Agenda Item #: 3-C-3

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: February 5, 2019		[X] Consent [] Ordinance	[] []	Regular Public Hearing
Department:	Engineering and Publi	ic Works		
Submitted By:	Engineering and Public	ic Works		
Submitted For:	Road and Bridge Divis	sion		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Work Order 2018051-6 in the amount of \$400,000 to mill and resurface Woolbright Road from Lawrence Road to Congress Avenue utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 with Ranger Construction Industries, Inc. (Ranger).

SUMMARY: Approval of this work order will allow the contractual services necessary to construct the improvements. Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Prior to this work order, approximately \$1 million of Ranger's \$16 million contract has been spent or encumbered. This annual construction bid was solicited on July 8, 2018, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance requirements. Ranger proposed 15% SBE participation for the annual contract and for this individual work order. None of Ranger's three subcontractors is M/WBE. Approval of this work order will result in a cumulative SBE participation of 15% for all the work orders issued under the contract. This project is partially funded through the infrastructure sales tax. District 4 (LBH)

Background and Justification: On October 16, 2018, the BCC approved the contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The County desires to construct the improvements in accordance with the attached work order. The budget for the improvements includes striping and marking costs of \$36,000, bringing the total fiscal impact to \$436,000.

Attachments:

1. Location Map

2. Work Order 2018051-6 with Exhibits "A", "B", "C" (3)

Recommended by:

County Engineer

Approved By:

Assistant County Administrator

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	-0-	-0-			-0-
Operating Costs	\$436,000	-0-	-0-	-0-	-0-
External Revenues		-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$436,000	-0-	-0-	-0-	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)					
. , , , , , , , , , , , , , , , , , , ,					

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

Budget Account No:

-							
Fund	3950	Dept	361	Unit	1624	Object	4612-C017
Fund	3900	Dept	363	Unit	R118-101	Object	4612

Recommended Sources of Funds/Summary of Fiscal Impact: Local Government One-Cent Infrastructure Surtax Fund Woolbright Rd from Lawrence Rd to Congress Ave-Resurfacing Capital Outlay Fund Pavement Mgmt/Roadway Striping FY2018

Annual Contract Asphalt & Milling Striping and Marking Fiscal Impact

\$400,000.00 \$ 36,000.00 \$436,000.00

Surtax Funding FY 2019 \$200,000 Woolbright Rd from Lawrence Rd to Congress Ave-Resurfacing. The balance of the funding \$236,000 from Capital Outlay, Pavement Mgmt/Roadway Striping FY2018.

MALAIN ĽU C. Departmental Fiscal Review:

III. <u>REVIEW COMMENTS</u>

q116

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

OFMB

122/19 **Contract** Dev Control 1m 1/15

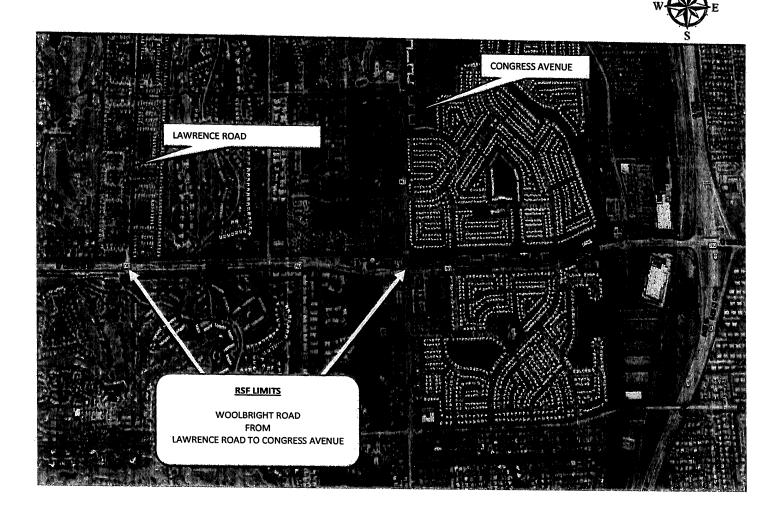
В. Approved as to Form and Legal Sufficiency:

ssistant County Attorney

Other Department Review: С.

