

SEPTEMBER 15, 2020

CONSENT AGENDA

3.B.3. – CONTINUED

A)

Ratification of approval of a new term contract with Remix Software Inc. d/b/a Remix for Remix Software for \$36,000 from 08/01/2020 through 07/31/2021.

B)

Renewal of term contract with G A Food Service of Pinellas County Inc. d/b/a GA Food Service Inc. for \$1,168,001 for culturally diverse and diabetic friendly home delivered meals from 11/01/2020 through 10/31/2021.

C)

Renewal of term contract with Allied Universal Corporation for \$481,500 for sodium hydroxide (25%) from 09/16/2020 through 09/15/2021.

D)

Renewal of term contract with Advanced Wildlife Solutions LLC for \$242,000 for the monitoring and humane removal of non-native and nuisance wildlife at County owned natural areas, parks and properties from 10/25/2020 through 10/24/2021.

E)

Renewal of term contract with Allied Universal Corporation; Odyssey Manufacturing Company for \$2,934,473 for sodium hypochlorite for the period 09/20/2020 through 09/19/2021.

F)

Renewal of term contract with CROM Coatings and Restorations, A Division of CROM LLC for \$895,000 for inspections and preventative and corrective maintenance for CROM water storage utility tanks from 10/02/2020 through 10/01/2021.

G)

Increase of term contract of \$40,000 with TriNova Inc. d/b/a TriNova Florida for a total of \$239,900 for prominent fluid controls OEM parts from 11/04/2019 through 11/03/2020.

H)

Increase of term contract of \$80,000 with SiteOne Landscape Supply LLC; Melrose Supply & Sales Corp. d/b/a Melrose Irrigation Supply & Sales for a total of \$696,000 for irrigation whole goods, parts and accessories by manufacturer (OEM) from 09/25/2018 through 09/24/2023.

I)

One-time purchase from Ovivo USA LLC for \$240,763 for removal, delivery and installation of a reactor clarifier combination drive.

J)

New term contract with Prolime Corporation for \$1,195,200 for loading, hauling, and disposal of lime sludge from 10/13/2020 through 10/12/2021.

K)

Ratification of the approval of an emergency Prepaid Business Suite Services Agreement with Fidelity Information Services LLC for \$5,000,000 from 08/04/2020 through 08/03/2021.

L)

New term contract with RGFN Enterprises LLC d/b/a Cool Water Air Conditioning; Integ Miami LLC for \$1,142,000 for heating, ventilation and air conditioning (HVAC) services, maintenance and repair from 10/22/2020 through 10/21/2021.

M)

Time extension of term contract with Coastal Fitness-Discount Cardio & Training Inc. d/b/a Coastal Fitness for the purchase and assembly of physical fitness equipment and accessories from 07/19/2015 through 07/18/2021.

N)

Time extension of term contract with Florida Coast Equipment Inc.; Florida Outdoor Equipment Inc.; Kelly Tractor Co.; Deere & Company d/b/a John Deere; Clark Equipment Company d/b/a Bobcat Company; Venture Products Inc. for agriculture and lawn equipment from 10/01/2018 through 12/31/2020.

O)

Ratification of approval of an extension and time extension of an emergency term contract with Daniel Lauber for professional consulting services from 10/01/2019 through 01/31/2021.

P)

Extension of term contract with Arthur J. Gallagher Risk Management Services Inc. for property and casualty insurance broker services from 10/01/2019 through 09/30/2021.

Q)

Extension and increase of term contract with Solstice Benefits Inc. for multiple option dental plans from 01/01/2020 through 12/31/2021.

R)

New term contract with Lamar Transit LLC for transit advertising from 10/01/2020 through 09/30/2023.

