PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	July 7, 2020	[X] Consent [] Workshop	[] Regular[] Public Hearing
Department: Submitted by: Submitted for:	Engineering	& Public Works & Public Works oduction Division	

EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

- A. Amendment No. 1 to the annual traffic signal contract R2019-1260, Project No. 2019050, dated September 10, 2019, with Gerelco Traffic Controls, Inc. (Gerelco), to increase the amount of the contract by \$6,000,000 and to extend the expiration date from September 9, 2020 to September 9, 2022; and
- B. Amendment No. 1 to the annual traffic signal contract R2019-1261, Project No. 2019050, dated September 10, 2019, with Ferreira Construction Southern Division Company, Inc. (Ferreira), to increase the amount of the contract by \$6,000,000 and to extend the expiration date from September 9, 2020 to September 9, 2022.

SUMMARY: Approval of Amendment No. 1 for Gerelco and Ferreira will increase their contracts from \$3,000,000 to \$9,000,000 and extend the expiration dates from September 9, 2020 to September 9, 2022. These contracts were initially awarded for one year each with options for renewal at one year each for a total of three years. Staff is recommending renewing these contracts for two years, since there is limited availability for these services and there are over \$3,800,000 in pending projects at this time. The increased contract amounts are based on updated estimates that exceed the current contract amounts to be expended throughout Palm Beach County (County). On February 5, 2019, the Office of Equal Business Opportunity (OEBO) granted a waiver of the Affirmative Procurement Initiative requirements because sufficient qualified Small Minority Women Business Enterprises providing the goods or services required by the contract are unavailable in the County, despite every reasonable effort to locate them. The OEBO approved renewing these contracts under the same terms on February 14, 2020. To date, tasks in the amount of \$780,305.41 have been authorized for Gerelco. Tasks in the amount of \$0 have been authorized for Ferreira. After this renewal, the contracts will be resolicited. <u>Countywide</u> (YBH)

Background and Justification: These contracts provide for the installation, repair, replacement and maintenance of traffic signalization equipment throughout the County on a work task order basis.

Attachments:

- 1. Gerelco Amendment No. 1 and Ebix Compliance Letter (2)
- 2. Ferreira Amendment No. 1 and Ebix Compliance Letter (2)
- 3. OEBO Letter

Recommended by: <u>typ</u>	Department Director	Zhen 6/16/2020 Date
Approved by:	Assistant County Administra	6/24/20 ator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures	<u>\$6,000,000</u>				<u> </u>
Operating Costs	-0-				<u> </u>
External Revenues	-0-				<u> </u>
Program Income (County)					<u>-0-</u>
In-Kind Match (County)	-0-	-0-	-0		
NET FISCAL IMPACT	\$6,000,000	-0-	-0-	-0-	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)					
Is Item Included in Current Budg	get?	Yes X	K No		
Does this item include the use of a	federal funds?	Yes	No X		

Budget Account No: Various

Recommended Sources of Funds/Summary of Fiscal Impact:

	Prior	Encumbered/		Total
	Allocation	Expended	New Allocation	Available
Engineering & Public Works	\$3,000,000	< 655,987>	6,000,000	\$8,344,013

**Allocations are a not to exceed amount and can be expended from various accounting lines for various projects where budget is available. Work is to be performed on a task order basis.

C. Departmental Fiscal Review: _____

oral

III. <u>REVIEW COMMENTS</u>

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

6/16/2020 B & 6/16 OFMB

B. Approved as to Form and Legal Sufficiency:

For L. Hermon Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment. 2

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(1)3/2020 Dev, and Control

AMENDMENT NO. 1 TO THE ANNUAL TRAFFIC SIGNAL CONSTRUCTION CONTRACT BY AND BETWEEN PALM BEACH COUNTY AND GERELCO TRAFFIC CONTROLS, INC.