Department Director

This summary is not to be used as a basis for payment. 2 F:\COMMON\WP\AGENDAPAGE2\AGNPGTWO2019\19.085.PAVE.DOC



LOCATION MAP

WORK ORDER TO ANNUAL CONTRACT (No. 2018051) BETWEEN

PALM BEACH COUNTY

AND

RANGER CONSTRUCTION INDUSTRIES, INC.

FOR MILLING & RESURFACING OF

WOOLBRIGHT ROAD FROM LAWRENCE ROAD TO CONGRESS AVENUE

WORK ORDER: # 2018051-6

PALM BEACH COUNTY, FLORIDA

THIS WORK ORDER TO THE ANNUAL CONTRACT, made and entered into this day of ______, by and between Palm Beach County ("COUNTY"), a Political Subdivision of the State of Florida, by and through its Board of County Commissioners, and RANGER CONSTRUCTION INDUSTRIES, INC. a Florida Corporation with an address of 101 Sansburys Way, West Palm Beach, FL 33411 ("CONTRACTOR").

<u>WITNESSETH</u>

WHEREAS, the COUNTY and CONTRACTOR entered into an Annual Contract ("CONTRACT") for milling and resurfacing on a work order basis on October 16, 2018 (R 2018-1533); and

WHEREAS, the COUNTY desires the CONTRACTOR to mill and resurface Woolbright Road from Lawrence Road to Congress Avenue in Palm Beach County, Florida ("IMPROVEMENTS"); and

WHEREAS, the CONTRACTOR agrees to construct the IMPROVEMENTS in accordance with the terms and conditions of the CONTRACT as directed and accepted by the Engineering Department, Road & Bridge Division; and

MILL AND RESURFACE WOOLBRIGHT ROAD FROM LAWRENCE ROAD TO CONGRESS AVENUE

Work Order No.: 2018051-6

WHEREAS, based on the pricing agreed to in the CONTRACT, the parties agree that a

cost not to exceed \$400,000 is appropriate compensation for the services to be performed by the

CONTRACTOR to construct the **IMPROVEMENTS**.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That for and in consideration of

the mutual benefits that flow from each to the other, the parties hereto agree as follows:

- 1. The **CONTRACTOR** agrees to provide services for the **IMPROVEMENTS** in accordance with the **CONTRACT**, as amended, and as further described in **Exhibit** "A".
- 2. The **COUNTY** agrees to pay the **CONTRACTOR** a fee not to exceed \$400,000 to construct the **IMPROVEMENTS**. Final payment shall be per documented quantities installed.
- 3. The following Exhibits are attached to and made part of this **CONTRACT**:
 - a) Exhibit A Work Order Request and scope and cost estimate; and
 - b) **Exhibit B** Participation for SBE Subcontractors (Schedules 1 and 2).
 - c) Exhibit C Public Construction Bond

Except as amended, changed or modified, all other terms, conditions and obligations of the

CONTRACT dated October 16, 2018 (R2018-1533) shall remain in full force and effect.

INTENTIONALLY LEFT BLANK

Re:

MILL AND RESURFACE WOOLBRIGHT ROAD FROM LAWRENCE ROAD TO CONGRESS AVENUE

Work Order No.: 2018051-6

IN WITNESS WHEREOF, the parties hereto have made and executed this WORK ORDER as of the day and year first above written.