PALM BEACH COUNTY/CONTRACTS AND AWARDS FOR APPROVAL
BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
09/15/2020

| Contractor(s) | Project | Contract Amount S/M/WBE Dollar Amount/Percentage of Participation | Department(s) or Division(s) Accounting Line(s) | Executor | Minutes # |
|-------------------------------------|---|---|---|----------|-----------|
| EXHIBIT A | | | | | |
| Remix Software, Inc. d/b/a Remix | Ratification of approval of a new term contract for Remix Software for the period 08/01/2020 through 07/31/2021 per Master Agreement #SS250632. | \$36,000.00 S/M/WBE: \$0 | Palm Tran 1340-540-511T-5401 | Scarlett | |

Palm Tran requests the ratification of the approval of a new twelve (12) month term contract for cloud-based transit planning software in the amount of \$36,000. Vendor, a sole source, requires that the County agree to a limitation of liability and indemnification provisions that deviate from the County's standard. In accordance with PPM CW-F-049, the Department of Risk Management and the County Attorney's Office following negotiations with Remix Software, Inc. DBA Remix, agreed to: (i) vendor's indemnification with uncapped third-party liability; and (ii) a mutual cap on first-party damages (direct damages) not to exceed the actual amount of the direct damages. The Purchasing Department requests the ratification of the Director of Purchasing's approval of the limitation of vendor's liability retroactive to August 1, 2020. This term contract has four (4) twelve (12) month renewal options. Awardee is located out of State. This is a sole source provider who is not a certified S/M/WBE. This sole source contract is exempt from the EBO Ordinance.

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| EXHIBIT B | | | | | |
| G A Food Service of Pinellas County Inc. d/b/a GA Food Service Inc. | Renewal of term contract for culturally diverse and diabetic friendly home delivered meals for the period 11/01/2020 through 10/31/2021 per Master Agreement #F19070RA. | \$1,168,001.00 S/M/WBE: \$0 | Community Services/Department of Senior Services 1160-140-CV02-3419 1006-144-1443-3419 1006-144-1459-3419 1006-144-1481-3419 | Scarlett | |

The County has expended or encumbered \$867,385 (\$88,963/month) during the previous nine and three quarter (9.75) months of the current twelve (12) month term contract. Due to the COVID-19 pandemic and the need to provide services to one thousand (1,000) new clients that are home bound, \$1,168,001 is needed to meet the County's requirements through the expiration of this new twelve (12) month renewal term contract. These culturally diverse and diabetic meals are being paid for with grant funds through the Area Agency on Aging (approximately \$668,000) and CARES Act funds (approximately \$500,000). This term contract has three (3) twelve (12) month renewal options remaining. Awardee is located outside Palm Beach County in the City of St. Petersburg, Florida. This Federally funded contract is exempt from the EBO Ordinance.

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| <u>EXHIBIT C</u> | | | | | |
| Allied Universal Corporation | Renewal of term contract for sodium hydroxide (25%) for the period 09/16/2020 through 09/15/2021 per Master Agreement #18098B. | \$481,500.00 S/M/WBE: \$0 | Water Utilities Department 4001-720-2532-5205 4001-720-2533-5205 4001-720-3GUA-5205 | Scarlett | |

The County has expended or encumbered \$364,230 (\$32,376/month) during the previous eleven and one quarter (11.25) months of the current twelve (12) month term contract. Due to the anticipated need for sodium hydroxide to control the ph in the water treatment process at Water Treatment Plants #3, #9, and #11, \$481,500 is needed to meet the County's requirements through the expiration of this new twelve (12) month renewal term contract. This term contract has two (2) twelve (12) month renewal options remaining. Awardee is located outside Palm Beach County in the City of Miami, Florida. The original bid was established by a competitive selection process. No S/M/WBE vendor submitted a bid on this project. This item was reviewed and approved for renewal by the OEBO.

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| <u>EXHIBIT D</u> | | | | | |
| Advanced Wildlife Solutions LLC | Renewal of term contract for the monitoring and humane removal of non-native and nuisance wildlife at County owned natural areas, parks and properties for the period 10/25/2020 through 10/24/2021 per Master Agreement #17066C. | \$242,000.00 S/M/WBE: \$0 | Countywide | Scarlett | |

The County has expended or encumbered \$157,960 (\$15,796/month) during the previous ten (10) months of the current twelve (12) month term contract. Due to the increased need for removal of non-native and nuisance wildlife to ensure public safety, \$242,000 is needed to meet the County's requirements through the expiration of this new twelve (12) month renewal term contract. This term contract has one (1) twelve (12) month renewal option remaining. Awardee is located outside Palm Beach County in the City of Stuart, Florida. The original bid was established by a competitive selection process. No S/M/WBE vendor submitted a bid on this project. This item was reviewed and approved for renewal by the OEBO.

