

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

Meeting Date: July 23, 2019 ☐ Consent ☒ Regular
☐ Ordinance ☐ Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 4 with four (4) annual flooring contracts extending the term through June 1, 2021 for services on a continuing contract basis.

Contractor	Resolution #	Status	Total dollars in Work Orders to-date	Total SBE Participation To-date
A) Andrea Construction, Inc.	R2017-0804	Local/SBE	\$127,435	53.33%
B) Brian's Carpet & Commercial Flooring, Inc.	R2017-0805	Local/SBE	\$240,562	99.04%
C) Joe Schmidt Construction, Inc.	R2017-0806	Local/SBE	\$34,383	64.15%
D) One Call Florida, Inc.	R2017-0807	Local/SBE	\$0	0.00%

Summary: On June 2, 2016, the annual flooring contract was approved under the Facilities Development & Operations Director's authority with five (5) contractors participating. Work is awarded as work orders on a lump-sum, competitively quoted basis among the pool of pre-qualified flooring contractors. These Amendments also early implement the renewal option of these contractors through June 1, 2021, so that the terms of all six (6) contractors are the same. During the term of the contract, the County awarded \$402,381 in work orders. The Goal Setting Committee set an Affirmative Procurement Initiative (API) as Small Business Enterprise (SBE) Sheltered Market for work orders under \$100,000 and a SBE Price Preference. The cumulative SBE participation for all work orders to-date is 81.58%. Projects are bid among the pre-qualified participants. Firms may become pre-qualified and join the bidding pool at any time during the term. **(Capital Improvements) Countywide (LDC)**

Background & Policy Issues: Five (5) contractors were originally pre-qualified to provide flooring services associated with repairs and/or replacements at County properties. Work is awarded as work orders on a lump-sum, competitively quoted basis among the pool of pre-qualified flooring contractors. The original contract terms were for two (2) years and allowed for three (3) additional one (1) year renewals. This Amendment will renew the contract until the end of its full term. Other than the changes set forth herein, all other terms remain the same. It is the consensus of Facilities Development and Operations that these four (4) contractors have successfully provided the services required by the County in a timely manner. They are in good standing and wish to continue to provide services.

Attachments:

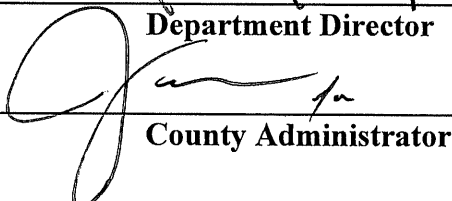
1. Amendment No. 4 with Andrea Construction, Inc.
2. Amendment No. 4 with Brian's Carpet & Commercial Flooring, Inc.
3. Amendment No. 4 with Joe Schmidt Construction, Inc.
4. Amendment No. 4 with One Call Florida, Inc.
5. Annual Contract – Flooring 2018: Control Sheet

Recommended By:


Department Director

7/4/19
Date

Approved By:


County Administrator

7/11/19
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures					
Operating Costs					
External Revenues					
In-Kind Match (County)					
NET FISCAL IMPACT	*				
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Current Budget:	Yes		No		
Does this items include use of federal funds?	Yes		No		
Budget Account No:	Fund	Dept	Unit	Object	Program

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

* Potential maximum fiscal impact is \$1,199,000. Work Orders requiring BCC approval will be brought to the Board and fiscal impact will be addressed at that time; otherwise, funding will come from previously approved BCC projects.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

OFMB

7/10/19

Contract Development and Control

7/9/19

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

AMENDMENT NO. 4 TO ANNUAL CONTRACT

This Amendment (“Amendment”) dated _____ to the Annual Contract for Flooring dated June 2, 2016, as previously amended by Amendment No. 1 (R2017-0804) dated June 20, 2017, Amendment No. 2 (R2018-0655) dated May 1, 2018 and Amendment No. 3 (R2019-0614) dated May 7, 2019, (collectively hereinafter the “Annual Contract”) by and between Palm Beach County (“County”), a political subdivision of the State of Florida and Andrea Construction, Inc., hereinafter referred to as “Contractor”.

WITNESSETH

WHEREAS, on June 2, 2016 the parties hereto entered into the Annual Contract, (hereinafter the “Annual Contract”) under which the Contractor provides awarded work to the County for various projects as bid from time to time under the Annual Contract; and

WHEREAS, the County and the Contractor desire to amend certain contract conditions of the Annual Contract.

