

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

Meeting Date: May 7, 2019	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
	<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing
Department: Engineering & Public Works		
Submitted By: Engineering & Public Works		
Submitted For: Roadway Production Division		

EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: the first amendment to the contract R2018-0969 with Engecon Construction, Inc. (ECI), dated July 10, 2018, for the construction of Palmetto Park Road from SW 7th Avenue to SW 5th Avenue (Project).

SUMMARY: Approval of this first amendment to the contract will correct an error on page C-1 of the contract to amend the contract time from 400 to 450 days. This bid was solicited on February 11, 2018, prior to the effective date of the EBO Ordinance and pursuant to the SBE Ordinance requirements at the time. ECI committed to 16.4% SBE participation. District 4 (YBH)

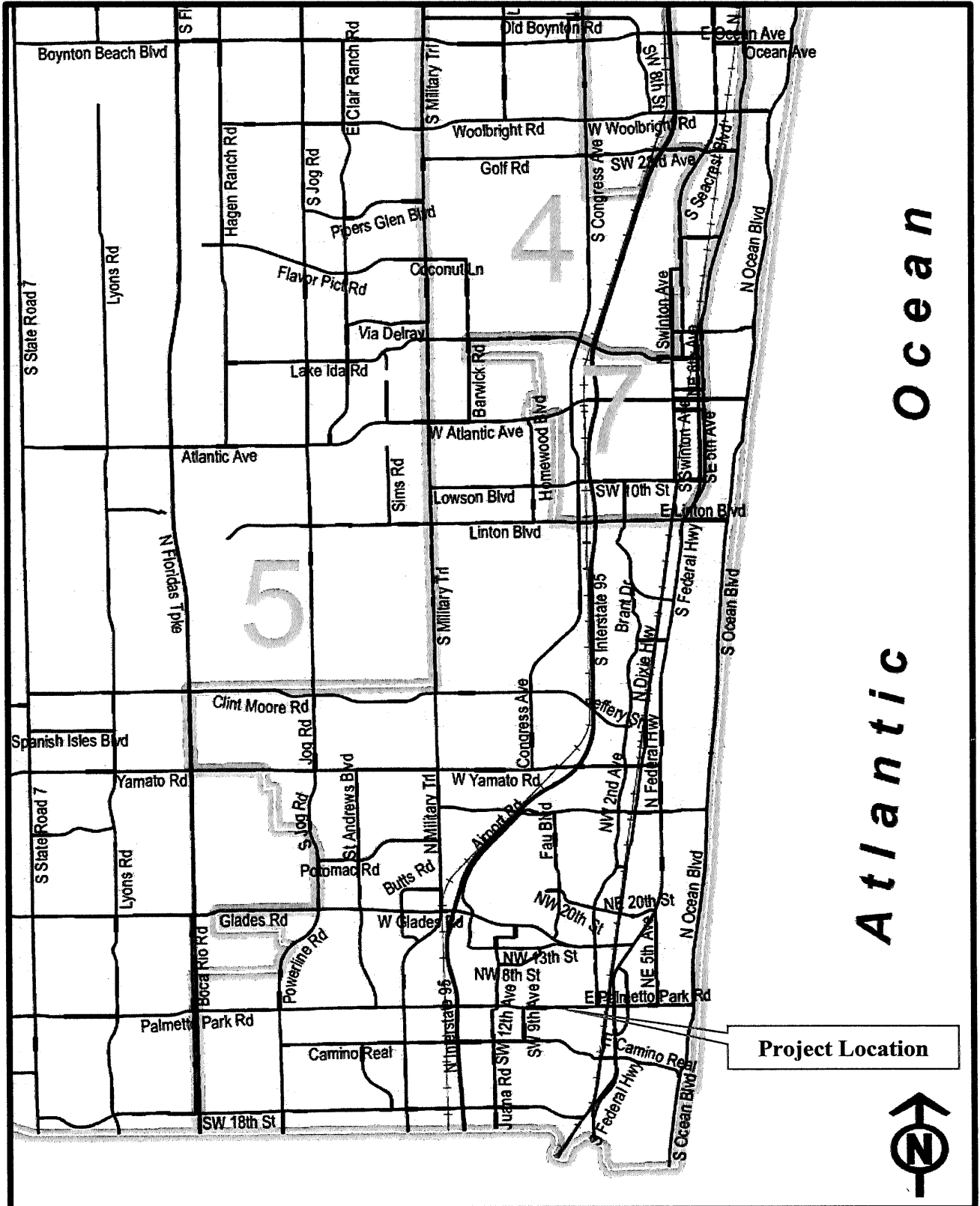
Background and Justification: Bids for the Project were received by the Engineering Department on March 13, 2018. An error was made in the item brought to the Board at that time. The total contract time should be 450 days instead of the 400 days approved then. Time to complete all work under this contract shall be 450 calendar days.