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| EXHIBIT E | | | | | |
| Allied Universal Corporation; Odyssey Manufacturing Company; | Renewal of term contract for sodium hypochlorite for the period 09/20/2020 through 09/19/2021 per Master Agreement #16053D. | \$2,934,473.00 S/M/WBE: \$0 | Water Utilities Department 4001-720-2531-5205 4001-720-2582-5205 4001-720-3GUA-5205 | Scarlett | |

The County has expended or encumbered \$2,694,715 (\$244,974/month) during the previous eleven (11) months of the current twelve (12) month term contract. \$2,934,473 is needed to meet the County's requirements through the expiration of this new twelve (12) month renewal term contract. This term contract has no renewal options remaining. Awardees are located outside Palm Beach County in the cities of Miami and Tampa, Florida. The original bid was established by a competitive selection process. No S/M/WBE vendor submitted a bid on this project. This item was reviewed and approved for renewal by the OEBO.

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| EXHIBIT F | | | | | |
| CROM Coatings and Restorations, A Division of CROM, LLC | Renewal of term contract for inspections, and preventative and corrective maintenance for CROM water storage utility tanks for the period 10/02/2020 through 10/01/2021 per Master Agreement #SS150913B. | \$895,000.00 S/M/WBE: \$0 | Water Utilities Department 4001-720-2534-4615 4001-720-2537-4615 4001-720-2584-4615 | Scarlett | |

The County has expended or encumbered \$745,146 (\$69,316/month) during the previous ten and three quarter (10.75) months of the current twelve (12) month term contract. \$895,000 is needed to meet the County's requirements through the expiration of this new twelve (12) month renewal term contract. This term contract has two (2) twelve (12) month renewal options remaining. Awardee is located outside Palm Beach County in the City of Gainesville, Florida. This is a sole source provider who is not a certified S/M/WBE. This sole source contract is exempt from the EBO Ordinance.

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| <u>EXHIBIT G</u> | | | | | |
| TriNova Inc. d/b/a TriNova Florida | Increase of term contract for prominent fluid controls OEM parts for the period 11/04/2019 through 11/03/2020 per Master Agreement #SS150924A | Increased Amount: \$ 40,000.00 Total with increase: \$239,900.00 S/M/WBE: \$0 | Water Utilities Department 4001-720-2584-4615 | Scarlett | |

The County has expended or encumbered \$197,764 (\$19,776/month) during the previous ten (10) months of the current twelve (12) month term contract. The Water Utilities Department requests an increase of \$40,000 over the previous authorized amount of \$199,900 for the remaining two (2) months of the current term contract. This increase is necessary for the purchase of a chlorine sensor for Water Treatment Plant #3 which is used with existing equipment and is required for chemical dosing into the water treatment process. This term contract has three (3) twelve (12) month renewal options. Awardee is located outside Palm Beach County in the City of Lakeland, Florida. This is a sole source provider who is not a certified S/M/WBE. This sole source contract is exempt from the EBO Ordinance.

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| <u>EXHIBIT H</u> | | | | | |
| SiteOne Landscape Supply, LLC; Melrose Supply & Sales Corp d/b/a Melrose Irrigation Supply & Sales | Increase of term contract for irrigation whole goods, parts and accessories by manufacturer (OEM) for the period 09/25/2018 through 09/24/2023 per Master Agreement #18025RRR. | Increased Amount: \$ 80,000.00 Total with increase: \$696,000.00 S/M/WBE: \$0 | Countywide | Scarlett | |

The County has expended or encumbered \$227,390 (\$9,780/month) during the previous twenty-three and one quarter (23.25) months of the current sixty (60) month term contract. The Department of Airports requests an increase of \$80,000 over the previous authorized amount of \$616,000, inclusive of the Purchasing Director's ten percent (10%) authority, for the remaining thirty-six and three quarter (36.75) months of the current term contract. This increase is due to the unanticipated increase in the replacement of damaged parts and incorrect budgeting at the commencement of the contract. This term contract has no renewal options. One (1) Awardee is located in Palm Beach County and one (1) Awardee is located out of State. No S/M/WBE vendor submitted a bid on this project.