NOW THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the Parties agree as follows:

1. Contract Extension/Renewal. The parties hereby extend the term of the original contract through June 1, 2021.

2. Certification of No Material Changes. The Contractor by execution of this Amendment hereby certifies, represents, affirms and warrants that since it submitted its Qualification Application:

- a. there has been no material change in the management or ownership of the Contractor;
- b. there has been no material adverse change in the financial stability or financial resources of the Contractor;
- c. there has been no material change in the pending litigation or claims against the Contractor such that they would have a negative impact on the Contractor’s ability to perform under the Contract;
- d. the Contractor has not been debarred or suspended by any government entity or placed on a convicted vendor list maintained by the State of Florida or any other government entity; and
- e. the Contractor continues to maintain all licenses and certifications required to perform under the Contract.
- f. the Contractor certifies that it is still in compliance with the requirements pertaining to scrutinized companies under Florida Statutes Section 287.135.

3. Contract Terms Affirmed. Except as set forth below, the terms and conditions of the Annual Contract shall remain in full force and effect and are hereby ratified and affirmed by the parties hereto.

Annual Contract Modifications and Additions. The following provisions of the Annual Contract are modified as follows: *<none>*

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to the Annual Contract to be executed as of the day and year first above written.

ATTEST:

SHARON R. BOCK, Clerk & Comptroller


PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida

BOARD OF COUNTY COMMISSIONERS,

By: _____
Deputy Clerk

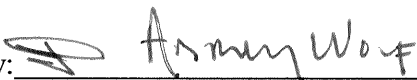
By: _____
Mack Bernard, Mayor

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY




Assistant County Attorney

APPROVED AS TO TERMS AND
CONDITIONS

By: 

Audrey Wolf, Director
Facilities Development & Operations
Department


WITNESS:



Signature
Megan Gilb

Name Printed

Contractor: Andrea Construction, Inc.

By: 

Signature
Richard Andrea

Print Name

Its Title: President

AMENDMENT NO. 4 TO ANNUAL CONTRACT

This Amendment (“Amendment”) dated _____ to the Annual Contract for Flooring dated June 2, 2016, as previously amended by Amendment No. 1 (R2017-0805) dated June 20, 2017, Amendment No. 2 (R2018-0656) dated May 1, 2018 and Amendment No. 3 (R2019-0615) dated May 7, 2019, (collectively hereinafter the “Annual Contract”) by and between Palm Beach County (“County”), a political subdivision of the State of Florida and Brian’s Carpet & Commercial Flooring, Inc., hereinafter referred to as “Contractor”.

WITNESSETH

WHEREAS, on June 2, 2016 the parties hereto entered into the Annual Contract, (hereinafter the “Annual Contract”) under which the Contractor provides awarded work to the County for various projects as bid from time to time under the Annual Contract; and

WHEREAS, the County and the Contractor desire to amend certain contract conditions of the Annual Contract.

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- b. there has been no material adverse change in the financial stability or financial resources of the Contractor;
- c. there has been no material change in the pending litigation or claims against the Contractor such that they would have a negative impact on the Contractor’s ability to perform under the Contract;
- d. the Contractor has not been debarred or suspended by any government entity or placed on a convicted vendor list maintained by the State of Florida or any other government entity; and
- e. the Contractor continues to maintain all licenses and certifications required to perform under the Contract.
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SHARON R. BOCK, Clerk & Comptroller


PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida

BOARD OF COUNTY COMMISSIONERS,

By: _____
Deputy Clerk


By: _____
Mack Bernard, Mayor

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY



Assistant County Attorney


APPROVED AS TO TERMS AND
CONDITIONS

By: 

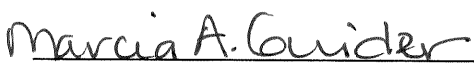
Audrey Wolf, Director
Facilities Development & Operations
Department

WITNESS:


Contractor: Brian's Carpet & Commercial
Flooring, Inc.



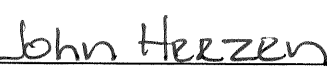
Signature



Name Printed

By: 

Signature



Print Name

Its Title: 

Vice President

AMENDMENT NO. 4 TO ANNUAL CONTRACT

This Amendment (“Amendment”) dated _____ to the Annual Contract for Flooring dated June 2, 2016, as previously amended by Amendment No. 1 (R2017-0806) dated June 20, 2017, Amendment No. 2 (R2018-0657) dated May 1, 2018 and Amendment No. 3 (R2019-0616) dated May 7, 2019, (collectively hereinafter the “Annual Contract”) by and between Palm Beach County (“County”), a political subdivision of the State of Florida and Joe Schmidt Construction, Inc., hereinafter referred to as “Contractor”.

