cost) to Resolution No. R-2017-1943 is hereby amended by changing the total assessable cost of the 52nd Court North Water Main Extension to \$122,983.56 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-2017-1943 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.



Assessment Roll - Final

52ND CT NORTH
WATER MAIN EXTENSION

FUND	AGENCY	ORG	COMMISSION DISTRICT		SECTION TOWNSHIP RANGE		
			6 MELISSA MCKINLAY		04	43S	41E

No.	Homeowner	PCN/Legal Description	Parcel	Cost/Per Parcel	Total Assessment	Annual Cost/Per Parcel	Annual Cost/Per Year	Notes
1	OLMSTEAD, DALE & PHYLLIS	00-41-43-04-00-000-718.0	1	\$10,249	\$10,248.63	857.5984918	\$857.60	
	13833 52ND CT N WEST PALM BEACH, FL 33411-8171	4-43-41, E 209 FT OF W 687 FT OF S 239 FT OF N 4332 FT OF W 1/2 AS IN OR2107P1069				Initial	Final	N Petition
2	MC GEE, BRUCE J & SHARON WALLING	00-41-43-04-00-000-720.0	1	\$10,249	\$10,248.63	857.5984918	\$857.60	
	13878 52ND CT N ROYAL PALM BEACH, FL 33411-8170	4-43-41, E 209 FT OF W 478 FT OF S 269 FT OF N 4601 FT OF W 1/2 AS IN OR2242P1350				Initial	Final	Y Petition
3	BLOCKER, GARY E	00-41-43-04-00-000-721.0	1	\$10,249	\$10,248.63	857.5984918	\$857.60	
	13746 52ND CT N ROYAL PALM BEACH, FL 33411-8170	4-43-41, E 209 FT OF W 1105 FTOF S 269 FT OF N 4601 FT OF W 1/2 AS IN OR2242P1352				Initial	Final	Y Petition
4	NIENHOUSE, GEORGE J JR	00-41-43-04-00-000-725.0	1	\$10,249	\$10,248.63	857.5984918	\$857.60	
	13879 52ND CT N WEST PALM BEACH, FL 33411-8171	4-43-41, E 209 FT OF W 478 FT OF S 239 FT OF N 4332 FT OF SEC				Initial	Final	N Petition
5	SALVO, CARL F	00-41-43-04-00-000-726.0	1	\$10,249	\$10,248.63	857.5984918	\$857.60	
	13834 52ND CT N ROYAL PALM BEACH, FL 33411-8170	4-43-41, E 209 FT OF W 687 FT OF S 269 FT OF N 4601 FT OF SEC				Initial	Final	Y Petition

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of five and a half (5.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.



Assessment Roll - Final

52ND CT NORTH
WATER MAIN EXTENSION

FUND	AGENCY	ORG	COMMISSION DISTRICT		SECTION TOWNSHIP RANGE		
			6 MELISSA MCKINLAY		04	43S	41E

No.	Homeowner	PCN/Legal Description	Parcel	Cost/Per Parcel	Total Assessment	Annual Cost/Per Parcel		Annual Cost/Per Year	Notes
6	HROMA , JEFFREY J & KIMBERLY S	00-41-43-04-00-000-735.0	1	\$10,249	\$10,248.63	857.5984918		\$857.60	
	13659 52ND CT N ROYAL PALM BEACH, FL 33411-8171	4-43-41, E 239 FT OF W 1553 FTOF S 239 FT OF N 4332 FT OF W 1/2 IN OR2480P1604					Initial Final Y Petition		
7	DANIELS ALISSA	00-41-43-04-00-000-736.0	1	\$10,249	\$10,248.63	857.5984918		\$857.60	
	13749 52ND CT N WEST PALM BEACH, FL 33411-8171	4-43-41, E 209 FT OF W 1105 FTOF S 239 FT OF N 4332 FT OF W 1/2 IN OR2386P290					Initial Final Petition		
8	PRINCE, ICAR	00-41-43-04-00-000-738.0	1	\$10,249	\$10,248.63	857.5984918		\$857.60	
	2049 SW 118TH AVE HOLLYWOOD, FL 33025-5659	4-43-41, E 209 FT OF W 896 FT OF S 269 FT OF N 4601 FT OF W 1/2 IN OR2423P1953					Initial Final N Petition		
9	FORD, WILLIAM & DIANE	00-41-43-04-00-000-739.0	1	\$10,249	\$10,248.63	857.5984918		\$857.60	
	13662 52ND CT N WEST PALM BEACH, FL 33411-8170	4-43-41, E 239 FT OF W 1553 FTOF S 269 FT OF N 4601 FT OF W 1/2 IN OR2386P292					Initial Final Y Petition		
10	EDDY, JENNIFER R	00-41-43-04-00-000-753.0	1	\$10,249	\$10,248.63	857.5984918		\$857.60	
	13706 52ND CT N WEST PALM BEACH, FL 33411-8170	4-43-41, E 209 FT OF W 1314 FTOF S 269 FT OF N 4601 FT OF SEC					Initial Final Y Petition		

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of five and a half (5.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.