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| <u>EXHIBIT I</u> | | | | | |
| Ovivo USA, LLC | One-time purchase for removal, delivery and installation of a reactor clarifier combination drive per Purchase Order #CPO MB070920-55. | \$240,763.00 S/M/WBE: \$0 | Water Utilities Department 4001-720-2534-4615 | Scarlett | |

The Water Utilities Departments requests a one-time purchase, delivery and installation of one (1) reactor clarifier combination drive and removal of existing equipment at Water Treatment Plant #8. Vendor, a sole source, required a modification to the County's standard indemnification provision and a cap on vendor's liability. In accordance with PPM CW-F-049, Risk Management and the County Attorney's Office negotiated with Ovivo USA, LLC and agreed to limit vendor's liability to the cost of correcting defects, or, in the absence of any defect, to the value of the equipment supplied (\$240,763). This limitation of liability does not apply to third party claims of bodily injury, death, or property damage, nor does it apply to claims based on vendor's gross negligence or willful misconduct. Awardee is located out of State. This sole source contract is exempt from the EBO Ordinance.

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| <u>EXHIBIT J</u> | | | | | |
| Prolime Corporation | New term contract for loading, hauling, and disposal of lime sludge for the period 10/13/2020 through 10/12/2021 per Master Agreement #20036. | \$1,195,200.00 S/M/WBE: \$0 | Water Utilities Department 4001-720-2531-3440 4001-720-2535-3440 | Scarlett | |

The County has expended or encumbered \$695,616 (\$81,837/month) during the previous eight and one half (8.5) months of the current ten (10) month term contract. Upon completion of preventative maintenance to equipment at Water Treatment Plants #2 and #8, the Water Treatment Plants will be operating at their normal capacity and there will be an increase in lime sludge production. Therefore, \$1,195,200 is needed to meet the County's requirements through the expiration of this new twelve (12) month term contract. This term contract has four (4) twelve (12) month renewal options. Awardee is located out of State. No S/M/WBE vendor submitted a bid on this project. The Goal Setting Committee recommended SBE price preference for this solicitation.

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| EXHIBIT K | | | | | |
| Fidelity Information Services, LLC | Ratification of the approval of an emergency Prepaid Business Suite Services Agreement for the period 08/04/2020 through 08/03/2021 per Master Agreement #F450921. | \$5,000,000.00 S/M/WBE: \$0 | Community Services Department 1160-140-CV02-3401 1160-140-CV02-8301 | Scarlett | |

The Department of Community Services requests ratification of the Director of Purchasing's approval of this twelve (12) month emergency Prepaid Business Suite Services Agreement ("Agreement"). Due to the immediate necessity for food for those negatively impacted by the COVID-19 pandemic, the Purchasing Director approved the emergency Agreement with Fidelity Information Services, LLC ("FIS"). This emergency Agreement provides for the implementation of a Purchase Card Program whereby the County issues pre-paid debit cards to approved applicants for the purchase of food products. Although the term for this emergency Agreement is for twelve (12) months, the COVID-19 related Purchase Card Program will be effective through December 30, 2020. The remaining months of the emergency Agreement will be utilized if additional time is provided to CARES ACT grantees for expenditure purposes. Up to \$5,000,000 of CARES Act funds have been allocated to this Purchase Card Program, inclusive of a total estimated \$17,500 cost-per-card fee. FIS required that the County agree to a limitation of liability and indemnification provisions that deviate from the County's standard. In accordance with PPM CW-F-049, the Department of Risk Management, the County Attorney's Office, and FIS, agreed to: (i) the removal of all indemnification requirements; and (ii) a cap on vendor's liability to not exceed the amount of fees paid for services during the twelve (12) months preceding the date the event occurred. Although the term in FIS' standard Agreement is twelve (12) months with four (4) twelve (12) month renewal periods, the County has no intention of exercising the renewals. Awardee is located outside Palm Beach County in the City of Jacksonville, Florida. This emergency term contract is being funded with CARES Act funds and is exempt from the EBO Ordinance.