WITNESSETH

WHEREAS, on June 2, 2016 the parties hereto entered into the Annual Contract, (hereinafter the “Annual Contract”) under which the Contractor provides awarded work to the County for various projects as bid from time to time under the Annual Contract; and

WHEREAS, the County and the Contractor desire to amend certain contract conditions of the Annual Contract.

NOW THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the Parties agree as follows:

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- d. the Contractor has not been debarred or suspended by any government entity or placed on a convicted vendor list maintained by the State of Florida or any other government entity; and
- e. the Contractor continues to maintain all licenses and certifications required to perform under the Contract.
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ATTEST:

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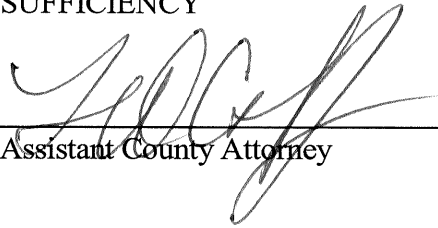
PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida

BOARD OF COUNTY COMMISSIONERS,

By: _____
Deputy Clerk

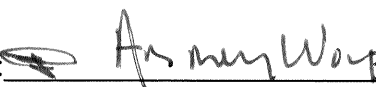
By: _____
Mack Bernard, Mayor

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

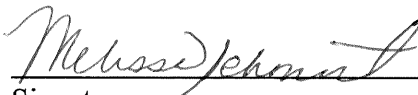


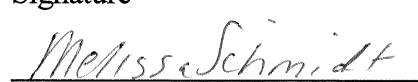
Assistant County Attorney

APPROVED AS TO TERMS AND
CONDITIONS

By:  _____
Audrey Wolf, Director
Facilities Development & Operations
Department



WITNESS:



Signature


Name Printed

Contractor: Joe Schmidt Construction, Inc.

By:  _____
Signature


Print Name

Its Title: pres.

AMENDMENT NO. 4 TO ANNUAL CONTRACT

This Amendment (“Amendment”) dated _____ to the Annual Contract for Flooring dated June 2, 2016, as previously amended by Amendment No. 1 (R2017-0807) dated June 20, 2017, Amendment No. 2 (R2018-0658) dated May 1, 2018 and Amendment No. 3 (R2019-0617) dated May 7, 2019, (collectively hereinafter the “Annual Contract”) by and between Palm Beach County (“County”), a political subdivision of the State of Florida and One Call Florida, Inc., hereinafter referred to as “Contractor”.

WITNESSETH

WHEREAS, on June 2, 2016 the parties hereto entered into the Annual Contract, (hereinafter the “Annual Contract”) under which the Contractor provides awarded work to the County for various projects as bid from time to time under the Annual Contract; and

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SHARON R. BOCK
CLERK & COMPTROLLER


PALM BEACH COUNTY, a political
subdivision of the State of Florida

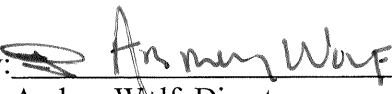
By: _____
Deputy Clerk

By: _____
Mack Bernard, Mayor

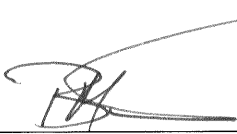
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By: 
Assistant County Attorney

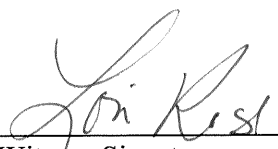
By: 
Audrey Wolf, Director
Facilities Development & Operations
Department

