

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: September 10, 2019 [X] Consent [ ] Regular  
[ ] Ordinance [ ] Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** Amendment No. 3 to the contracts for environmental assessment services on a continuing contract basis from September 22, 2019 to September 20, 2020:


- A) AECOM Technical Services, Inc. (R2015-1253), Non-SBE/Local, 10.00% SBE participation to date;
- B) Terracon Consultants, Inc. (R2015-1254), Non-SBE/Local, 19.84% SBE participation to date; and
- C) Partner Assessment Corporation d/b/a Partner Engineering and Science, Inc. (fka Eco Advisors, LLC) (R2015-1255), Non-SBE/Local, 67.86% SBE participation to date.

**Summary:** Amendment No. 3 extends the term of three contracts for environmental assessment services for one (1) year through September 21, 2020. The Board approved annual contracts on September 22, 2015, and the original contracts provided for an initial two (2) year term with three (3) renewal options each for a period of one (1) year. Amendment No. 3 will provide services during the third and final renewal period from September 22, 2019 through September 21, 2020. During the first four years of these contracts, AECOM Technical Services, Inc. was awarded \$241,977, Terracon Consultants, Inc. was awarded \$373,414 and Partner Assessment Corporation d/b/a Partner Engineering and Science, Inc. (fka Eco Advisors, LLC) was awarded \$208,484 in Consultant Services Authorizations. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. The contract with AECOM Technical Services, Inc. committed to an SBE participation goal of 19%; Terracon Consultants, Inc. 15%; and Partner Assessment Corporation d/b/a Partner Engineering and Science, Inc. (fka Eco Advisors, LLC) 93%, respectively. SBE attainment and value of work by each consultant is a direct function of specific project assignments, scope of work, availability of SBE subconsultants and subcontractors, and the overall contract approach for project completion. Continuous efforts are made during the assignment and performance of work to achieve SBE commitments and maintain a balanced work distribution. However, there are factors that are beyond the control of the consultants and Staff, such as the nature of testing required. SBE subcontractor participation was to be achieved through the use of two SBE testing labs, but the tests required by more recent incidents has required specialized analysis that is beyond the capabilities of the SBE labs and therefore required performance by a non-SBE lab. The Office of Equal Business Opportunity (OEBO) has been made aware of all the reasons for low SBE participation and for those reasons has no objection to the renewal. Staff is committed to assigning work during the renewal term to be as responsive to the current work imbalance and SBE attainment as possible given the nature of the work presented. To date each of these firms has successfully provided the professional services required by the County in a timely manner, and they remain committed to continue delivering the professional services required by the County. **(Capital Improvements Division) Countywide (LDC)**

**Background and Justification:** (Continued on Page 3)

**Attachments:**

- 1. Amendment No. 3 - AECOM Technical Services, Inc. 2.
- 2. CSA History - AECOM Technical Services, Inc.
- 3. Amendment No. 3 - Terracon Consultants, Inc.
- 4. CSA History - Terracon Consultants, Inc.
- 5. Amendment No. 3 - Partner Assessment Corporation d/b/a Partner Engineering and Science, Inc. (fka Eco Advisors, LLC)
- 6. CSA History - Partner Assessment Corporation d/b/a Partner Engineering and Science, Inc. (fka Eco Advisors, LLC)

Recommended by:  for my wife 8/1/19  
 Department Director Date

Approved by: W. Baker 8/26/19  
 County Administrator 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	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
# ADDITIONAL FTE	_____	_____	_____	_____	_____
POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes   x   No \_\_\_\_\_  
 Does this item include use of federal funds? Yes \_\_\_\_\_ No   x  

Budget Account No: Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_ Project \_\_\_\_\_

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

Fiscal impact cannot be determined at this time. Individual Consultant Services Authorizations 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: *Karen [Signature]*

**III. REVIEW COMMENTS:**

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

*[Signature]* 8/15/19  
 OFMB *[Signature]* 8/15

*[Signature]* 8/19/19  
 Contract Administrator *[Signature]* 8/19/19

B. Legal Sufficiency:

*[Signature]* 8/20/19  
 Assistant County Attorney

C. Other Department Review:

\_\_\_\_\_  
 Department Director

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

**Background and Justification:** In accordance with Board adopted procedures, pursuant to Florida Statute 287.055 (Consultants Competitive Negotiation Act), three firms were selected to perform consulting services on a continuing contract basis. Work is authorized through individual Consultant Services Authorizations when required during the term of these contracts. The initial contract terms are for two (2) years and allowed for three (3) renewals each for a period of one (1) year. Amendment No. 3 will provide services during the third and final renewal of the contract.

Eco Advisors, LLC. was the only consultant that was an SBE. However, on July 23, 2019, the Board approved an Assignment, Assumption & Consent Agreement from Eco Advisors, LLC to Partner Assessment Corporation d/b/a Partner Engineering and Science, Inc., a non-SBE firm. The environmental consulting firms have historically had some difficulty achieving their SBE commitment. This is largely due to laboratory analysis and drilling services being the two main services related to these contracts where outside SBE involvement is available. Providers of both services tend to be somewhat specialized while the environmental assessment service contracts are for a broad range of work. For example, there are only two known SBE laboratories that perform environmental analysis, and those are providers of services under the existing contracts. However, neither provides the advanced analytical analysis that is required for certain projects, including some that have been the subject of services under these contracts and particularly sampling-intensive work that has been performed by all the consultants. In these cases the analysis must be performed by larger laboratories that are not a SBE.