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| EXHIBIT L | | | | | |
| RGFN Enterprises, LLC. d/b/a Cool Water Air Conditioning; Integ Miami, LLC. | New term contract for heating, ventilation and air conditioning (HVAC) services, maintenance and repair for the period 10/22/2020 through 10/21/2021 per Master Agreement #20029. | \$1,142,000.00 S/M/WBE: \$0 | Countywide | Scarlett | |

The County has expended or encumbered \$1,174,947 (\$61,839/month) during the previous nineteen (19) months of the current twenty-one (21) month term contract. Due to aging equipment and unanticipated repairs to sustain daily operations, \$1,142,000 is needed to meet the County's requirements through the expiration of this new twelve (12) month term contract. This term contract has four (4) twelve (12) month renewal options. Awardees are located outside Palm Beach County in the cities of Miami and Sunrise, Florida. No responsive SBE vendor bid within 10% of the low bidder. The Goal Setting Committee recommended SBE price preference for this solicitation.

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| <u>EXHIBIT M</u> | | | | | |
| Coastal Fitness- Discount Cardio & Training, Inc. d/b/a Coastal Fitness | Extension of term contract for the purchase and assembly of physical fitness equipment and accessories for the period 07/19/2015 through 07/18/2021 per Master Agreement #15042R. | Time Extension Only S/M/WBE: \$0 | Countywide | Scarlett | |

The County has expended or encumbered \$361,479 (\$5,902/month) during the previous sixty-one and one quarter (61.25) months of the current sixty-three (63) month term contract, which includes a three (3) month extension pursuant to the Director of Purchasing's authority. An additional nine (9) month extension to the current term contract is necessary to complete the procurement process required for a new term contract and to avoid a gap in service. This term contract will be terminated for convenience upon award of a new contract. This term contract has no renewal options. Awardee is located in Palm Beach County. No S/M/WBE vendor submitted a bid on this project.

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| <u>EXHIBIT N</u> | | | | | |
| Florida Coast Equipment, Inc.; Florida Outdoor Equipment, Inc.; Kelly Tractor Co.; Deere & Company d/b/a John Deere; Clark Equipment Company d/b/a Bobcat Company; Venture Products, Inc. | Extension of term contract for agriculture and lawn equipment for the period 10/01/2018 through 12/31/2020 per Master Agreement #650444. | Time Extension Only S/M/WBE: \$0 | Countywide | Scarlett | |

The County has expended or encumbered \$737,306 (\$32,409/month) during the previous twenty-two and three quarter (22.75) months of the current twenty-four (24) month term contract, which includes a three (3) month extension pursuant to the Director of Purchasing's authority. An additional three (3) month extension to the current term contract is necessary due to the State of Florida extending their contract through 12/31/2020. Approval is also requested to add vendors, as necessary, during the term of the contract. This piggyback contract allows for the addition of vendors as approved by the originating entity. This purchase is off the State of Florida Contract #21100000-15-1 and has no renewal options. One (1) Awardee is located in Palm Beach County, three (3) Awardees are located out of State, and two (2) Awardees are located outside Palm Beach County in the cities of Miami and Orlando, Florida. There is no S/M/WBE currently certified for this commodity or service.

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| <u>EXHIBIT O</u> | | | | | |
| Daniel Lauber | Ratification of approval of an extension and extension of an emergency term contract for professional consulting services for the period 10/01/2019 through 01/31/2021 per Master Agreement #600564 | Time Extension Only S/M/WBE: \$0 | Planning, Zoning & Building 0001-600-6105-3401 | Scarlett | |

The County has expended or encumbered \$21,088 (\$1,917/month) during the previous eleven (11) months of the current twelve (12) month emergency term contract, which includes a four (4) month extension (three (3) months pursuant to the Director of Purchasing's authority and one (1) month requiring the Board's ratification). Due to the COVID-19 pandemic, resulting in County staff and consultant's workload reprioritization and temporary non-availability for work, an additional four (4) month extension to the current emergency term contract is necessary to fulfill obligations to the Board in providing research related to the community housing uses in the Unified Land Development Code. The Director of Purchasing is seeking the Board's ratification of the Purchasing Director's approval of the prior one (1) month extension. This term contract has no renewal options. Awardee is located out of State. This emergency term contract is exempt from the EBO Ordinance.

