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

	AGENDA ITEM SUMMARY					
Me	eeting Date: O	etober 16, 2018	[X] Consent [ ] Workshop	[ ] Regular [ ] Public Hearing		
Sul	partment: bmitted By: bmitted For:	Engineering & Publi Engineering & Publi Roadway Production	ic Works			
		EXEC	UTIVE BRIEF			
Mo	otion and Title:	Staff recommends moti	ion to approve:			
A)	the first amendment to the annual pavement marking contract, R2017-1656, Project No. 2017054, dated November 7, 2017, with Southwide Industries, Inc. (Southwide) to extend the expiration date from November 6, 2018 to November 6, 2019 and to add reporting language to the contract; and					
B)	the first amendment to the annual pavement marking contract, R2017-1657, Project No. 2017054, dated November 7, 2017, with Oglesby Construction, Inc. (Oglesby) to extend the expiration date from November 6, 2018 to November 6, 2019 and to add reporting language to the contract.					
exp Bus hav Tas of 1 first repo	iration dates from the siness Enterprise to been authorized as in the amount 6.45% has been amendments wort information.	om November 6, 2018 to e (SBE) goal for all contracted for Southwide. Their of t of \$372,326 have been at achieved. This is the first will also add the additional regarding the county of res	nents will extend the Southwi- November 6, 2019. The Pal ets is 15%. To date, tasks in the verall SBE commitment of 10 athorized for Oglesby. Their conference allowable renewals und reporting language required be idency of the employees that we re Sales Tax. Countywide (LI	m Beach County Small ne amount of \$1,600,598 00% has been achieved. overall SBE commitment ler these contracts. These y Palm Beach County to work for the firms that are		
inst Sind	alling of pavem ce these contrac	ent marking materials, rai ctors remain in good stand	acts facilitate, on a task order sed reflectorized pavement mand wish to continue to so to renew their contracts for	narkers and traffic paint. provide the services as		
1. S			l Pavement Marking Contrac Pavement Marking Contract (2			
Rec	ommended by:	Department D		& <i>5EP</i> 2018 Date		
App	proved By:	Pell		9/28/18		

**Assistant County Administrator** 

Date

### II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	<u>\$ -0-</u>				
<b>Operating Costs</b>		-0-	-0-		
External Revenues	-0-	-0-	0-	0-	<u>-0-</u>
<b>Program Income (County)</b>	-0-				<u>-0-</u>
In-Kind Match (County)	-0-	-0-			
NET FISCAL IMPACT	<u>\$ **</u>				<u>-0-</u>
# ADDITIONAL FTE					
<b>POSITIONS</b> (Cumulative)					

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

**Budget Account No: Various** 

Recommended Sources of Funds/Summary of Fiscal Impact:

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

### III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Contr	al Camments:
La Pre alule	A. S. Jan 9125118
OFMB At Polly	Contract Dev. and Control
B. Approved as to Form and Legal Sufficiency:	
. // Assistant County Attorney	
C. Other Department Review:	

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

**Department Director** 

# FIRST AMENDMENT TO THE ANNUAL PAVEMENT MARKING CONTRACT NO. 2017054 DATED NOVEMBER 7, 2017 BY AND BETWEEN SOUTHWIDE INDUSTRIES, INC. AND PALM BEACH COUNTY

THIS FIRST AMENDMENT to the Annual Pavement Marking Contract dated November 7, 2017, (R2017-1656) hereinafter "CONTRACT" by and between Southwide Industries, 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 November 7, 2017, the CONTRACTOR and COUNTY entered into a twelve month CONTRACT for pavement marking items throughout Palm Beach County; and

WHEREAS, the CONTRACT provides that the contract may be extended, upon mutual written agreement and approval of the Board of County Commissioners; and

WHEREAS, by this FIRST AMENDMENT, the CONTRACTOR and the COUNTY mutually agree to amend the CONTRACT terms to extend the expiration date of the CONTRACT with all remaining 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 November 6, 2018 to November 6, 2019.
- 3. 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.
- 4. It is the intent of the parties hereto that this FIRST AMENDMENT shall not become binding until the date executed by the COUNTY.
- 5. All other provisions of the CONTRACT dated November 7, 2017 shall remain in full force and effect.

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 $F: |ROADWAY| PRO|2017|2017054 - Annual \ Pavement \ Marking| Z\_Annual \ Amendments \ and \ Change \ Orders \ Annual \ Renewal \ Amendment\_Southwide \ Industries\_3C6\_10162018. docx$ 

	Page 2 of 2  mual Amendments and Change Orders\Annual Renewal Amendment_Southwide
(Seal)	JOHN BIERMANN / PRESIDENT (Print Name and Title)
By: Secretary or Asst. Secretary	By: (Signature)
ATTEST:	SOUTHWIDE INDUSTRIES, INC. Contractor
County Attorney	Engineering
By:	By: st Omela at man
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
By: Deputy Clerk	By: Melissa McKinlay, Mayor
ATTEST: SHARON R. BOCK Clerk and Comptroller	PALM BEACH COUNTY, a Political Subdivision of the State of Florida Board of County Commissioners
IN WITNESS WHEREOF, the parties have ca	aused this Amendment to be executed and sealed this

# FIRST AMENDMENT TO THE ANNUAL PAVEMENT MARKING CONTRACT NO. 2017054 DATED NOVEMBER 7, 2017, BY AND BETWEEN OGLESBY CONSTRUCTION, INC., AND PALM BEACH COUNTY

THIS FIRST AMENDMENT to the Annual Pavement Marking Contract dated November 7, 2017 (R2017-1657), hereinafter "CONTRACT" by and between Oglesby 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 November 7, 2017, the CONTRACTOR and COUNTY entered into a twelve month CONTRACT for pavement marking items throughout Palm Beach County; and

WHEREAS, the CONTRACT provides that the contract may be extended, upon mutual written agreement and approval of the Board of County Commissioners; and

WHEREAS, by this FIRST AMENDMENT, the CONTRACTOR and the COUNTY mutually agree to amend the CONTRACT terms to extend the expiration date of the CONTRACT with all remaining 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 November 6, 2018 to November 6, 2019.
- 3. 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.
- 4. It is the intent of the parties hereto that this FIRST AMENDMENT shall not become binding until the date executed by the COUNTY.
- 5. All other provisions of the CONTRACT dated November 7, 2017 shall remain in full force and effect.

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 $F: |ROADWAY| PRO|2017|2017054 - Annual Pavement Marking| 7\_ \ Annual \ Amendments \ and \ Change \ Orders \ Annual \ Renewal \ Amendment_Oglesby_3C6_10162018. docx$ 

IN WITNESS WHEREOF, the parties h day of,	ave caused this Amendment to be executed and sealed this 20
ATTEST: SHARON R. BOCK Clerk and Comptroller	PALM BEACH COUNTY, a Political Subdivision of the State of Florida Board of County Commissioners
By:	By: Melissa McKinlay, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
By:County Attorney	By: Monds at many Engineering
ATTEST:	OGLESBY CONSTRUCTION, INC. Contractor
By: Secretary or Asst. Secretary	By: (Signature)
(Seal)	Tim Packer VICE Pres (Print Name and Title)

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