OWNER:

Palm Beach County, Florida, a Political Subdivision of the State of Florida

BOARD OF COUNTY COMMISSIONERS

BY:

Mack Bernard, Mayor

CONTRACTOR:

Ranger Construction Industries, Inc., a Florida Corporation

BY:

(Printed Name and Title)

CORPORATE S E A L

ATTEST: Sharon R. Bock, Clerk & Comptroller Circuit Court

BY: ____

Deputy Clerk

SEAL

WITNESS 1u BY

in Printed Nam

APPROVED AS TO TERMS AND CONDITIONS:

BY:

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

Yelizaveta Herman, Assistant County Attorney

BY: Deama K mire

(Printed Name)

Re:



PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS ENGINEERING & PUBLIC WORKS DEPARTMENT P. O. BOX 21229, WEST PALM BEACH, FL 33416-1229

REQUEST:	REQUESTING DIVISION:	INFORMATION:			
X WORK ORDER NO. 2018051-6	X_ ROAD & BRIDGE	DATE 11/2/18			
NEW AUTHORIZATION	TRAFFIC	REQUESTOR Mark Kroeger			
CHANGE ORDER NO	ROADWAY PRODUCTION	COMMISSION DISTRICT NO: 4			
SUPPLEMENTAL NO	CONSTRUCTION COOR.	RESOLUTION NO: R 2018-1533			
OTHER:	STREETSCAPE	PBC PO NUMBER:			
PROJECT LOCATION/LIMITS: Woolbright Road from Lawrence Road to Congress Avenue - Resurfacing					

PROJECT NUMBER: 2019812	
	BUDGET LINE ITEM: 3950-361-1624-4612-C017/3900-363-R118-101-4612
CONTRACT NO 2018051	
CONTRACT NO: 2018051	CONTRACT DATE: Ottober 16, 2049
	CONTRACT DATE: October 16, 2018

 CONTRACTOR/CONSULTANT/VENDOR:
 Ranger Construction Industries, Inc.
 VENDOR # RANG0001

 CONTACT:
 Beatriz Ramirez
 CONTACT PHONE NUMBER: 561-793-9400

Details: In accordance with your contract, you are to provide the following services: Mill and Pave Roadway as directed. A separate NTP will be issued directing the contractor to commence work within five (5) working days. The contract duration for this work request is 30 days. The project budget includes \$36,000 for striping which will be requested in a separate work order. This work shall be coordinated with, (48 hours prior to commencement of work): Mark Kroeger, Construction Project Mgr. R&B (561)-233-3962

The total amount of this request, per the attached documentation, is not to exceed $\frac{400,000}{2}$

The Small Business Enterprise (SBE) goal for this contract is 15 %. The estimated SBE participation for this request is 15 %. The cumulative SBE participation to date for this Contract including this request is 15 %.

Palm Beach County Engineering and Public Works Contact:

Mark Kroeger Const. Project N		Mgr. 561-233-3962			
Name	Title	Telephone Number			
CONTRACTOR/CONSULTANT Please indicate your receipt of and returning a duplicate cop	of this Work Order by signing	Please sign below and submit with invoice at the completion of the project. Project completed in compliance with Contract and Project Specifications.			
Signature	Date	Signature	Date		
Printed Name and Title		Printed Name and Title			
PALM BEACH COUNTY APP	ROVALS	BOARD APPROVAL?	Date:		
Division Approval	Date	Budget Approval	Date		
Deputy County Engineer	Date	Contract Review Committee	(when required) Date		