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| <u>EXHIBIT P</u> | | | | | |
| Arthur J. Gallagher Risk Management Services, Inc. | Extension of term contract for property and casualty insurance broker services for the period 10/01/2019 through 09/30/2021 per Master Agreement 15050D. | Paid by Provider Time Extension Only S/M/WBE: \$0 | Risk Management Department | Scarlett | |

This term contract provides broker services for the marketing, replacement, and servicing of the County's professional property and casualty insurance program. Broker services include an annual accounting of all income; and, Awardee is compensated by commissions capped at \$295,000 that are paid directly by the insurance provider and not by the County. Due to the COVID-19 pandemic, resulting in staff workload reprioritization and staff temporary non-availability for work, an additional twelve (12) month extension to the current term contract is necessary to complete the procurement process required for a new term contract and to avoid a gap in service. This term contract has no renewal options. Awardee is located in Palm Beach County. No certified S/M/WBE participation was offered by the recommended awardee.

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| <u>EXHIBIT Q</u> Solstice Benefits, Inc. | Extension and increase of term contract for multiple option dental plans for the period 01/01/2020 through 12/31/2021 per Master Agreement #15067B. | Employee Paid: \$1,400,000.00 S/M/WBE: \$0 | Risk Management Department 7001-700-2290 (RSA) 7001-700-7139 (SBSA) Palm Tran 7001-700-2295-ASSB | Scarlett | |

During the previous seven and one half (7.5) months of the current twelve (12) month term contract, \$760,456 (\$101,394/month) in fees has been paid for multiple option dental plans by employees of Palm Beach County, Palm Tran, and the Supervisor of Elections. Due to the COVID-19 pandemic, resulting in staff workload reprioritization and staff temporary non-availability for work, an additional twelve (12) month extension to the current term contract is necessary to complete the procurement process required for a new term contract and to avoid a gap in service. Based upon the prior enrollment number of employees electing to purchase plans and an increase in the labor force, the total estimated value of this twelve (12) month extension period is \$1,400,000. This term contract has no renewal options. Awardee is located outside Palm Beach County in the City of Plantation, FL. No certified S/M/WBE participation was offered by the recommended awardee.

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| <u>EXHIBIT R</u> Lamar Transit, LLC | New term contract for transit advertising for the period 10/01/2020 through 09/30/2023 per Master Agreement #19089R. | \$1,825,000.00 (Revenue Generating) S/M/WBE: Amount Dependent Upon Usage | Palm Tran 1340-540-5101-6210 | Scarlett | |
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The County has received \$569,355 (\$28,468/month) in revenue during the previous twenty (20) months of the current twenty-one (21) month term contract. This new revenue generating contract is expected to generate \$1,825,000 in revenue over the thirty-six (36) month term, of which the County will receive a minimum guaranteed amount of \$1,225,000 (comprised of \$1,102,500 from bus advertising, and \$122,500 for intermodal shelter signs) and a credit valued at \$600,000 for a media trade account. In addition, the County will receive net advertising revenue of: (i) sixty-one percent (61%) for the first year; (ii) sixty-one and one half percent (61.5%) for the second year; and (iii) sixty-two percent (62%) for the third year. Awardee is located in Palm Beach County. This contract was established by a competitive RFP process that allowed up to fifteen (15) points for S/M/WBE participation. Awarded to a non S/M/WBE vendor utilizing SBE subcontractors. The Goal Setting Committee recommended SBE evaluation preference up to 15% and an SBE subcontracting goal at 10% for this solicitation.

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| TOTAL AMOUNT OF CARES ACT AWARDS | \$ 5,500,000.00 |
| TOTAL AMOUNT OF ALL AWARDS | \$13,454,937.00 |