This Amendment No. 1 to the Annual Traffic Signal Construction Contract (R2019-1260), dated September 10, 2019, (ANNUAL CONTRACT), is made and entered into the _____ day of ______, 2020, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (COUNTY) and Gerelco Traffic Controls, Inc. (CONTRACTOR) whose Federal ID is #90-0174266 (individually Party and collectively Parties).

WITNESSETH

WHEREAS, the CONTRACTOR and COUNTY entered into the ANNUAL CONTRACT on September 10, 2019 (R2019-1260); and

WHEREAS, the ANNUAL CONTRACT may be extended, at the COUNTY'S option for a defined period of time, not to exceed thirty-six months total contract time, upon approval of the COUNTY; and

WHEREAS, by this Amendment No. 1, the CONTRACTOR and the COUNTY mutually agree to amend the ANNUAL CONTRACT, as provided herein.

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 ANNUAL CONTRACT is hereby amended to extend the expiration date of the ANNUAL CONTRACT from September 9, 2020 to September 9, 2022.
- 3. The ANNUAL CONTRACT is hereby amended to increase the amount by \$6,000,000, from \$3,000,000 to \$9,000,000.

It is the intent of the Parties hereto that this Amendment No. 1 shall not become binding until the date executed by the COUNTY.

Except as hereby amended, changed or modified, all other provisions of the ANNUAL CONTRACT, as amended, shall remain in full force and effect.

Page 1 of 2

IN WITNESS WHEREOF, Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment No. 1 to the ANNUAL CONTRACT, as amended, on behalf of the COUNTY, and CONTRACTOR has hereunto set its hand the day and year above written.

OWNER:

Palm Beach County, a Political Subdivision of the State of Florida, by and through its Board of County Commissioners:

BY:

Dave Kerner, Mayor

SEAL

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

BY:

(Deputy Clerk)

APPROVED AS TO TERMS AND CONDITIONS:

BY: * XW/

Omelio A. Fernandez, P.E. MORTON L. ROSE Director of Roadway Production

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

BY: YBH

for Yelizaveta B. Herman, Assistant County Attorney

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CONTRACTOR: Gerelco Traffic Controls, Inc.

BY: Kenneth A. Geremia, Jr. President

Kenneth A. Geremia, Jr., Preside

CORPORATE SEAL

ATTEST WITNESS:

B (Print Name)

(Signature)

BY: Print Name

(Signature)

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i.	Contract Effective Date:			tract Expiration Date:	
	Description of Services:	Annual Traffic Signal Construction Contra	ict Safe	ety Form II:	Νο
1	Contact Information				:
	Contact Name:	Norman Wright	Mis	C:	· · · · ·
	Phone Number:	5617195551	Alt	Phone Number:	
	Fax Number:				
	E-Mail Address: Approval Date:	nwright@gerelco.com			· · · · ·
	Rush:	No			
	Contract on File:	No			· · · · · · · · · · · · · · · · · · ·
	Certificate Received:	No			· · · · · · · · · · · · · · · · · · ·
	Indemnification Agreement:	No			
	Tax Id:				

This Account created by c28 on 04/28/2020.

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5/14/20

Attachment 2

AMENDMENT NO. 1 TO THE ANNUAL TRAFFIC SIGNAL CONSTRUCTION CONTRACT BY AND BETWEEN PALM BEACH COUNTY AND FERREIRA CONSTRUCTION SOUTHERN DIVISION COMPANY, INC.

This Amendment No. 1 to the Annual Traffic Signal Construction Contract, dated September 10, 2019, (ANNUAL CONTRACT), is made and entered into the _____ day of ______, 2020, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (COUNTY) and Ferreira Construction Southern Division Company, Inc. (CONTRACTOR) whose Federal ID is #22-3334957 (individually Party and collectively Parties).