ALL CALL	Le B	WOOLBRIGHT ROAD FROM LAWRENCE RD TO CO	NGRESS AVI			
	ORIDA	EXHIBIT A - SCOPE AND COST ESTIMAT	E		DATE:	10/30/2018
Project [Description:	MILL AND PAVE	Roa	d Maintenai	nce District:	4
Proje	ct Location: WOOLBRIGHT ROAD FROM LAWRENCE RD TO CONGRESS AVE Commiss		ion District:	4		
Item #	Item Description		Unit	Unit Price	Quantity	Amount
1	MILL EXISTING ASPHALT PAVEMENT (1")		SY	\$1.90	41,348	\$78,561.20
9	SUPERPAVE ASPHALTIC CONCRETE (SP-9.5 TRAFFIC LEVEL C) (>800 TON ORDERS)		TN	\$110.00	2,584	\$284,240.00
26	PORTABLE MILLING MACHINE		HR	\$230.00	4	\$920.00
32	SURCHARGE TO DELIVER MILLINGS TO PBC STOCKPILE SITE		CY	\$2.00	50	\$100.00
35	ADJUST VALVE BOX & MISC STRUCTURES EA \$95.0		\$95.00	1	\$95.00	
25	OFF DUTY POLICE OFFICER HR \$70.00		\$70.00	8	\$560.00	
					SUBTOTAL:	\$364,476.20
					CONT:	\$35,523.80
					TOTAL:	\$400,000.00

STRIPING: \$36,000

SCHEMME 4

LIST OF PROPOSED SERVICE PRIME AND DESUBCONTRACTOR PARTICIPATION

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NAME OF TRUME TODOGS Ranger Construction Industries	ADDRESS IDI Sansbuly's Way - West Palm. Beach . FL
CONTACT PERSON ROAMS RAMICE	PHONE (561) 7939400 JAINO (561) 790 4332
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SME-5

Report Cracker

Exhibit B, Pg.

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PUBLIC CONSTRUCTION BOND

BOND NUMBER:	106982131				
BOND AMOUNT:	\$400,000,00				
CONTRACT AMOUNT:	\$400.000.00				
CONTRACTOR'S NAME:	Ranger Construction Industries, Inc.				
CONTRACTOR'S ADDRESS	S: <u>101 Sansbury's Way</u> West Palm Beach. FL 33411				
CONTRACTOR'S PHONE:	561-793-9400				
SURETY COMPANY:	Travelers Casualty and Surety Company of America				
SURETY ADDRESS:	One Tower Square Hartford, CT 06183				
SURETY PHONE:	800-242-8734				
OWNER'S NAME:	Palm Beach County				
OWNER'S ADDRESS:	2300 North Jog Road, Suite 3W-33 West Palm Beach, FL 33411-2745				
OWNER'S PHONE:	561-684-4150				
PROJECT NO.:	2019812/Work Order 2018051-6				
DESCRIPTION OF WORK:	And a second				
	Woolbright Road from Lawrence Road to Congress Avenue - Resurfacing				
PROJECT LOCATION:	Woolbright Road from Lawrence Road to Congress Avenue - Resurfacing				
LEGAL DESCRIPTION:	No legal description is available. The best description available is as indicated on the Project Location above.				

PCB-1

PUBLIC CONSTRUCTION BOND

This Bond is issued in favor of the County conditioned on the full and faithful performance of the Contract.

KNOW ALL MEN BY THESE PRESENTS: that Contractor and Surety, are held and firmly bound unto:

Palm Beach County Board of County Commissioners 301 N. Olive Avenue Weat Palm Beach, Florida 33401

As Obligee, herein called County, for the use and benefit of claimant as herein below defined, in the amount of:

\$ 400,000.00

for the payment whereof Principal and Surety bind themselves, their heirs, personal representatives, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has by written agreement dated_____, 20____, entered into a contract with the County for.

Project Name: Project No.: Project Description: Project Location:

Woolbright Road from Lawrence Road to Congress Avenue - Resurfacing 2019812 See Page PCB-1 See Page PCB-1

in accordance with Design Criteria Drawings and Specifications prepared by:

Name of Engineering/Architectural Firm:	TBD
Location of Firm:	TBD
Phone:	TBD
Fax::	TBD

which contract is by reference made a part hereof in its entirety, and is hereinafter referred to as the Contract.