Attachments:

1. Location Map
2. Amendment One (2)

<i>[Signature]</i> Recommended by: <small>ybh</small>	<i>[Signature]</i> County Engineer	<i>4/10/19</i> Date
Approved By: <i>[Signature]</i>	Assistant County Administrator	<i>4/17/19</i> Date

Palmetto Park Road
From SW 7th Avenue to SW 5th Avenue
Palm Beach County Project No. 2013531



Location Map

**FIRST AMENDMENT TO THE CONSTRUCTION
CONTRACT NO. R2018-0969
DATED JULY 10, 2018, BY AND BETWEEN
ENGECON CONSTRUCTION INC., AND PALM BEACH COUNTY**

This First Amendment to the Construction Contract dated July 10, 2018, (R2018-0969), hereinafter "CONTRACT," is entered into on the date written below, by and between Engecon Construction Inc, hereinafter "CONTRACTOR" and the Board of County Commissioners of Palm Beach County, a political subdivision of the State of Florida, hereinafter, "COUNTY" (individually "Party" and collectively "Parties").

WITNESSETH

WHEREAS, the CONTRACTOR and COUNTY entered into the CONTRACT for the construction of Palmetto Park Road from SW 7th Avenue to SW 5th Avenue; and

WHEREAS, by this First Amendment, the CONTRACTOR and the COUNTY mutually agree to amend the CONTRACT to correct a scrivener's error on page C-1, regarding the Contract Time; and

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. **Page C-1** of the CONTRACT, last paragraph, second sentence is hereby deleted in its entirety and replaced with the following sentence:

"The time limit for the completion of all work under this Contract shall be 450 calendar days, (see Special Provisions)."

3. It is the intent of the Parties hereto that this First Amendment shall not become binding until the date executed by the COUNTY.
4. Except as hereby amended, changed or modified, all other terms, conditions and obligations of the CONTRACT shall remain in full force and effect.

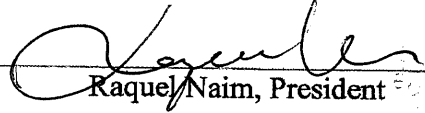
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IN WITNESS WHEREOF, the Parties have caused this First Amendment to the CONTRACT (R2018-0969) to be executed and sealed this _____ day of _____, 2019.

OWNER:
Palm Beach County, Florida, a
Political Subdivision of the
State of Florida
BOARD OF COUNTY COMMISSIONERS

CONSULTANT:
Engecon Construction, Inc.

BY: _____
Mack Bernard, Mayor

BY: 
Raquel Naim, President


SEAL

CORPORATE SEAL 

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

ATTEST WITNESS:
BY: Robert G. Waite
(Print Name)

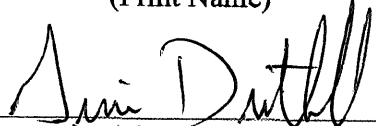
BY: _____
(Print Name)



(Signature)

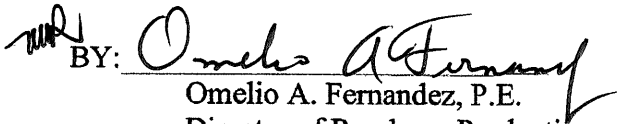
(Signature)

BY: Gina Drotleff
(Print Name)

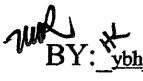


(Signature)

APPROVED AS TO TERMS
AND CONDITIONS:


BY: _____
Omelio A. Fernandez, P.E.
Director of Roadway Production

APPROVED AS TO FORM &
LEGAL SUFFICIENCY:


BY: ybh

Yelizaveta B. Herman,
Assistant County Attorney