WITNESSETH

WHEREAS, the CONTRACTOR and COUNTY entered into the ANNUAL CONTRACT on September 10, 2019 (R2019-1261); and

WHEREAS, the ANNUAL CONTRACT may be extended, at the COUNTY'S option for a defined period of time, not to exceed thirty-six months total contract time, upon approval of the COUNTY; and

WHEREAS, by this Amendment No. 1, the CONTRACTOR and the COUNTY mutually agree to amend the ANNUAL CONTRACT, as provided herein.

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 ANNUAL CONTRACT is hereby amended to extend the expiration date of the ANNUAL CONTRACT from September 9, 2020 to September 9, 2022.
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Page 1 of 2

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OWNER:

Palm Beach County, a Political Subdivision of the State of Florida, by and through its Board of County Commissioners:

BY:

Dave Kerner, Mayor

SEAL

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

BY: _

(Deputy Clerk)

APPROVED AS TO TERMS AND CONDITIONS:

BY: * Mu fre

Omelio A. Fernandez, P.E. MORTON L. ROSE Director of Roadway Production

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

BY: YBH Rubu

Por Yelizaveta B. Herman, Assistant County Attorney

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CONTRACTOR: Gerelco Traffic Controls, Inc.

BY:

Kenneth A. Geremia, Jr. President

CORPORATE SEAL

ATTEST WITNESS:

heisten M. M BY (Print Name)

(Signature)

BY: D'J (Print Name) (Signature)

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	Contract Information		
	Contract Number:		
i.	Contract Start Date:		Contract End Date:
	Contract Effective Date:		Contract Expiration Date:
	Description of Services:	Annual Traffic Signal Construction Contract	
1	Contact Information		
	Contact Name:	Dan Lewis	Misc:
Ì	Phone Number.	7726752101	Alt Phone Number:
	Fax Number.		
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	E-Mail Address:	dlewis@ferreiraconstruction.com	
	Approval Date:		
	Rush:		· · · · · · · · · · · · · · · · · · ·
	Contract on File:	No	
	Certificate Received:	No	
	Indemnification Agreement:	No	i
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This Account created by c28 on 04/28/2020.

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5/14/20

Attachment 3

FEB 2 1 2020



Office of Equal Business Opportunity 50 South Military Trail, Suite 202 West Palm Beach, FL 33415 (561) 616-6840 www.pbcgov.com/oebo



Palm Beach County Board of County Commissioners

Dave Kerner, Mayor

Robert S. Weinroth, Vice Mayor

Hal R. Valeche

Gregg K. Weiss

Mary Lou Berger

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer"

A printed on sustainable and recycled paper

MEMORANDUM

DATE:	February 14, 2020
то:	Holly B. Knight, P.E., Contracts Manager
FROM:	Angela Smith, Small Business Development Specialist III Office of Equal Business Opportunity
DEPT.:	Engineering and Public Works, Roadway Production Div.
SUBJECT:	Project No.: 2019050- Annual Traffic Signal Construction, originally solicited on February 6, 2019, and up for renewal on September 9, 2020.

On February 13, 2020, you submitted a request for renewal for **Project No.** 2019050 – Annual Traffic Signal Construction. The original solicitation for the Project went out on February 6, 2019. A request for a waiver of API Requirements was received by the OEBO on January 31, 2019 and was granted on February 5, 2019.

The contract is up for renewal on **September 9, 2020**. As such, the OEBO must determine whether the Project will be subject to the EBO Program's requirements or whether the contract may be renewed under its current terms.

Based upon an analysis of the S/M/WBE data available on the date of review, the current utilization on the contract as compared to the availability, and the applicable historical utilization, the OEBO hereby <u>APPROVES</u> the renewal of the contract under its current terms because [check one]:

Sufficient qualified S/M/WBEs providing the goods or services required by the contract are unavailable in Palm Beach County despite every reasonable effort to locate them.

At the next renewal date, you are required to submit updated information to determine if the Project will be subject to the EBO Program's requirements based upon the relevant information available at that time.