

II. FISCAL IMPACT ANALYSIS

A. Five-Year Summary of Fiscal Impact:

<u>Fiscal Years</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
Number of additional FTE positions (Cumulative)	_____	_____	_____	_____	_____
Is Item Included In Current Budget?				Yes_____	No_____
Budget Account No.:	Fund_____	Dept._____	Unit_____	Object_____	
				Reporting Category_____	

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

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

_____	_____
OFMB	Contract Dev. and Control

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

August 17, 2021

CONSENT AGENDA

3.B.3.

A)

One-time purchase of lateral set for regeneration tank from Ixom Watercare, Inc for \$58,695.

B)

Renewal of term contract with CROM, LLC., dba CROM Coatings and Restorations for \$1,100,000 for water storage utility tanks, inspections, preventative and corrective maintenance from 10/02/2021 through 10/01/2022.

C)

New term contract with Allied Universal Corporation for \$2,934,473 for sodium hypochlorite from 09/20/2021 through 09/19/2022.

D)

New term contract with Unifirst Corporation for \$832,800 for work uniform rental services from 10/02/2021 through 05/22/2024.

E)

Renewal of term contract with Baker & Taylor, LLC for \$3,500,000 for adult and juvenile books cataloged collection from 11/07/2021 through 11/06/2022.

F)

New term contract with Aquatic Vegetation Control, Inc for \$22,872,000 for exotics, wetland and vegetation control from 08/17/2021 through 02/19/2025.

G)

New term contract with Designlab, Inc for \$2,225,000 a uniform program for Palm Beach County Fire Rescue and Animal Care & Control from 10/1/2021 through 9/30/2024.

H)

TDC: Boca Raton Museum of Art, Inc will provide marketing and promotion for the Machu Picchu Exhibit with the Cultural Council for Palm Beach County for a term of October 1, 2021 to March 6, 2022. The amount of the agreement is \$150,000.

PALM BEACH COUNTY/CONTRACTS AND AWARDS FOR APPROVAL
BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
09/14/2021

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					
Ixom Watercare, Inc.	One-time purchase of lateral set for regeneration tank per Purchase Order #MB081021-58.	\$58,695.00 S/M/WBE: \$0	Water Utilities Department 4001-720-2535-4615	Scarlett	

The Water Utilities Department requests a one-time purchase of two (2) stainless steel lateral sets for regeneration tanks. Vendor, a sole source, requires that the County agree to a limitation of liability provision that deviates from the County's standard. The limitation of liability limits Vendor's liability to the price allocable to the goods giving rise to the claim and waives claims for special, indirect, incidental, and consequential damages. The limitation of liability is not applicable to third-party claims for death, personal injury, or property damage, nor to Vendor's duty to indemnify the County. In accordance with Countywide PPM CW-F-049, the Department of Risk Management and the County Attorney's Office have approved the limitation of liability. These negotiated terms between Palm Beach County and Ixom Watercare, Inc., will be used for future sole source purchases, as applicable. 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.

EXHIBIT B					
CROM, LLC., dba CROM Coatings and Restorations	Renewal of term contract for water storage utility tanks, inspections, preventative and corrective maintenance for the period 10/02/2021 through 10/01/2022 per Master Agreement #SS150913C.	\$1,100,000.00 S/M/WBE: \$0 Original Contract Amount: \$750,000	Water Utilities Department 4001-720-1GUA-4615 4001-720-2534-4615 4001-720-2537-4615 4001-720-2582-4615	Scarlett	

The County has expended or encumbered \$945,413 (\$87,945/month) during the previous ten and three quarter (10.75) months of the current twelve (12) month term contract. Due to the need for Level II inspections and preventative and corrective maintenance at all Water Utilities Department treatment plants, \$1,100,000 is needed to meet the County's requirements through the expiration of this new twelve (12) month renewal term contract. The contract amount for the: (i) initial twelve (12) month term was \$750,000, with \$627,173 expended; (ii) first twelve (12) month renewal term was \$750,000, which was increased to \$825,000, with \$727,243 expended; and (iii) second twelve (12) month renewal term was \$895,000, which was increased to \$984,500. This term contract has one (1) twelve (12) month renewal option 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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<p><u>EXHIBIT C</u> Allied Universal Corporation</p>	<p>New term contract for sodium hypochlorite for the period 09/20/2021 through 09/19/2022 per Master Agreement #21051.</p>	<p>\$2,934,473.00 S/M/WBE: \$0</p>	<p>Water Utilities Department 4001-720-2531-4615 4001-720-2532-4615 4001-720-2533-4615 4001-720-2535-4615 4001-720-2581-4615 4001-720-2582-4615 4001-720-2583-4615 4001-720-3GUA-4615 4001-720-4GUA-4615 4001-720-5GUA-4615</p>	<p>Scarlett</p>	
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The County has expended or encumbered \$2,499,043 (\$227,186/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 term contract. This term contract has four (4) twelve (12) month renewal options. Awardee is located outside Palm Beach County in the City of Miami, Florida. No S/M/WBE vendor submitted a bid on this project. This item was reviewed by the OEBO and a Waiver of API Requirements was approved.