THE CONDITION OF THIS BOND is that if Principal:

- 1. Performs the contract dated ______ between Principal and County for the construction of the project as described above, the contract being made part of this bond by reference, at the times and in the manner prescribed in the contract; and
- 2. Promptly makes payments to all claimants, as defined in Section 255.05, Florida Statutes, supplying Principal with labor, materials, or supplies, used directly or indirectly by Principal in the prosecution of the work provided for in the contract; and

PCB-2

PUBLIC CONSTRUCTION BOND

- 3. Pays County all losses, damages (including liquidated damages), expenses, costs, and attorney's fees, including appellate proceedings, that County sustains because of a default by Principal under the contract; and
- Performs the guarantee of all work and materials furnished under the contract for the time specified in the contract, then this bond is void; otherwise it remains in full force.
- Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the contract or the changes does not affect Surety's obligation under this bond and Surety waives notice of such changes.
- 6. The amount of this bond shall be reduced by and to the extent of any payment or payments made in good faith hereunder, inclusive of the payment by Surety of construction liens which may be filed of record against said improvement, whether or not claim for the amount of such lien be presented under and against the bond.
- 7. Principal and Surety expressly acknowledge that any and all provisions relating to consequential, delay and liquidated damages contained in the contract are expressly covered by and made a part of this Performance, Labor and Material Payment Bond. Principal and Surety acknowledge that any such provisions lie within their obligations and within the policy coverages and limitations of this instrument.
- 8. Section 255.05, Florida Statutes, as amended, together with all notice and time provisions contained therein, is incorporated herein, by reference, in its entirety. Any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statutes. This instrument regardless of its form, shall be construed and deemed a statutory bond issued in accordance with Section 255.05, Florida Statutes.
- 9. Any action brought under this instrument shall be brought in the state court of competent jurisdiction in Palm Beach County and not elsewhere.

Ranger Construction Inudustries, Inc. Principal (Scal) **Title Jamie** fesident étz, **Travelers** C **Company of America** Surety (Seal) Title William elps, Attorney-In-Fact and FL Resident Agent

PCB-3

PUBLIC CONSTRUCTION BOND		
PROJECT NO .:	2019812/Work Order 2018051-6	
DESCRIPTION OF WORK:	Woolbright Road from Lawrence Road to Congress Avenue - Resurfacing	
PROJECT LOCATION:	Woolbright Road from Lawrence Road to Congress Avenue - Resurfacing	
SURETY COMPANY:	Travelers Casualty and Surety Company of America	
SURETY ADDRESS:	One Tower Square	
	Hartford, CT 06183	
SURETY PHONE:	800-242-8734	
BOND NUMBER:	106982131	
BOND AMOUNT:	\$400,000.00	
CONTRACT AMOUNT:	\$400,000.00	

As the Surety Company for Ranger Construction Industries, Inc.

captioned bond. Because the contract date is unknown, we have left the bond(s) undated. As a duly authorized Attorney-in-Fact for the Surety, <u>Travelers Casualty and Surety Company of America</u>, permission is hereby granted to Palin Beach County to fill in the contract date on the bond(s) when that date is known. we have executed the Also, the "signed and sealed" date on the bond(s) should be completed.

PCB-4

IRAVELEDS	Travelers Casualty and Surety Company of America Travelers Casualty and Surety Company St. Paul Fire and Marine Insurance Company
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POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casuality and Surety Company of America, Travelers Casuality and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint William Pheips of Melbourne, Florida their fue and lawful Attorney-in-Fact tosign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 3rd day of February,

State of Connecticut

City of Hartford ss.

By: resident

On this the 3rd day of February, 2017, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations

in Witness Whereof, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2021



Marie c Istreauert Marie C. Tetreault, Notary Public

This Power of Attomey is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, which resolutions are now in full force and effect, reading as follows:

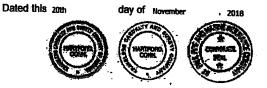
RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-In-Fact and the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Assistant Vice President, any Assistant Vice President, any Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-In-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.



evin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-600-421-3860. se refer to the above-named Attorney-in-Fact and the details of the bond to which the power is attached.