As for drilling services in the environmental field, this is typically performed using direct push technology (DPT) due to time and cost advantages. None of the three known SBE drilling firms provide DPT services. Only one of those three performs conventional environmental well drilling. These drilling limitations has served as a particular disadvantage to the consultants due to drilling falling within the scope of multiple assignments. In fact, were a single project that required drilling to be removed from AECOM's assignments under this contract, their SBE attainment would rise above all else equal, with all of the remaining deficit in SBE attainment by AECOM to date being attributed to the lab analysis limitations explained above. In light of these factors, all of the consultants currently under contract and any others that would have potential to perform this same service are limited in their opportunities to utilize SBE firms to complete certain work that falls under the scope of these contracts.

Beyond these realities alone, the current summary is but a snapshot in time. The nature of some approaching work will afford the ability to utilize the SBE laboratories; thereby increasing SBE participation to some extent in the near term. In addition, efforts can and will be made to assign future work in a manner that responds to the current imbalance in value of work across these three consultants while continuing to strike a delicate balance with the County's service needs. The Office of Equal Business Opportunity (OEBO) has been made aware of all of the above in preparation of this agenda item and has indicated having no objection to this second renewal given the foregoing.

It is the consensus of Facilities Development & Operations (FD&O) that these firms have successfully provided the professional services required by the County, in a good and timely manner, and combined provide an effective complement of service providers to satisfy the County's needs for the scope of services that fall within the authorized scope of these contracts. It is the desire of each consultant and FD&O that they continue to provide professional services. Amendments No. 3 will maintain the continuous professional services required by the County.

**AMENDMENT NO. 3 TO CONTINUING CONTRACT FOR  
ENVIRONMENTAL ASSESSMENT SERVICES**

This is Amendment No. 3 dated \_\_\_\_\_ to the Contract (R2015-1253) dated September 22, 2015, as previously amended by Amendment No. 1 dated September 26, 2017 (R2017-1308) and Amendment No. 2 dated November 20, 2018 (R2018-1772) (collectively the "Contract") by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of Commissioners, hereinafter referred to as the COUNTY and AECOM Technical Services, Inc., authorized to do business in the State of Florida, hereinafter referred to as the CONSULTANT.

**WITNESSETH**

**WHEREAS**, the parties have entered into the Contract under which the CONSULTANT provided certain professional services to the COUNTY for various projects in accordance with Consultants Competitive Negotiations Act (CCNA) FS 287.055; and

**WHEREAS**, the parties hereto desire to amend the Contract to extend it for an additional one (1) year period.

**NOW, THEREFORE**, in consideration of the premises and of the mutual covenants hereinafter set forth and for such other good and valuable consideration, the receipt of which the parties hereto expressly acknowledge, the parties covenant and agree to the following terms and conditions:

1. The term of this Contract is renewed for one (1) additional year to September 21, 2020.
2. Except as specifically modified above, the terms and conditions of the Contract are hereby confirmed and remain in full force and effect.
3. CONSULTANT certifies that it is still in compliance with the requirements pertaining to scrutinized companies under Florida Statutes Section 287.135.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the COUNTY and CONSULTANT has hereunto set its hand the day and year above written.

**ATTEST:**  
**SHARON R. BOCK,**  
**Clerk & Comptroller**

**PALM BEACH COUNTY BOARD OF  
COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Mack Bernard, Mayor

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS  
AND CONDITIONS**

By: *[Signature]*  
County Attorney

By: *[Signature]*  
Audrey Wolf, Director  
Facilities Development & Operations

**WITNESS:**

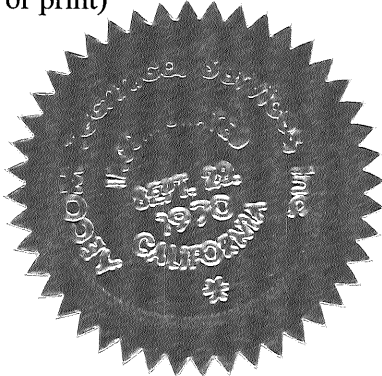
**CONSULTANT: AECOM Technical  
Services, Inc.**

*[Signature]*  
Signature

*[Signature]*  
Signature

SHIRLEY STARK  
Name (type or print)

DANIEL J. LEVY  
Name (type or print)



Vice President/Authorized Signatory  
Title

**Attest:** (Corporate Seal)

*[Signature]*  
Charles Szurgot,  
Secretary



**AMENDMENT NO. 3 TO CONTINUING CONTRACT FOR  
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W I T N E S S E T H

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**Clerk & Comptroller**

**PALM BEACH COUNTY BOARD OF  
COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Mack Bernard, Mayor

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS  
AND CONDITIONS**

By: \_\_\_\_\_  
County Attorney

By: \_\_\_\_\_  
Audrey Wolf, Director  
Facilities Development & Operations

**WITNESS:**

**CONSULTANT: Terracon Consultants,  
Inc.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Cindy J. Cornell

Michael J. Yost

\_\_\_\_\_  
Name (type or print)

\_\_\_\_\_  
Name (type or print)

Corporate Secretary

\_\_\_\_\_  
Title

(Corporate Seal)







**AMENDMENT NO. 3 TO CONTINUING CONTRACT FOR  
ENVIRONMENTAL ASSESSMENT SERVICES**

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**W I T N E S S E T H**

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**PALM BEACH COUNTY BOARD OF  
COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Mack Bernard, Mayor

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS  
AND CONDITIONS**

By: \_\_\_\_\_  
County Attorney

By: \_\_\_\_\_  
Audrey Wolf, Director  
Facilities Development & Operations

**WITNESS:**

**CONSULTANT: Partner Assessment  
Corporation d/b/a Partner Engineering  
and Science, Inc.**

\_\_\_\_\_  
Candice Katz  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Candice Katz  
Name (type or print)

\_\_\_\_\_  
FRANK S. ROMCO, JR.  
Name (type or print)

\_\_\_\_\_  
President  
Title