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EXHIBIT D

Unifirst Corporation	New term contract for work uniform rental services for the period 10/02/2021 through 05/22/2024 per Master Agreement #151011.	\$832,800.00 S/M/WBE: \$0	Countywide	Scarlett	
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The County has expended or encumbered \$185,073 (\$17,216/month) during the previous ten and three quarter (10.75) months of the current twelve (12) month term contract. Due to Countywide uniform rental needs and the consolidation of three (3) separate contracts, \$832,800 is needed to meet the County's requirements through the expiration of this new thirty-one (31) month term contract. This contract is a piggyback off Sourcewell Contract #040920-UFC and has one (1) twelve (12) month renewal option. Awardee is located outside Palm Beach County in the City of Pompano Beach, Florida. This item was reviewed by the OEBO and approval was granted to piggyback Sourcewell Contract #040920-UFC.

EXHIBIT E

Baker & Taylor, LLC	Renewal of term contract for adult and juvenile books cataloged collection for the period 11/07/2021 through 11/06/2022 per Master Agreement #17039D.	\$3,500,000.00 S/M/WBE: \$0 Original Contract Amount: \$3,300,000.00	Library Department 1180-320-3200-6601	Scarlett	
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The County has expended or encumbered \$1,680,934 (\$176,940/month) during the previous nine and one half (9.5) months of the current twelve (12) month term contract. In order to meet the needs for the Canyon Branch Library Opening Day collection and an increased demand for the ongoing operating adult and juvenile collections, \$3,500,000 is needed to meet the County's requirements through the expiration of this new twelve (12) month renewal term contract. The contract amount for the: (i) initial twelve (12) month term was \$3,300,000, with \$2,199,585.50 expended; (ii) first twelve (12) month renewal term was \$4,000,000, with \$2,614,204.91 expended; (iii) second twelve (12) month renewal term was \$2,500,000, with \$2,140,509.90 expended; and (iv) third twelve (12) month renewal term was \$3,300,000. This term contract has no renewal options remaining. Awardee is located out of State. The original contract was established by a competitive RFP process that allowed up to ten (10) points for S/M/WBE participation. No certified S/M/WBE participation was offered by the recommended awardee. This item was reviewed and approved for renewal by the OEBO.

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<u>EXHIBIT F</u> Aquatic Vegetation Control, Inc.	New term contract for ground application for exotics, wetland and vegetation control for the period 10/01/2021 through 9/30/2024 per Master Agreement #21049.	\$22,872,000.00 S/M/WBE: Amount dependent upon usage	Countywide	Scarlett	

The County has expended or encumbered \$3,985,368 (\$370,732/month) during the previous ten and three quarter (10.75) months of the current twelve (12) month term contract. Due to higher hourly rates for the new term Contract, \$22,872,000 is needed to meet the County's requirements through the expiration of this new thirty-six (36) month term contract. This term contract has two (2) twelve (12) month renewal options. Awardee is located in Palm Beach County. Awarded to a non-S/M/WBE vendor utilizing an S/M/WBE subcontractor (Eco-Crew, LLC). This item was reviewed by the Goal Setting Committee and an SBE Evaluation Preference for SBE Participation and a twenty percent (20%) SBE subcontracting participation goal of which three percent (3%) was an M/WBE goal was approved. OEBO waived the three percent (3%) M/WBE goal, after reviewing a Good Faith Efforts waiver request, which resulted in the APIs for this item being an SBE Evaluation Preference for SBE Participation and a twenty percent (20%) SBE subcontracting participation goal.

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<u>EXHIBIT G</u> Designlab, Inc.	New term contract for a uniform program for Palm Beach County Fire Rescue and Animal Care & Control for the period 10/1/2021 through 9/30/2024 per Master Agreement # 21036.	\$2,225,000.00 S/M/WBE: \$0	Fire Rescue Department 1300-440-Various-5248 (\$2,160,050.00) Public Safety/Animal Care & Control 0001-660-Various-5248 (\$64,950.00)	Scarlett	
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The County has expended or encumbered \$560,324 (\$52,123/month) during the previous ten and three quarter (10.75) months of the current twelve (12) month term contract. The Fire Rescue Department and Department of Public Safety/Animal Care & Control Division are requesting a new thirty-six (36) month term contract for a uniform program, including the provision of uniforms, a storefront, and an online inventory account and ordering system. Due to an increase in the cost of materials and a shortage in material supplies resulting from the COVID-19 pandemic, and the addition of 190 new Fire Rescue positions since FY2019, \$2,225,000 is needed to meet the County's requirements through the expiration of this new thirty six (36) month term contract. This term contract has two (2) twelve (12) month renewal options. Awardee is located in Palm Beach County. This item was reviewed by the Goal Setting Committee and an SBE Evaluation Preference for SBE Participation was approved. No S/M/WBE vendor submitted a proposal on this project.

