

**AMENDMENT NO. 1 TO THE
ANNUAL GUARDRAIL CONSTRUCTION CONTRACT
BY AND BETWEEN PALM BEACH COUNTY
AND SOUTHEAST HIGHWAY GUARDRAIL & ATTENUATORS, LLC**

This Amendment No. 1 to the Annual Guardrail Construction Contract (R2020-0132), dated February 11, 2020, (ANNUAL CONTRACT), is made and entered into the _____ day of _____, 2021, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (COUNTY), and Southeast Highway Guardrail & Attenuators, LLC (CONTRACTOR) whose Federal ID is 81-2488503 (individually Party and collectively Parties).

W I T N E S S E T H

WHEREAS, the COUNTY and CONTRACTOR entered into the ANNUAL CONTRACT on February 11, 2020 (R2020-0132); 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 increase the amount by \$500,000, from \$1,245,000 to \$1,745,000.
3. The ANNUAL CONTRACT is hereby amended to extend the expiration date of the ANNUAL CONTRACT from February 10, 2021 to February 10, 2023.

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 shall remain in full force and effect.

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IN WITNESS WHEREOF, the 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)

CONTRACTOR:

Southeast Highway Guardrail & Attenuators, LLC

BY: _____
Barry Snyder, CEO

(CORPORATE SEAL)

ATTEST:

Joseph Abruzzo, Clerk of the Circuit Court & Comptroller

BY: _____

OWNER:

BY: _____
(Deputy Clerk)

APPROVED AS TO TERMS AND CONDITIONS:

BY: Kathleen O. Jamell
for Morton L. Rose, P.E.
Director of Roadway Production

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

BY: Yelizaveta B. Herman
Yelizaveta B. Herman,
Assistant County Attorney

ATTEST WITNESS:

BY: Iliana Angel
(Print Name)

Iliana Angel
(Signature)

BY: Connie Sinicus
(Print Name)

Connie Sinicus
(Signature)



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"



MEMORANDUM

DATE: August 13, 2020
TO: Morton L. Rose, P.E., Director
Holly B. Knight, P.E. Contracts Manager
FROM: Angela D. Smith, Small Business Development Specialist III
Office of Equal Business Opportunity *ADS*
DEPT.: Engineering and Public Works, Roadway Production Div.
SUBJECT: Annual Guardrail Construction Contract
Palm Beach County Project: 2020052

On July 15, 2020, you submitted a request for renewal for Annual Guardrail Construction Contract, PBC Project # 2020052. The original solicitation for the Project was granted a waiver on April 23, 2019, and the contract is up for renewal on February 10, 2021. 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 **APPROVES** the renewal of the contract under its current terms because:

- 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.