Contractor: One Call Florida, Inc

By: 
Signature

Name: Brent Martin

(SEAL)
Title: Secretary


Witness Signature
Lori Rose
Print Witness Name

Annual Contract - Flooring 2018: Control Sheet

All Contractors

Dollar Commitments, Renewals, and Expirations

Procurement Project Implementation Group

PROJECT INFORMATION							DOLLARS							SBE P
W.O.	PROJECT NUMBER	PROJECT NAME	G.C.	SBE or EBO	W.O. AMOUNT	W.O. #	\$ COMMITMENTS			\$ CAPACITY	\$SBE Work Order	%SBE Work Order	\$M/WBE Work Order	%Minority Work Order
Approval DATE							TO-DATE	AT RENEWAL	THIS TERM	REMAINING				
FYXX - Xst QUARTER														
06/02/16	NEW CONTRACT (Expires 06/01/2018)						\$0.00	\$0.00	\$0.00	\$199,000.00				
12/17/15	14336.01A	Supervisor of Elections - New Carpet - Addtl work	Schmidt	SBE	\$20,923.00	16-001A	\$20,923.00	\$0.00	\$20,923.00	\$178,077.00	\$20,923.00	100.00%		0.00%
06/08/16	15895	John Prince Park Administration Building	Brian's	SBE	\$425.44	16-001	\$21,348.44	\$0.00	\$21,348.44	\$177,651.56	\$425.44	100.00%		0.00%
06/08/16	16405	MJC - Jury Assemly Area Carpet and SA/PD Carpet	Brian's	SBE	\$58,885.98	16-002	\$80,234.42	\$0.00	\$80,234.42	\$118,765.58	\$58,885.98	100.00%		0.00%
06/24/16	16443	Riverbend Park (Caretaker's House) Carpet Replacement	Schmidt	SBE	\$12,325.00	16-003	\$92,559.42	\$0.00	\$92,559.42	\$106,440.58	\$0.00	0.00%		0.00%
07/18/16	16459	Agriculture Center Bldg. #2 Carpet Replacement	Brian's	SBE	\$8,487.08	16-004	\$101,046.50	\$0.00	\$101,046.50	\$97,953.50	\$8,487.08	100.00%		0.00%
09/07/16	16405A	MJC - Jury Assemly Area Carpet and SA/PD Carpet (addtl work)	Brian's	SBE	\$947.99	16-005	\$101,994.49	\$0.00	\$101,994.49	\$97,005.51	\$947.99	100.00%		0.00%
01/09/17	16405B	MJC - Jury Assembly Area Carpet; SA/PD - Public Defender (addtl work)	Brian's	SBE	\$2,320.09	17-001	\$104,314.58	\$0.00	\$104,314.58	\$94,685.42	\$0.00	0.00%		0.00%
02/21/17	16443.01	Riverbend Park (Caretaker's House) Carpet Replacement - addtl work	Schmidt	SBE	\$1,135.80	17-002	\$105,450.38	\$0.00	\$105,450.38	\$93,549.62	\$1,135.80	100.00%		0.00%
03/31/17	16515	Okeeheelee Golf - flooring	Andrea	SBE	\$19,935.00	17-003	\$125,385.38	\$0.00	\$125,385.38	\$73,614.62	\$3,435.00	17.23%		0.00%
04/10/17	17338	Channel 20 Studio - carpet replacement	Brian's	SBE	\$8,482.00	17-004	\$133,867.38	\$0.00	\$133,867.38	\$65,132.62	\$8,482.00	100.00%		0.00%
05/08/17	17363	Community Action Center - flooring	Brian's	SBE	\$3,818.00	17-005	\$137,685.38	\$0.00	\$137,685.38	\$61,314.62	\$3,818.00	100.00%		0.00%
05/11/17	17362	Palm Tran South Admin Bldg - carpet replacement	Andrea	SBE	\$2,750.00	17-006	\$140,435.38	\$0.00	\$140,435.38	\$58,564.62	\$2,750.00	100.00%		0.00%
Carry over from original contract							\$140,435.38	\$140,435.38		\$58,564.62				
06/20/17	Amendment # 1									\$1,000,000.00				
	Adjusted amount (Original Contract + Ammend #1)						\$140,435.38			\$1,058,564.62				
08/29/17	17539	PBSO #6 - urgent carpet repair	Brian's	SBE	\$825.00	17-007	\$141,260.38	\$140,435.38	\$825.00	\$1,057,739.62	\$825.00	100.00%		0.00%
10/02/17	17506	GCC District 7 - carpet replacement	Brian's	SBE	\$32,625.00	17-008	\$173,885.38	\$140,435.38	\$33,450.00	\$1,025,114.62	\$32,625.00	100.00%		0.00%