FUND	AGENCY	ORG	COMMISSION DISTRICT		SECTION TOWNSHIP RANGE		
			6 MELISSA MCKINLAY		04	43S	41E

No.	Homeowner	PCN/Legal Description	Parcel	Cost/Per Parcel	Total Assessment	Annual Cost/Per Parcel		Annual Cost/Per Year	Notes
11	MALDONADO, CHRISTOPHER	00-41-43-04-00-000-777.0	1	\$10,249	\$10,248.63	857.5984918		\$857.60	
	13705 52ND CT N ROYAL PALM BEACH, FL 33411-8171	4-43-41, E 209 FT OF W 1314 FTOF S 239 FT OF N 4332 FT OF W 1/2					Initial Final Y Petition		
12	BURKE, WILLIAM T & ROBIN M	00-41-43-04-00-000-780.0	1	\$10,249	\$10,248.63	857.5984918		\$857.60	
	13793 52ND CT N WEST PALM BEACH, FL 33411-8171	4-43-41, E 209 FT OF W 896 FT OF S 239 FT OF N 4332 FT OF SEC					Initial Final N Petition		

Total:12

Total:\$122,983.56

Note Description/Totals		
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

Petition Response Summary						
		Initial		Final		
Homeowners	12	Voted Yes	00%	7	58%	
Properties	12	Voted No	00%	4	33%	
Needed	7	No Response	12100%	1	8%	

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of five and a half (5.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.

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.

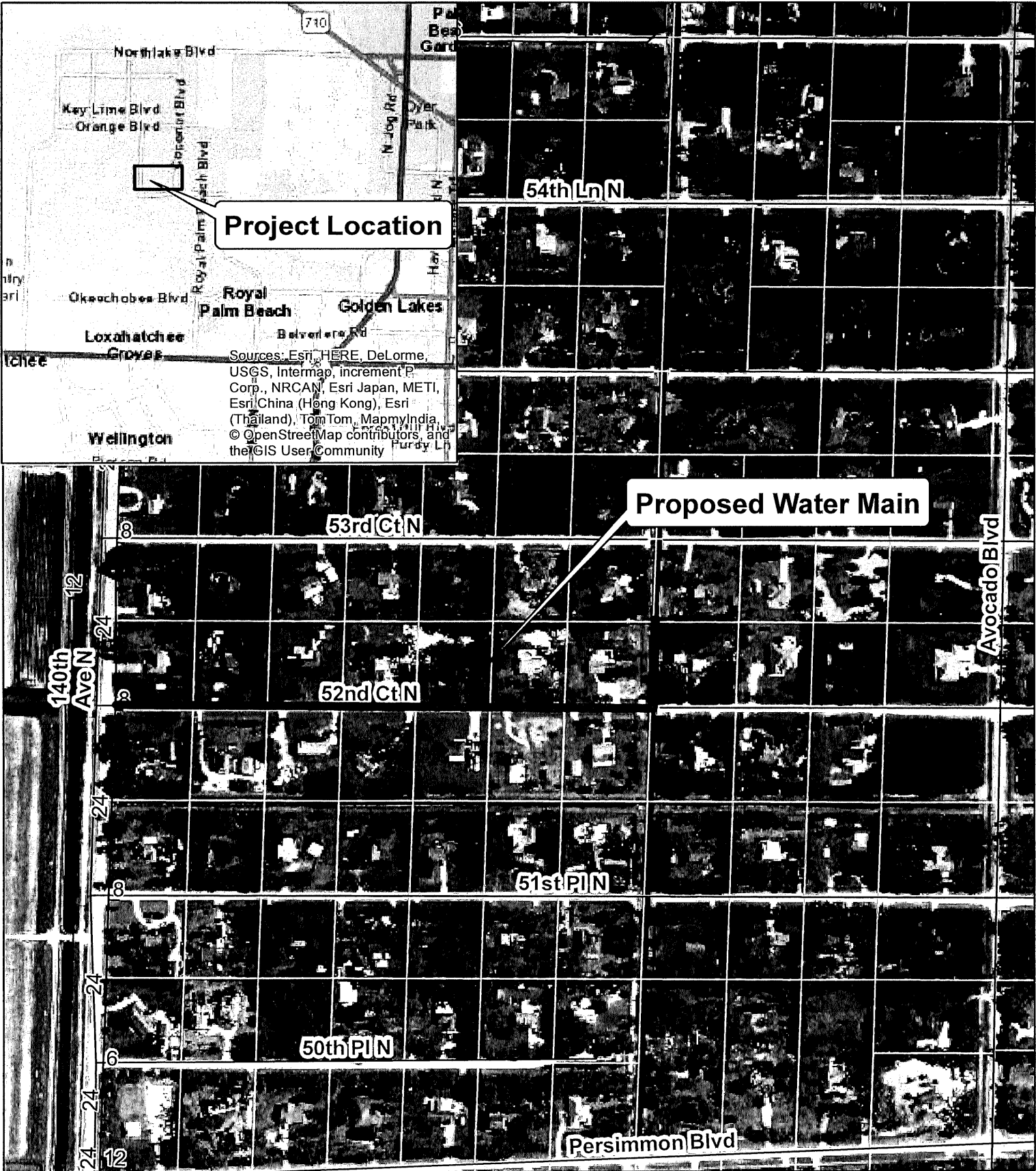
PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Sharon R. Bock, Clerk and Comptroller