TOTAL AMOUNT OF CARES ACT AWARDS: \$ 0
TOTAL AMOUNT OF ALL AWARDS: \$33,522,968.00



INTEROFFICE MEMORANDUM

DATE: September 7, 2021

TO: Michael Florio
Clerk's Office

FROM: Joan Hutchinson
TDC

RE: Sub-Agreement

I have attached two (2) copies of a subcontract for the Cultural Council for Palm Beach County.

- Boca Raton Museum of Art, Inc. for a term beginning on October 1, 2021, and ending on March 6, 2022. The amount of this agreement is \$150,000 for the marketing and promotion of the Machu Picchu Exhibit.

Will you please add these to the next "contract list" for BCC approval. Following approval, I am requesting one (1) copy to be returned to this office. If you have any questions, please call me at 233-3133.

**AGREEMENT BETWEEN THE CULTURAL COUNCIL FOR PALM BEACH COUNTY AND
THE BOCA RATON MUSEUM OF ART, INC., FOR THE PROMOTION OF MACHU PICCHU
AND THE GOLDEN EMPIRES OF PERU**

This agreement made this September 7, 2021 by and between the CULTURAL COUNCIL OF PALM BEACH COUNTY, d.b.a. the CULTURAL COUNCIL FOR PALM BEACH COUNTY (COUNCIL), a Florida not for profit corporation, and the BOCA RATON MUSEUM OF ART, INC. (MUSEUM).

RECITALS:

WHEREAS, the COUNCIL is a private not for profit corporation contracted by Palm Beach County to promote and market PALM BEACH COUNTY (COUNTY) as a cultural tourism destination; and

WHEREAS, the MUSEUM is hosting the world premiere of MACHU PICCHU AND THE GOLDEN EMPIRES OF PERU (EXHIBIT) from October 16, 2021 – March 6, 2022; and

WHEREAS, this EXHIBIT will be a multisensory visitor experience being produced and designed by World Heritage Exhibitions showcasing over 192 priceless artifacts; and

WHEREAS, the MUSEUM will establish a variety of marketing, educational, and media programs related to the EXHIBIT that will benefit the COUNTY; and

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the COUNCIL hereby agrees as follows:

- The COUNCIL agrees to provide funding of \$150,000 to the MUSEUM by October 1, 2021, for the promotion and marketing of the EXHIBIT.

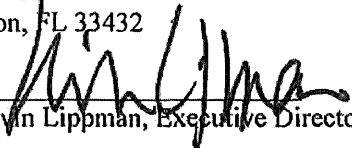
NOW, THEREFORE, in consideration of the mutual promises set forth herein, the MUSEUM hereby agrees as follows:

- The MUSEUM agrees to recognize COUNTY, TOURIST DEVELOPMENT COUNCIL (TDC), and COUNCIL as official sponsors of the EXHIBIT in the EXHIBIT's entire marketing effort after the date of this agreement.
- THE MUSEUM will provide COUNTY, TDC, and COUNCIL recognition below the title along with other comparable sponsors and with proportional size and placement.
- COUNTY, TDC, and COUNCIL, logos will be placed on the MUSEUM -hosted EXHIBIT website.
- COUNTY, TDC, and COUNCIL will be promoted in public relations and advertising efforts, including social media, paid digital/print media and collateral materials, as appropriate.
- The MUSEUM agrees to recognize the COUNTY, TDC, and COUNCIL support in all educational materials, programs, and promotions to Palm Beach County schools.

- The MUSEUM will provide a sponsorship report at the close of the exhibition with examples of logo/name recognition and key metrics (attendance, media impressions, website visits, etc.).
- The MUSEUM agrees to indemnify, defend, and hold harmless Palm Beach County, the Commission, the Cultural Council for Palm Beach County, and their directors, officers, employees, and agents, against any losses resulting from any acts or omissions of the MUSEUM and/or its directors, officers, employees, shareholders, members, representatives, and agents, contractors, or servants in connection with the EXHIBIT under this agreement.
- The recitals, schedules, and exhibits to this agreement are incorporated herein and made a part hereof as though fully set forth at length herein. This agreement constitutes the entire agreement among the parties hereto with respect to the subject matter hereof. No modification, amendment or waiver of any provisions hereof shall be binding upon any party hereto unless it is in writing and executed by all parties hereto or in the case of a waiver, by the party waiving compliance.

IN WITNESS WHEREOF, the parties have executed this agreement as follows:

Boca Raton Museum of Art
501 Plaza Real
Boca Raton, FL 33432

Signed: 
Irvin Lippman, Executive Director

Cultural Council for Palm Beach County
601 Lake Avenue
Lake Worth Beach, FL 33460

Signed: 
David Lawrence, President & CEO