10/16/17	17500	W Boynton Rec Center - carpet and chair rail installation	Brian's	SBE	\$12,453.00	17-009	\$186,338.38	\$140,435.38	\$45,903.00	\$1,012,661.62	\$12,453.00	100.00%		0.00%
10/30/17	17384	PBIA Fire Station 81 - new flooring	Andrea	SBE	\$35,440.00	18-001	\$221,778.38	\$140,435.38	\$81,343.00	\$977,221.62	\$35,440.00	100.00%		0.00%
10/31/17	17443	Airport Center 1 - carpet replacement	Brian's	SBE	\$2,142.00	18-002	\$223,920.38	\$140,435.38	\$83,485.00	\$975,079.62	\$2,142.00	100.00%		0.00%
11/30/17	17384A	PBIA Fire Station 81 - new flooring - addtl work	Andrea	SBE	\$17,452.00	18-003	\$241,372.38	\$140,435.38	\$100,937.00	\$957,627.62	\$17,452.00	100.00%		0.00%
01/17/18	17440	Lantana Dental Clinic - flooring	Brian's	SBE	\$5,449.00	18-004	\$246,821.38	\$140,435.38	\$106,386.00	\$952,178.62	\$5,449.00	100.00%		0.00%
03/23/18	17480	CDC Bldg Z - flooring repairs	Brian's	SBE	\$5,484.00	18-005	\$252,305.38	\$140,435.38	\$111,870.00	\$946,694.62	\$5,484.00	100.00%		0.00%
05/13/18	18533	MCCH 6th floor - carpet replacement	Brian's	SBE	\$3,947.00	18-006	\$256,252.38	\$140,435.38	\$115,817.00	\$942,747.62	\$3,947.00	100.00%		0.00%
Carry over from original contract							\$115,817.00	\$256,252.38		\$942,747.62				
05/01/18	Amendment # 2 - expires 06/01/19						\$256,252.38			\$0.00				
	Adjusted amount (Original Contract + Ammend #1 + Ammend #2)						\$256,252.38			\$942,747.62				
06/10/18	18456D	PBSO District 4 substation - carpet installation	Andrea	SBE	\$33,247.00	18-007	\$289,499.38	\$256,252.38	\$33,247.00	\$909,500.62	\$4,990.00	15.01%		0.00%
08/15/18	18483	PBSO Administration - flooring repair Rm N102	Brian's	SBE	\$1,961.00	18-008	\$291,460.38	\$256,252.38	\$35,208.00	\$907,539.62	\$1,961.00	100.00%		0.00%
08/20/18	18624	WUD SRWRF - break room tile replacement - trip hazard	Brian's	SBE	\$8,026.00	18-009	\$299,486.38	\$256,252.38	\$43,234.00	\$899,513.62	\$8,026.00	100.00%		0.00%
09/20/18	18564	Palm Tran North - carpet replacement	Brian's	SBE	\$1,099.00	18-010	\$300,585.38	\$256,252.38	\$44,333.00	\$898,414.62	\$1,099.00	100.00%		0.00%
09/27/18	18363	Clayton Hutcheson Ag Center Exhibit Hall - carpet replacement	Brian's	SBE	\$28,304.00	18-011	\$328,889.38	\$256,252.38	\$72,637.00	\$870,110.62	\$28,304.00	100.00%		0.00%
10/16/18	18624A	WUD SRWRF - break room tile replacement - seld leveling	Brian's	SBE	\$1,050.00	18-012	\$329,939.38	\$256,252.38	\$73,687.00	\$869,060.62	\$1,050.00	100.00%		0.00%
11/04/18	17480A	CDC Bldg Z - flooring repairs - addtl work	Brian's	SBE	\$2,107.00	19-001	\$332,046.38	\$256,252.38	\$75,794.00	\$866,953.62	\$2,107.00	100.00%		0.00%
10/23/18	17480B	CDC Bldg Z - flooring repairs - addtl work	Brian's	SBE	\$3,804.00	19-002	\$335,850.38	\$256,252.38	\$79,598.00	\$863,149.62	\$3,804.00	100.00%		0.00%
10/23/18	17480C	CDC Bldg Z - flooring repairs - addtl work	Brian's	SBE	\$792.00	19-003	\$336,642.38	\$256,252.38	\$80,390.00	\$862,357.62	\$792.00	100.00%		0.00%
10/17/18	18618	Four Points EIC - carpet installation	Brian's	SBE	\$5,338.00	19-004	\$341,980.38	\$256,252.38	\$85,728.00	\$857,019.62	\$5,338.00	100.00%		0.00%

ATTACHMENT 5

Annual Contract - Flooring 2018: Control Sheet

All Contractors

Dollar Commitments, Renewals, and Expirations

Procurement Project Implementation Group

[illegible]