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By _____

ATTACHMENT 2
PROJECT LOCATION MAP
WUD 17-012 52nd Ct North Water Main Extension



ATTACHMENT - 4

RESOLUTION NO. R-2017- 1943

**RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA,
CONFIRMING THE SPECIAL ASSESSMENT ROLL FOR
THE 52nd CT. 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 19TH day of December, 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 52nd Ct. North for the purpose of funding a water main extension; and

WHEREAS, the tentative assessable cost of the improvement project shall be \$143,889.12; 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 parcel method; and

WHEREAS, the dollar amount of each assessment unit shall be \$11,990.76 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 52nd Ct. North Water Main Extension Project (WUD 17-012) 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 ½ %) 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 Bernard who moved its adoption. The motion was seconded by Commissioner Burdick and upon being put to a vote; the vote was as follows:

Commissioner Hal Valeche	Aye
Commissioner Paulette Burdick	Aye
Commissioner Dave Kerner	Aye
Commissioner Steven L. Abrams	Aye
Commissioner Mary Lou Berger	Aye
Commissioner Melissa McKinlay	Aye
Commissioner Mack Bernard	Aye

The Mayor thereupon declared the Resolution duly passed and adopted this 19th day of December, 2017.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____

Sharon R. Bock, Clerk and Comptroller

Deputy Clerk



APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By _____

ATTACHMENT 5

FINAL REPORT OF COST
52ND CT NORTH
WATER MAIN EXTENSION
SPECIAL ASSESSMENT PROJECT
PROJECT NO. WUD 17-012
COMMISSION DISTRICT 6
SECTION 04, TOWNSHIP 43 SOUTH, RANGE 41 EAST
FUND 4011 DEPT. 721 ORG. W031 OBJECT 6543

	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>DIFFERENCE</u>
Construction Price Estimated	\$116,480.45	\$105,856.25	(\$10,624.20)
Construction Contingency (10%) (1)	\$11,648.05	\$0.00	(\$11,648.05)
Inspection Fee (4%) (2)	\$4,659.22	\$4,234.25	(\$424.97)
Engineering Fee (3)	\$21,265.08	\$21,265.08	\$0.00
Administration Fee (5%) (4)	\$5,824.02	\$5,292.81	(\$531.21)
Administrative Adjustment (5)	-\$0.02	\$0.01	(\$0.03)
Total Project Cost	\$159,876.82	\$136,648.39	(\$23,228.43)
Financial Support Discount	\$15,987.68	\$13,664.84	(\$2,322.84)
Total Assessable Cost	\$143,889.12	\$122,983.56	(\$20,905.56)
Total Properties	12	12	12
Cost Per Property	\$11,990.76	\$10,248.63	(\$1,742.13)

Notes:

1. Construction Contingency is 10% of the Construction Cost
2. Inspection fee is 4% of the Construction Cost.
3. Engineering Fee of \$21,265.08 is for the cost of survey, design and drafting from Holtz Consulting Engineer.
4. Administrative Fee is 5% of the Construction Cost.
5. Administrative Adjustment is used to round the cost per parcel to the nearest cent.

FINAL AUTHORIZATION SUMMARY

Submitted by: WATER UTILITIES DEPARTMENT (Engineering Division)

Final Acceptance and Final Payment in the amount of \$22,258.89 to Johnson-Davis Incorporated for the construction of 1,475 ft of 6" & 8" PVC water main along 52th Ct North, No. WUD17-012, Work Authorization No. 13, Account No. 4011-721-W031-6543

District 6

SUMMARY: On December 19, 2017 the Board of County Commissioners approved Work Authorization No 13, WUD 17-012, (R2017-1944) to the Pipeline Continuing Construction Contract (R2016-0902) with Johnson-Davis Incorporated for construction of 1,475 ft of 6" & 8" PVC water main along 52th Ct North. The final payment includes the final quantity adjustment in the amount of (\$10,624.20).

SBE PARTICIPATION SUMMARY:

Master Contract SBE Participation Goal:	3.28%
This Work Authorization SBE Quoted Goal:	24.35%
Actual Authorization SBE Achieved:	26.93%
Master Contract SBE Cumulative Achieved:	35.73%

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

\$	116,480.45	- Original Authorization Amount
\$	(10,624.20)	- Final Quantity Adjustment
\$	105,856.25	- Final Authorization Amount
\$	<u>83,597.36</u>	- Previous Payments
\$	22,258.89	- Final Payment

Attachments for Committee:

1. Project Location Map.
2. Payment Application No.3, 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 Summary

Recommended By: <u>Krypton Beta</u>	<u>5-14-2018</u>
Director of Engineering Division	Date
Recommended By: <u>Jim Steele</u>	<u>5-16-18</u>
Director of Water Utilities Department	Date
APPROVED BY: <u>[Signature]</u>	<u>5/23/18</u>
Contract Review Committee	Date

APPROVED BY THE CONTRACT REVIEW COMMITTEE